



SOUTHWEST TEXAS TELEPHONE COMPANY  
*Founded 1898*

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TELEPHONE COMPANY  
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June 22, 2015

Hon. Mignon Clyburn, Commissioner  
Federal Communications Commission  
445 12<sup>th</sup> St., SW  
Washington, DC 20554

**Re: CC Docket No. 01-92, WC Docket Nos. 07-135, 10-90**  
**Written *Ex Parte* Letter**

Dear Commissioner Clyburn:

I am writing to ask for your assistance resolving a waiver petition that Southwest Texas Telephone Company (“SWT”) filed in 2014 in WC Docket No. 10-90. As further outlined in the petition, SWT sought a waiver pursuant to the Commission’s rules to include certain billed, but not collected, revenues associated with Halo Wireless (“Halo”) within SWT’s baseline revenues.

SWT billed Halo for terminating traffic on its network during FY 2011. SWT vigorously pursued collecting these revenues from Halo in an arbitration before the Public Utility Commission of Texas, but Halo refused to pay these bills and ultimately declared bankruptcy before SWT could collect the revenues that the Texas Commission determined were owed by Halo.<sup>1</sup> SWT participated in the Halo bankruptcy proceeding and sought recovery of both pre-petition debt and post-petition administrative claims.<sup>2</sup> Unfortunately, this situation coincided with the time period when a critical future revenue calculation was being made based on *collected* baseline revenues.

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<sup>1</sup> See *Petition of Eastex Telephone Cooperative, Inc. for Compulsory Arbitration with Halo Wireless, Inc. Under the Federal Telecommunications Act Relating to Interconnection Rates, Terms and Conditions*, Docket No. 40032 (Consolidated), Arbitration Award, (Sept. 25, 2012) (“*Texas Arbitration*”).

<sup>2</sup> See generally Claims Register, *In re: Halo Wireless, Inc.*, Case No. 11-42464, Bkrcty. E.D. Tex. (converted July 19, 2012) (including pre-petition claims and administrative expense (post-petition) claims filed by SWT).

Through the instant waiver petition, SWT has sought the same relief that the Commission has already afforded other similarly situated rate-of-return incumbent local exchange carriers.<sup>3</sup> The comment period on SWT's waiver petition ended more than six months ago on December 18, 2014 and no party objected to the petition. Four months ago, on February 6, 2015, Chairman Wheeler's office responded to a letter from Congressman Lamar Smith in this matter indicating that "the Commission makes every effort to conclude its review as quickly and equitably as possible."

It has now been seven months since SWT filed its waiver request. The Company is simply asking the Commission complete its review of its petition and conditionally grant it consistent with the conditional approval afforded other similarly situated providers in August of 2014.

Thank you in advance for your prompt resolution of this matter. If you have any questions, please contact me at the below-listed telephone number.

Sincerely,

A handwritten signature in blue ink, appearing to read "G. Gilmer", written over a horizontal line.

Gary C. Gilmer  
President  
(830) 683-2111

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<sup>3</sup> See *Connect America Fund et al.*, WC Docket No. 10-90 *et al.*, Order, FCC 14-121 (rel. Aug. 7, 2014) ("*TDS Waiver Order*").