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June 14, 2012

VIA OVERNIGHT MAIL

Mr. Jeff Derouen
Executive Director
Public Service Commission
211 Sower Boulevard
P. O. Box 615
Frankfort, KY 40602

RECEIVED

JUN 15 2012

PUBLIC SERVICE
COMMISSION

Re: BellSouth Telecommunications, LLC, d/b/a AT&T
Kentucky, Complainant v. Halo Wireless, Inc., Defendant
PSC 2011-00283

Dear Mr. Derouen:

Enclosed for filing in the above-referenced case are the original and ten (10) copies of AT&T Kentucky's Interrogatories, Requests for Production of Documents and Requests for Admission to Halo Wireless, Inc.

Please let me know if you have any questions.

Sincerely,


Mary K. Keyer

Enclosures

cc: Parties of Record

1037798

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

BELLSOUTH TELECOMMUNICATIONS, LLC)	
D/B/A AT&T KENTUCKY)	
Complainant)	
v.)	CASE NO. 2011-00283
HALO WIRELESS, INC.)	
Defendant)	

AT&T KENTUCKY’S INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR ADMISSION TO HALO WIRELESS, INC.

AT&T Kentucky,¹ hereby serves its Interrogatories, Requests for Production of Documents, and Requests for Admission to Halo Wireless, Inc. Responses should be delivered on or before July 3, 2012, in accordance with the instructions set forth below.

INSTRUCTIONS

These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. When the information requested by a data request varies over time, state the response for each period of time as to which the response differs, and identify the time periods. If you cannot answer a data request in full after exercising due diligence to secure all the information requested,

¹ BellSouth Telecommunications, LLC d/b/a AT&T Kentucky (“AT&T Kentucky”).

or do not have precise information with regard to any part of any data request, you should so state in your response, describing in full your effort to obtain the information requested, and then proceed to respond to the fullest extent possible.

If you object to any part of any data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

These data requests are continuing in nature. Thus, in the event that you obtain additional information with respect to any data request after it has been answered, you are required to supplement your response promptly following receipt of such additional information, providing the additional information to the same extent as originally requested. If you are unwilling to supplement your responses, please so state providing the legal basis for your refusal.

In the event that you assert that any requested information is not available in the form requested, in your written response thereto, you should disclose the following:

1. The form in which the requested information currently exists (identifying documents by title or description); and
2. The earliest dates, time period, and location that representatives of AT&T Kentucky may inspect your files, records or documents in which the information currently exists.

For each data request answered, provide the name, business address(es) and telephone number(s) of the person(s) answering, the title of such person(s), and the name of the witness(es) who will be prepared to testify concerning the matters

contained in each response. If you do not intend to call or present a witness who is prepared to testify concerning the matters contained in any response, please so state.

DEFINITIONS

1. "AT&T Kentucky" shall mean BellSouth Telecommunications, LLC d/b/a AT&T Kentucky.

2. "You" or "Your" shall refer to Halo Wireless, Inc.

3. "Representative(s)" means those persons, past and present not in your direct employment including outside counsel, who represent or represented your interests in matters related to this proceeding.

4. "Employee(s)" means those persons in your direct employment, past and/or present.

5. "Person" and "persons" include individuals, firms, partnerships, associations, trade associations, corporations, government entities, or other groups, however organized.

6. "Document" or "documentation" means any medium upon which intelligence or information can be recorded or retrieved, and includes, without limitation, the original and each copy, regardless of origin and location, of any book, pamphlet, periodical, letter, memorandum (including any memorandum or report of a meeting or conversation), invoice, bill, order, form, receipt, financial statement, accounting entry, diary, calendar, telex, telegram, e-mail, facsimile ("fax"), cable, report, recording, contract, agreement, study, handwritten note, drawing, sketch, graph, index, list, tape, photograph, microfilm, data sheet or data processing tape, disk, file stored on computer, or any other written, recorded, transcribed, punched tape, filmed or graphic matter,

however produced or reproduced, which is in your possession, custody, control or otherwise accessible to you or which was, but is no longer, in your possession, custody or control.

7. "Identification" or "identify" when used in reference to: (i) a document other than a contract or agreement means to state: (1) its date; (2) its author; (3) the type of document; (4) its title; (5) its present location; (6) the name of each of its present custodians; (ii) a contract or agreement, means: (1) state the date of its making; (2) identify the parties thereto; (3) state whether the contract is oral or in writing; (4) state fully and precisely and separately all of the terms of said contract; (iii) a person other than an individual, means to state: (1) its full name; (2) its nature of organization, including the name of the state or country under the laws of which it was organized; (3) the address of its principal place of business; and (4) its principal line of business; (iv) a communication, requires you, if any part of the communications was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

8. "Possession, custody or control" includes actual constructive possession. Any document which is not in your immediate physical possession, but to which you have or had a right to compel or secure production from a third person or which is otherwise subject to your control, shall be obtained and produced as directed.

9. "Relate to" or "relating to" means concern, consist of, refer to, pertain to, reflect, evidence, or to be in any way logically or factually connected with the matter discussed.

10. "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these data requests anything that would not otherwise be brought within their scope.

11. "Concerning" shall mean comprising, describing, evidencing, referring to, responding to, quoting, or pertaining in any way to any part of a specified subject matter and/or to the contents or subject matter of any document including the specified subject matter.

12. "Communication" includes, without limitation of its generality, correspondence, statements, agreements, contracts, discussions, conversation, speeches, meetings, remarks, questions, answers, panel discussions and symposia, whether written or oral. The term includes, without limitation of its generality, both communications and statements which are face-to-face and those which are transmitted by documents or by media such as e-mail, intercoms, telephones, television or radio, data systems, and electronic reproductions and delivery systems.

**INTERROGATORIES, REQUESTS FOR PRODUCTION
AND REQUESTS FOR ADMISSION**

1. Referring to page 3, lines 9-10 and 22 of the Pre-Filed Testimony of Russ Wiseman on Behalf of Halo Wireless, Inc., filed May 11, 2012, in Florida Public Service Commission Docket No. 110234-TP (“Wiseman Florida Testimony”), identify with specificity the “novel, but legal way” and the “different, but legal ways” in which Halo has interpreted and applied telecommunications laws and rules and explain, for each such way, in what sense it is “different” or “novel.”
2. Please produce the presentations referred to on page 5, line 22, of the Wiseman Florida Testimony.
3. Explain the purpose of Halo’s insertion of Transcom’s Charge Number into call records as summarized at p. 10, lines 7-11 of the Wiseman Florida Testimony, and how the insertion of Transcom’s Charge Number into call records accomplishes or helps accomplish (or could accomplish or help accomplish) that purpose. The explanation should, without limitation, state whether the identification of Transcom (and other potential high volume customers of Halo) as the financially responsible party(ies) was intended to facilitate Halo’s billing of Transcom (and other potential high volume customers of Halo); or the terminating carriers’ billing of Transcom (and other potential high volume customers of Halo); or both or neither. The explanation should also include the means by which the insertion of Charge Numbers would facilitate that billing.
4. Referring to page 31, lines 4-6, of the Wiseman Florida Testimony, identify all persons who participated in or advised on the design of “our business plan,” including attorneys. Please produce all documents setting forth or memorializing the business plan, and all documents relating to the establishment or design of the business plan, including, without limitation, all documents reflecting or relating to the perceptions of regulatory counsel described in the Wiseman Florida testimony at p. 7, line 12, to p. 8, line 2.
5. Referring to page 42, lines 6-8 of the Wiseman Florida Testimony, identify all agents, representatives, employees, officers, counsel or other persons acting on behalf of Halo who “relied on all of this precedent.” Please produce all documents evidencing, reflecting or relating to said reliance.
6. Please produce all documents that support or otherwise relate to the statement at p. 37, lines 10-12 of the Wiseman Florida Testimony that “We relied on the D.C. Circuit’s holding in *Bell Atlantic* that ESP’s originate traffic when this clause was being negotiated.”
7. Please produce all documents that support or otherwise relate to the statements at p. 63, lines 2-4 of the Wiseman Florida Testimony concerning what Halo told AT&T or information that Halo provided to AT&T.

8. Referring to page 37, lines 15-17 of the Wiseman Florida Testimony, does Halo deny that some calls ultimately sent by Halo to AT&T Kentucky for termination started on landline equipment? If so, please state the factual basis for Halo's denial.

9. Referring to page 37, lines 15-17 of the Wiseman Florida Testimony, has Halo taken any measures to avoid sending to AT&T Kentucky calls that started on the PSTN? If so, please describe each such measure and state when Halo employed that measure.

10. Referring to page 45, line 15 of the Wiseman Florida Testimony, please identify the persons who are on the board of Halo and the persons who are on the board of Transcom.

11. Of all calls that Halo delivers to AT&T Kentucky for termination to AT&T Kentucky's end user customers or for delivery to other carriers, what is Halo's best estimate of the percentage that started on landline equipment, and what is the basis for that estimate?

12. Describe the "alternate arrangements for the termination of InterMTA traffic" referenced in the September 30, 2010, letter from Carolyn Malone to Randy Ham that is Exhibit 2 to the Wiseman Florida Testimony.

13. Referring to page 7, lines 6-7 of the Pre-Filed Rebuttal Testimony of Robert Johnson in Florida Public Service Commission Docket No. 110234-TP ("Johnson Florida Rebuttal"), has there ever been an instance in which a Transcom customer has sent traffic to an "enhanced service session" other than traffic that was to be transported by Halo to a carrier for eventual termination to a called party? If not, could a Transcom customer do such a thing? If so, how?

14. Referring to page 19, lines 1-10 of the Johnson Florida Rebuttal, if a Transcom customer's traffic is IP-originated, what benefits, if any, can the client obtain by certifying to Transcom that the traffic is IP-originated?

15. If Transcom's customer certifies that its traffic is IP-originated, does Transcom do anything to confirm that the certification is true? If so, identify all measures that Transcom has taken to confirm a customer certification that its traffic is IP-originated?

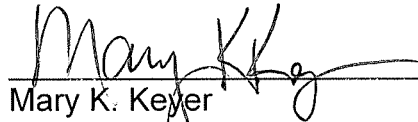
16. If a Transcom customer falsely certifies that its traffic is IP-originated, what undesired or adverse consequences, if any, may that customer experience as a result of the false certification.

17. Referring to page 7, lines 9-10 of the Johnson Florida Rebuttal, of the "host of different kinds of companies" that Transcom serves, please identify all kinds in addition to the kinds identified.

18. Please admit that of the traffic that Halo delivers to AT&T Kentucky, some (including traffic that is delivered by Transcom's customer to Transcom in IP format) has not been enhanced by Transcom in the manner described at page 14, line 10, to page

16, line 5, of the Johnson Florida Rebuttal. If your answer is anything other than an unqualified admission, please explain why your answer is not an unqualified admission in light of the deposition testimony of Robert Johnson on May 22, 2012, to the effect that Transcom does not enhance all traffic that is delivered to Transcom in IP format, including traffic that Transcom delivers to Halo.

Respectfully submitted,



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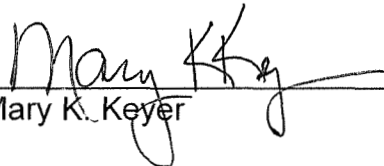
CERTIFICATE OF SERVICE – PSC 2011-00283

I hereby certify that a copy of the foregoing was served on the following individuals by mailing a copy thereof via U.S. Mail, this 14th day of June 2012.

Russell Wiseman
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