

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint and petition for relief against Halo Wireless, Inc. for breaching the terms of the wireless interconnection agreement, by BellSouth Telecommunications, LLC d/b/a AT&T Florida.

DOCKET NO. 110234-TP

DATED: June 8, 2012

COMMISSION  
CLERK

12 JUN - 8 AM 10: 55

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COMMISSION STAFF'S PREHEARING STATEMENT

Pursuant to Order No. PSC-12-0202-PCO-TP, filed April 13, 2012, the Staff of the Florida Public Service Commission files its Prehearing Statement.

a. All Known Witnesses

Staff has no witnesses.

b. All Known Exhibits

Staff has no known exhibits at this time.

c. Staff's Statement of Basic Position

Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions stated herein.

d. Staff's Position on the Issues

**ISSUE 1:** Does the Commission have jurisdiction to address AT&T Florida's Complaint?

**POSITION:** Staff has no position at this time.

**ISSUE 2:** Has Halo delivered traffic to AT&T Florida that was not "originated through wireless transmitting and receiving facilities" as provided by the parties' ICA?

**POSITION:** Staff has no position at this time.

**ISSUE 3:** Has Halo complied with the signaling requirements in the parties' ICA?

**POSITION:** Staff has no position at this time.

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**ISSUE 4:** Has Halo paid the appropriate compensation to AT&T Florida as prescribed by the parties' ICA? If not, what compensation, if any, would apply?

**POSITION:** Staff has no position at this time.

**ISSUE 5:** Has halo failed to pay AT&T Florida for facilities that AT&T Florida provided pursuant to the parties' ICA and that the ICA obliges Halo to pay for?

**POSITION:** Staff has no position at this time.

**ISSUE 6A:** Has Halo committed a material breach of its ICA with AT&T Florida?

**POSITION:** Staff has no position at this time.

**ISSUE 6B:** If Halo has committed a material breach of its ICA with AT&T Florida, is AT&T Florida entitled to terminate the ICA?

**POSITION:** Staff has no position at this time.

**ISSUE 6C:** If Halo has committed a material breach of its ICA with AT&T Florida, is AT&T Florida entitled to discontinue performance under the ICA?

**POSITION:** Staff has no position at this time.

**ISSUE 7:** What action should the Commission take based on its findings in Issues 1-6?

**POSITION:** Staff has no position at this time.

e. Stipulated Issues

Staff is not aware of any stipulated issues at this time.

f. Pending Motions

There are no pending motions at this time.

g. Pending Confidentiality Claims or Requests

Halo's First Request for Confidential Classification of Document No. 03157-12.

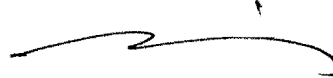
h. Objections to Witness Qualifications as an Expert

Staff has no objections to any witness' qualifications as an expert in this proceeding.

i. Compliance with Order No. PSC-12-0202-PCO-TP

Staff has complied with all requirements of the Order Establishing Procedure entered in this docket.

Respectfully submitted this 8th day of June, 2012.



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of STAFF'S PREHEARING STATEMENT has been filed with Office of Commission Clerk and one copy has been furnished to the following by electronic and U.S. Mail, on this 8th day of June, 2012:

Russell Wiseman Halo Wireless, Inc. 2351 West Northwest Highway Suite 1204 Dallas, TX 75220	Jennifer M. Larson Troy P. Majoue McGuire, Craddock & Strother, PC 2501 N. Harwood, Suite 1800 Dallas, Texas 75201
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