

**STATE OF MISSOURI
PUBLIC SERVICE COMMISSION**

At a session of the Public Service
Commission held at its office in
Jefferson City on the 14th day of
August, 2013.

The Staff of the Commission,)	
)	
Complainant,)	
)	
v.)	<u>File No. TC-2013-0194</u>
)	
Halo Wireless, Inc.,)	
Transcom Enhanced Services, Inc.,)	
)	
Respondents.)	

ORDER APPROVING STIPULATION AND AGREEMENT

Issue Date: August 14, 2013

Effective Date: August 24, 2013

On October 16, 2012, the above-referenced complaint was filed. The Commission issued notice to Respondents. Transcom Enhanced Services, Inc., ("Transcom") timely filed an Answer and a Motion to Dismiss. Halo Wireless, Inc., ("Halo") filed a motion for extension of time to respond, but has never responded to the complaint.¹

On July 16, 2013, Transcom and the Staff of the Commission ("Staff") filed a Joint Stipulation and Agreement ("Stipulation") and a Staff Recommendation. Staff and Transcom agreed upon how to resolve Staff's complaint in the Stipulation. The Stipulation states that Transcom agrees it will not do business in Missouri and will pay \$100,000 to the Public School Fund. The Stipulation further states that Staff will agree to dismiss its complaint against Transcom with prejudice.

¹ The Commission will issue a separate order regarding Halo.

A nonunanimous stipulation and agreement is any stipulation and agreement which is entered into by fewer than all of the parties.² Because Halo and the Office of the Public Counsel did not enter into the Stipulation, it is nonunanimous. Parties have seven days to object to a nonunanimous stipulation and agreement.³ Failure to file a timely objection allows the Commission to treat a nonunanimous stipulation and agreement as a unanimous stipulation and agreement.⁴

The Stipulation contains terms that would be beyond the Commission's authority to order, such as Transcom's agreement to pay \$100,000 to the Public School Fund. However, the parties may agree to such terms as a means to settle their dispute.

The Commission has reviewed the Joint Stipulation and Agreement and Staff Recommendation. The Commission finds that nothing in the Joint Stipulation and Agreement is contrary to the public interest. Therefore, the Commission will approve the Joint Stipulation and Agreement.

THE COMMISSION ORDERS THAT:

1. The Joint Stipulation and Agreement is approved.
2. The signatories of the Joint Stipulation and Agreement shall comply with its terms.
3. Staff's complaint against Transcom Enhanced Services, Inc., is dismissed with prejudice.

² Commission Rule 4 CSR 240-2.115(2)(A).

³ Commission Rule 4 CSR 240-2.115(2)(B).

⁴ Commission Rule 4 CSR 240-2.115(2)(C).

4. This order shall become effective on August 24, 2013.
5. This file shall be closed on August 25, 2013.



BY THE COMMISSION

Morris L. Woodruff

Morris L. Woodruff
Secretary

R. Kenney, Chm., Jarrett, Stoll,
and W. Kenney, CC., concur.

Pridgin, Senior Regulatory Law Judge