

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE:	:
COMPLAINT OF	:
BELLSOUTH TELECOMMUNICATIONS	: DOCKET NO.: 11-00119
LLC D/B/A AT&T TENNESSEE	:
V.	:
HALO WIRELESS, INC.	:

**COMMENTS ON TRA JANUARY 20, 2012 NOTICE AND REQUEST FOR TRA TO  
TAKE NOTICE OF ADDITIONAL RELEVANT DOCUMENTS**

Halo Wireless, Inc. ("Halo") and Transcom Enhanced Services, Inc. ("Transcom") hereby offer their comments on the notice issued by the Tennessee Regulatory Authority ("TRA") in the above captioned proceeding on January 20, 2012 (the "January 20, 2012 Notice") as follows:

Halo and Transcom do not oppose the TRA taking notice of the documents set forth in the January 20, 2012 Notice in accordance with Tenn. Code Ann. § 4-5-313(6), which permits the TRA to take official notice of:

- (i) Any fact that could be judicially noticed in the courts of this state;
- (ii) The record of other proceedings before the agency;
- (iii) Technical or scientific matters within the agency's specialized knowledge; and
- (iv) Codes or standards that have been adopted by an agency of the United States, of this state or of another state, or by a nationally recognized organization or association.

Tenn. Code Ann. § 4-5-313(6).

However, Halo and Transcom assert that TRA's taking of notice of these documents must be limited to taking notice of the nature and origin of the documents and what they say but not for the truth of the matter asserted in the documents. Further, since the TRA is taking notice of those documents, it should also take notice of the additional documents set forth below because the documents listed below provide further context, and a more complete record, of the relevant aspects of the documents of which the TRA is taking notice.

Specifically, Halo and Transcom request that the TRA take notice of the additional documents set forth below pursuant to Tenn. Code Ann. § 4-5-313(6):

1. Paragraph 1311 and note 2366 of the FCC order.
2. USF/ICC Transformation NPRM, 26 FCC Rcd at 4776-77, para. 683
3. Intercarrier Compensation FNPRM, 20 FCC Rcd at 4737-44, paras. 120-33;
4. 2008 Order ICC/USF FNPRM, 24 FCC Rcd at 6650, App. A., para. 347;
5. 2008 Order ICC/USF FNPRM, 24 FCC Rcd at 6849, App. C, para. 344.
6. Initial Decision of Administrative Law Judge Wayne L. Weismandel, date August 7, 2009 in the matter of Palmerton Telephone Company v. Global NAPs South, Inc., Global NAPs Pennsylvania, Inc., Global NAPs, Inc. and other affiliates, C-2009-2093336, before the Pennsylvania Public Utility Commission.
7. Exceptions filed by Palmerton Telephone Company in the matter of Palmerton Telephone Company v. Global NAPs South, Inc., Global NAPs Pennsylvania, Inc., Global NAPs, Inc. and other affiliates, C-2009-2093336, before the Pennsylvania Public Utility Commission
8. Memorandum And Order, Global Crossing Telecommunications, Inc., vs. Southwestern Bell Telephone, L.P., Case No. 4:04-Cv-00319-ERW, United States District Court Eastern District Of Missouri, Eastern Division
9. Memorandum Opinion And Order, April 8, 2011, AT&T Corp. v. YMax Communications Corp., File No. EB-10-MD-005, Before the Federal Communications Commission.
10. MTS and WATS, 97 FCC 2d 834 pp. 1&30.

There are additional documents that Halo and Transcom intend to request the TRA to take judicial notice of. Halo and Transcom will supplement this list and provide the commission with copies of the referenced documents.

Respectfully submitted

  
**STEVEN H. THOMAS**

Texas State Bar No. 19868890

*pro hac vice* admission

**TROY P. MAJOUE**

Texas State Bar No. 24067738

*pro hac vice* admission

**JENNIFER M. LARSON**

Texas State Bar No. 24071167

*pro hac vice* admission

**McGUIRE, CRADDOCK  
& STROTHER, P.C.**

2501 N. Harwood, Suite 1800

Dallas TX 75201

Phone: 214.954.6800

Fax: 214.954.6850

**PAUL S. DAVIDSON**

Tennessee Bar No. 011789

**JAMES M. WEAVER**

Tennessee Bar No. 013451

**WALLER LANSDEN DORTCH & DAVIS, LLP**

511 Union Street, Suite 2700

Nashville, TN 37219

Phone: 615-850-8942

Fax: 615-244-6804

**W. SCOTT MCCOLLOUGH**

Texas State Bar No. 13434100

*pro hac vice* admission

**MATTHEW A. HENRY**

Texas State Bar No. 24059121

*pro hac vice* admission

**MCCOLLOUGH|HENRY PC**

1250 S. Capital of Texas Hwy., Bldg. 2-235

West Lake Hills, TX 78746

Phone: 512.888.1112

Fax: 512.692.2522

*Attorneys for Halo Wireless, Inc.  
and Transcom Enhanced Services, Inc.*

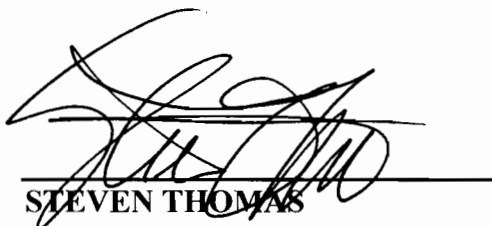
### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing objections was served via hand delivery on the following counsel of record and designated contact individuals on this the 23rd day of January, 2012:

**ATTORNEYS FOR CONCORD TELEPHONE EXCHANGE, INC., HUMPHREYS COUNTY TELEPHONE COMPANY, TELlico TELEPHONE COMPANY, TENNESSEE TELEPHONE COMPANY, CROCKETT TELEPHONE COMPANY, INC. PEOPLES TELEPHONE COMPANY, WEST TENNESSEE TELEPHONE COMPANY, INC., NORTH CENTRAL TELEPHONE COOP., INC. AND HIGHLAND TELEPHONE COOPERATIVE, INC.:**

H. LaDon Baltimore, Esq.  
FARRIS MATHEWS BOBANGO PLC  
The Historic Castner-Knott Building  
618 Church Street, Suite 300  
Nashville, TN 37219

Norman J. Kennard, Esq.  
THOMAS, LONG, NIESEN & KENNARD  
212 Locust Street, Suite 500  
Harrisburg, PA 17108-9500



STEVEN THOMAS