

ORIGINAL

OPEN MEETING AGENDA ITEM



0000126268

MEMORANDUM

RECEIVED

TO: THE COMMISSION

2011 JUN 10 P 4:17

FROM: Utilities Division

AZ CORP COMMISSION  
DOCKET CONTROL

DATE: June 10, 2011

RE: SECURUS TECHNOLOGIES, INC. FOR APPROVAL TO ENCUMBER ASSETS  
IN CONNECTION WITH CERTAIN DEBT FINANCING ARRANGEMENTS  
(DOCKET NO. T-03479A-11-0162)

This item was pulled from the Commission's Open Meeting on May 24, 2011. Attached is additional information which the Commissioners may find useful when this Securus Technologies, Inc. ("Securus") item appears on a future Open Meeting. The information includes:

- 1 - May 25, 2011 email from Connie Walczak, Consumer Services Section, to Armando Fimbres, Telecom & Energy Section, concerning Securus complaints in Arizona.
- 2 - Securus Arizona Regulatory Complaint Summary.
- 3 - May 26, 2011 email from Michael Patten, on behalf of Securus, to Armando Fimbres, concerning Securus call volumes in Arizona.
- 4 - September 21, 2010 letter from Evercom (now Securus) to the Federal Communications Commission.
- 5 - November 12, 2009 letter from T-Netix Telecommunications (a Securus affiliate) to the Federal Communications Commission. (The T-Netix Telecommunications CC&N was cancelled at the May 24, 2011 Open Meeting.)
- 6 - November 18, 2009 letter from T-Netix Telecommunications (a Securus affiliate) to the Federal Communications Commission. (The T-Netix Telecommunications CC&N was cancelled at the May 24, 2011 Open Meeting.)

Steven M. Olea  
Director  
Utilities Division

SMO:AFF:lhm

Attachments

ORIGINATOR: Armando Fimbres

Arizona Corporation Commission

DOCKETED

JUN 10 2011

DOCKETED BY

SERVICE LIST FOR: Securus Technologies, Inc.  
DOCKET NO. T-03479A-11-0162

Mr. Michael W. Patten  
Roshka DeWulf & Patten, PLC  
One Arizona Center  
400 East Van Buren Street, Suite 800  
Phoenix, AZ 85004

Mr. Paul C. Besozzi  
Patton Boggs LLP  
2550 M Street, N.W.  
Washington, D.C. 20037

## Armando Fimbres

---

**From:** Connie Walczak  
**Sent:** Wednesday, May 25, 2011 8:05 AM  
**To:** Armando Fimbres  
**Subject:** RE: re Securus 11-0162

Armando, I have reviewed our database and find from January 1, 2008 - May 23, 2011, Consumer Services received two complaints, both in 2008 regarding billing questions, both resolved and closed and two inquiries both in 2009, one a law student question & one request for a copy of their tariffs. These were under Evercom.

If you need anything else, please let me know.

Thanks,  
Connie

# Arizona Regulatory Complaint Summary

For the period from January 1, 2009 through May 24, 2011

Complaint Summary Listing			
Date Received	State	Commission	Complaint Type
1/5/2009	AZ	BBB	LEC Billed Account Unavailable
2/4/2009	AZ	BBB	Customer Refund Request
3/11/2009	AZ	FCC	LEC Billing - PVP Limit Exceeded
4/1/2009	AZ	FCC	Cut Off Calls
4/1/2009	AZ	FCC	Cut Off Calls
5/29/2009	AZ	BBB	Cut Off Calls
6/11/2009	AZ	BBB	Call Block
7/20/2009	AZ	BBB	Duplicate Billing
7/20/2009	AZ	BBB	Duplicate Billing
7/29/2009	AZ	BBB	Billing Dispute
8/26/2009	AZ	BBB	Billing Dispute
10/9/2009	AZ	BBB	LEC Billing - PVP Limit Exceeded
10/9/2009	AZ	BBB	LEC Billing - PVP Limit Exceeded
10/21/2009	AZ	FCC	Cut Off Calls
10/28/2009	AZ	FCC	Remote Call Forwarding
3/30/2010	AZ	FCC	High Rates
7/23/2010	AZ	BBB	Unwanted Calls
8/31/2010	AZ	FCC	Billing Dispute
12/16/2010	AZ	AGO	Unwanted Calls
1/26/2011	AZ	FCC	Duplicate Billing

Complaint Summary by Commission			
Commission	2009	2010	2011
Better Business Bureau (BBB)	10	1	-
Federal Communications Commission (FCC)	5	2	1
Attorney General's Office (AGO)	-	1	-
Annual Complaint Total	15	4	1
<b>Complaint Total for Period</b>	<b>20</b>		

Complaint Summary by Type	
Complaint Type	2009-2011
Billing Dispute	3
Call Block	1
Customer Refund Request	1
Cut Off Calls	4
Duplicate Billing	3
High Rates	1
LEC Billed Account Unavailable	1
LEC Billing - PVP Limit Exceeded	3
Remote Call Forwarding	1
Unwanted Calls	2
<b>Complaint Total for Period</b>	<b>20</b>

**Armando Fimbres**

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**From:** Michael Patten [mpatten@rdp-law.com]  
**Sent:** Thursday, May 26, 2011 9:56 AM  
**To:** Armando Fimbres  
**Subject:** Securus Call Volume

Armando,

I anticipated your request (and it was a question I also had) and had Securus working to pull call volumes for Arizona. Below is the information they provided me this morning. The 20 complaints we identified for Arizona occurred over a two and a half year period. So you can see the complaints reflect a very small percentage of total calls. Please let me know if you have questions.

Our billing group worked their magic and got some call volume numbers quickly. The numbers below are billable **collect** call volumes originating from facilities served by Securus in the state of Arizona. The figures include collect calls billed to the end-user by LEC, AdvanceConnect, or Direct Bill. These figures do not include other calling products (Inmate calling card, Inmate debit).

2010 - 2,546,860  
2009 - 2,444,468  
2008 - 2,300,342

Mike

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Michael W. Patten  
ROSHKA DeWULF & PATTEN, PLC  
400 East Van Buren Street, Suite 800  
Phoenix, AZ 85004  
602-256-6100  
602-256-6800(fax)  
[mpatten@rdp-law.com](mailto:mpatten@rdp-law.com)

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**For more information about Roshka DeWulf & Patten, please see our website at [www.rdp-law.com](http://www.rdp-law.com).**

This message and any of the attached documents contain information from the law firm of Roshka DeWulf & Patten, PLC and may be confidential and/or privileged. If you are not the intended recipient, you may not read, copy, distribute or use this information and no privilege has been waived by your inadvertent receipt. If you have received this transmission in error, please notify the sender by reply e-mail and then delete this message. Thank you.



September 21, 2010

Federal Communications Commission  
Attn: Jeffrey H. Tignor  
445 12th Street, SW  
Washington, DC 20554

VIA EMAIL: [carrierresponses@fcc.gov](mailto:carrierresponses@fcc.gov)

Re: Michael [REDACTED], (928) 537-[REDACTED]  
Complaint No. 10-C0023 [REDACTED]

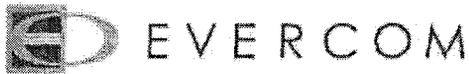
Dear Mr. Tignor:

This letter is in response to the complaint filed by Michael [REDACTED] regarding collect call charges totaling \$110.92 for calls accepted from the Catron County Sheriff's Department located in Reserve, New Mexico. Evercom Systems, Inc. ("Evercom") is the inmate telephone service provider that handles the inmate collect calls for this confinement facility. Correctional Billing Services ("CBS"), a division of Evercom, provides the billing and customer care services.

According to Mr. [REDACTED]'s complaint, five (5) collect calls were accepted at telephone number (928) 537-[REDACTED] between April 16, 2010 and April 25, 2010 from the aforementioned facility, which appeared on his Local Exchange Carrier ("LEC") billing statement, which he identified as Frontier. The customer mentioned he contacted the CBS Customer Service department and spoke with a representative regarding the calls charges incurred to the telephone number in question. As such, he mentions a recording preceded the calls indicating the calls were "Free" and was from a loved one at the above-mentioned facility. Additionally, he questioned the CBS representative why charges would incur on a call that advised it was Free, at which time he was advised an investigation form would need to be completed identifying the calls in question. Mr. [REDACTED] states he contacted CBS on June 17, 2010 and July 22, 2010 to receive an update regarding the investigation, but to no avail. At this time, the customer requests to have the charges removed from his account.

To provide some background about our business, inmate collect calls are either billed through a consumer's local telephone company, ("LEC") as a convenience to the consumer, or as prepaid calls through payments made directly to Evercom. Once an inmate attempts to place a call to a consumer whose local telephone company has a billing and collection agreement with Evercom, the call is processed. When consumers initially accept an inmate call, an account is automatically established. Charges for collect calls from inmates will appear on the consumer's local telephone bill, indicating the date, time, location, and minutes of the relevant calls and those calls are billed on behalf of Evercom. Further, no direct correspondence will be received from Evercom regarding an account's collect call charges. Depending on when the collect call charges are processed by the LEC, inmate collect call charges may not appear on a consumer's telephone bill for over a month from the date of the call. These charges will be detailed by date, time, number of minutes and the inmate's confinement facility so that the consumer can identify when these calls were accepted.

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Further, Evercom utilizes an automated operator system, which requires a positive action, such as pressing "1" or "0" to accept a call. However, the system is unable to differentiate among individuals within a household who actually make the positive acceptance. Consumers should note that prior to the acceptance of any call that Evercom processes, the consumer has the option to get a rate quote before accepting the call. If a consumer feels the rate is too high, he/she may decline the call because there is no obligation to accept and no charges will be incurred. If the consumer responds to the prompt to accept the call before the prompt to listen to the rates and the cost of the call, then he/she will bypass the rate option. The consumer should listen to all of the prompts provided before making a selection. Once a consumer makes a positive acceptance of the call, the consumer is responsible for the charges incurred during the call.

After an investigation it was revealed an individual identified as [REDACTED] accepted four (4) collect calls from the above-mentioned facility between April 16, 2010 and April 25, 2010 at Mr. [REDACTED]'s telephone number. Further, the inmate, identified as [REDACTED], continued to call and [REDACTED] accepted the calls as collect calls at Mr. [REDACTED]'s residence at that time. Our records further indicate the calls totaled \$91.45 excluding taxes with communication between the two parties lasting between fifteen (15) to twenty-seven (27) minutes in duration. It should be noted a block has been placed on telephone number (928) 537-0124 to prevent future calls from this confinement facility. On occasion because such blocks can be released due to technical reasons, we also recommend that Mr. [REDACTED] contact his local telephone company to have them place an additional collect call block on his line.

While Evercom regrets that Mr. [REDACTED] experienced this situation, all calls were accepted and terminated at telephone number (928) 537-[REDACTED]. Therefore, Evercom maintains that all charges are legitimate and charges are sustained.

If there should be any further questions regarding this issue, please contact me at (972) 277-0598.

Sincerely,

*Cameshia Davis*

Cameshia Davis  
Regulatory Complaint Analyst

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14651 Dallas Parkway, Suite 600 – Dallas, Texas 75254 · Phone: 972-277-0300 · Fax: 972-277-0301

## Cameshia Davis

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**From:** Cameshia Davis  
**Sent:** Tuesday, September 21, 2010 1:52 PM  
**To:** 'carrierresponses@fcc.gov'  
**Cc:** Monica Rodriguez  
**Subject:** FCC\_██████\_AZ\_09202010.docx  
**Attachments:** FCC\_██████\_AZ\_09202010.docx; 2252\_001.pdf

Dear Mr. Tignor:

Attached is the cover letter and Evercom's response to the complaint filed by Michael ██████. If you have any questions, please contact me at the numbers listed below.

Regards,

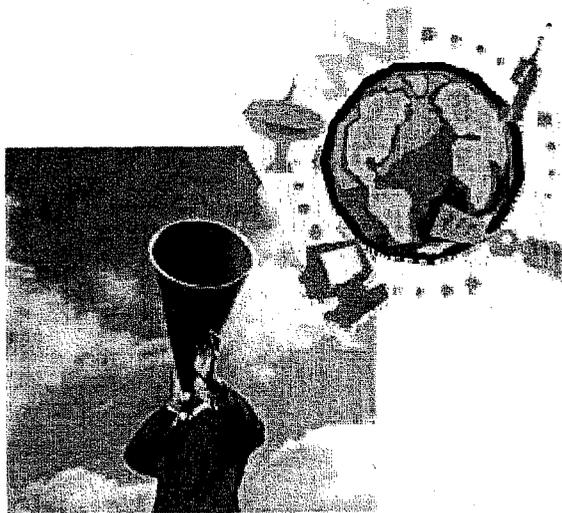
Cameshia Davis  
Regulatory Complaints Analyst  
Regulatory Affairs  
SECURUS Technologies, Inc.  
14651 Dallas Parkway  
Suite 600  
Dallas, Texas 75254-8815  
Desk: (972) 277-0598  
Fax: (972) 277-0416

## CARRIER RESPONSE COVER PAGE

COMPLAINT # : 10-C0023 [REDACTED]

CARRIER : Evercom Systems, Inc.

CONSUMER NAME : [REDACTED]



**Carrier Instructions:** To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this cover page has been provided to you for responding to the complaint referenced above. Please ensure that this page precedes your response to this complaint. If you have any questions, please contact your FCC POC.

**FCC Instructions:** When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.

**Complaint Summary: 10-C0023[REDACTED]**

**Date Served : 09/01/2010**

**Response Due Date : 10/01/2010**

**Carrier : Evercom Systems, Inc.**

**Form Type : 2000B**

**Consumer Name : [REDACTED], Michael**

**Expected Response Method: Paper**

User complaint number: 10-C0023-██████████

Carrier: Evercom Systems, Inc.

Form 2000B – Billing, Privacy, or Service Quality Complaint

Consumer's Information:

First Name: **Michael** Last Name: ██████████

Company Name:

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Post Office Box Number:

(Official Post Office box Number Only)

Address 1: ██████████

Address 2:

Mailing Address (where mail is delivered)

City: **Show Low** State: **AZ** Zip Code: **85901**

Telephone Number (Residential or Business): **(928) 537 - ██████████**

E-mail Address:

\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\*

1. Telephone number(s) involved (including area code): **(928) 537 - ██████████**
2. What is the name of the telephone company, wireless carrier, or other company that is the subject of your complaint?: **Correctional Billing for Evercom System, Inc**
3. What is the account number that is the subject of your complaint?: **928-537-██████████**
4. If you are disputing charges on a telephone bill, complete the following:
  - a. Disputed amount: **\$ 110.92**
  - b. Have you paid any of the disputed charges?: **false**
  - c. Did the billing company adjust or refund the disputed charges?: **false**
  - d. If yes, what was the amount of the adjustment or refund?: **\$ 0.00**
  - e. Are the disputed charges related to additional services?: **false**  
If yes, please explain:

5. For billing and non-billing complaints (including privacy and service quality issues) please provide the details of your complaint or any additional information below: **Frontier is his phone company. Correctional Billing Service billed him for 5 collect calls from April 16th to 25th. He's had listened to the calls and a recording says that, "this is not a collect call and you won't be charged for the call. This is a call from a loved one", etc. He called Correctional Billing, 800-844-6591, and talked to George on June 17th. He was mailed an investigational form which he filled out and mailed back to them and hasn't received any response. He called them again about July 22nd to find out the status of his letter he had sent back. He was told he was denied and had to pay the charges. He questioned the recording about it not being a collect call and was told he still had to pay the charges. He wants the charges credited to his phone bill as he was told by the recording that there were no charges for accepting the calls.**



November 12, 2009

Federal Communications Commission  
Attn: Jeffrey H. Tignor  
445 12th Street, SW  
Washington, DC 20554

VIA EMAIL: [carrierresponses@fcc.gov](mailto:carrierresponses@fcc.gov)

RE: Gina [REDACTED], (928) 537-[REDACTED]  
Complaint No. 09-C0014-[REDACTED]

Dear Mr. Tignor:

By this letter T-Netix Telecommunications Service, Inc. ("T-Netix") responds to the complaint lodged by Ms. Gina [REDACTED] regarding premature call disconnections associated with telephone number (928) 537-[REDACTED]. Ms. [REDACTED] is accepting calls from an inmate at the Arizona Department of Corrections ("DOC") - Arizona State Prison Complex in Tucson, Arizona. To provide some background, T-Netix Telecommunications Services, Inc. ("T-Netix") is the inmate telephone service provider that handles the inmate collect calls for this confinement facility. Correctional Billing Services ("CBS"), a division of T-Netix, provides the billing and customer care services.

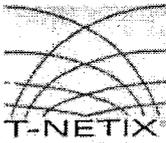
According to Ms. [REDACTED]'s complaint, she is requesting credit in the amount of \$3.00 for a call she alleges was prematurely disconnected associated with telephone number (928) 537-[REDACTED], which she does not identify the call date/time in her complaint. She further indicates she has experienced multiple premature call disconnections and when she contacts CBS to request credit, she indicates CBS will not issue credit for the calls in question. Ms. [REDACTED] states she was advised calls that are two (2) minutes in duration credit could not be issued at the time of the call. As such, she indicates she continues to experience premature call disconnections and request CBS correct the problem.

The customer should note on December 1, 2008, CBS implemented a new short call policy when customers' dispute short duration calls which entails a thorough investigation of disputed collect calls described as premature disconnections. If a customer is disputing calls that exceeds one (1) minute in duration, we ask they submit a short call form referencing the call dates and times and other relevant information that will allow us to conduct a thorough and optimal investigation. Upon completion of the investigation, CBS will be able to determine if appropriate credits should be issued. Please note this form can be accessed via the CBS web site at [www.correctionalbillingservices.com](http://www.correctionalbillingservices.com). The form can be returned to CBS for investigation via postal mail, attention: CBS (PO Box 1109 Addison, TX 75001), or fax number (972) 277-0714.

On November 3, 2009 the undersigned contacted Ms. [REDACTED] to inquire about the call date and time for the call she disputes in her complaint. It should be noted this information was requested

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in an effort to research the information and issue credit if applicable. As of November 09, 2009 the undersigned has not received a call from Ms. [REDACTED] regarding the information requested.

Based on my investigation, Ms. [REDACTED] accepted a call on October 12, 2009 that was four (4) minutes in duration. As a one time courtesy, T-Netix issued credit to her LEC billed account associated with the aforementioned telephone number in the amount of \$3.36 per the customer's request.

Finally, to prevent prematurely disconnected calls in the future, below is a list of things Ms. [REDACTED] should avoid while speaking with her loved one. Please consider if any of the items below-mentioned is the cause of calls being disconnected, no credit will be issued at that time.

- Attempting 3-way calls
- Attempting to transfer a call
- Using or answering call waiting feature
- Use of a cellular phone
- Use of a cordless phone
- Attempting to press numbers on the phone keypad
- Short pauses in conversation
- Call Limits
- Music before call is answered on cell phones

If there are any additional questions regarding this issue, please contact me at (972) 277-0598.

Sincerely,

*Cameshia Davis*

Cameshia Davis  
Regulatory Complaints Analyst

This document may contain  
Confidential-Customer Proprietary Network Information

14651 Dallas Parkway, Suite 600 – Dallas, Texas 75254 · Phone: 972-277-0300 · Fax: 972-277-0301

**Cameshia Davis**

**From:** Cameshia Davis  
**Sent:** Thursday, November 12, 2009 3:26 PM  
**To:** 'carrierresponses@fcc.gov'  
**Cc:** Monica Rodriguez  
**Subject:** Complaint-██████-09-C01493-  
**Attachments:** 0049\_001.pdf; FCC\_██████\_AZ\_110309.doc

Mr. Tignor:

Attached is T-Netix's response to the complaint filed by Ms. ██████. If you have any questions, please contact me at the numbers listed below.

Best regards,

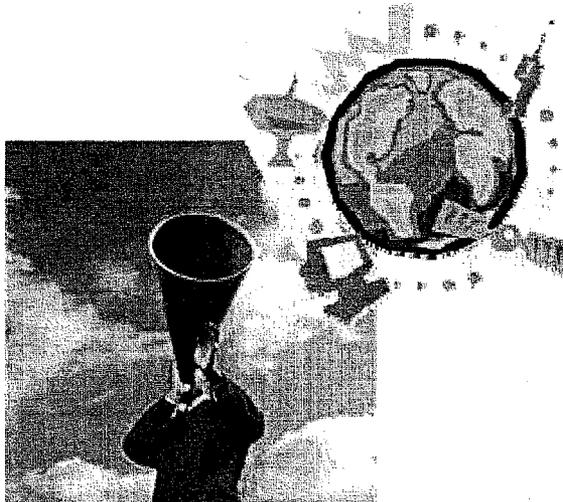
Cameshia Davis  
Regulatory Complaints Analyst  
Regulatory Affairs  
SECURUS Technologies, Inc.  
(on behalf of Evercom Systems, Inc. and T-Netix, Inc.)  
14651 Dallas Parkway  
Suite 600  
Dallas, Texas 75254-8815  
Desk: (972) 277-0598  
Fax: (972) 277-0416

## CARRIER RESPONSE COVER PAGE

COMPLAINT # : 09-C00148 [REDACTED]

CARRIER : Evercom Systems, Inc.

CONSUMER NAME : [REDACTED]



**Carrier Instructions:** To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this cover page has been provided to you for responding to the complaint referenced above. Please ensure that this page proceeds your response to this complaint. If you have any questions, please contact your FCC POC.

**FCC Instructions:** When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.

**Complaint Summary: 09-C0014** [REDACTED]

**Date Served :** 10/21/2009

**Response Due Date :** 11/20/2009

**Carrier :** Evercom Systems, Inc.

**Form Type :** 2000B

**Consumer Name :** [REDACTED], Gina

**Expected Response Method:** Paper

User complaint number: 09-C0014 [REDACTED]

Carrier: Evercom Systems, Inc.

Form 2000B – Billing, Privacy, or Service Quality Complaint

Consumer's Information:

First Name: **Gina** Last Name: [REDACTED]

Company Name:

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Street Address or Post Office Box Number: [REDACTED]

City: **Lakeside** State: **AZ** Zip Code: **85929**

Telephone Number (Residential or Business): **(928) 537 - [REDACTED]**

E-mail Address: [REDACTED]@yahoo.com

\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\*

1. Telephone number(s) involved (including area code): **(800) 844 - 6591**
2. What is the name of the telephone company, wireless carrier, or other company that is the subject of your complaint?: **Correctional Billing Services**
3. What is the account number that is the subject of your complaint?: **928537 [REDACTED]**
4. If you are disputing charges on a telephone bill, complete the following:
  - a. Disputed amount: **\$ 3.00**
  - b. Have you paid any of the disputed charges?: **false**
  - c. Did the billing company adjust or refund the disputed charges?: **false**
  - d. If yes, what was the amount of the adjustment or refund?: \$
  - e. Are the disputed charges related to additional services?: **false**  
If yes, please explain:
5. For billing and non-billing complaints (including privacy and service quality issues) please provide the details of your complaint or any additional information below: **This company continues to drop phone calls from my loved one in a correctional facility and will not credit the dropped calls. They claim the call was 2 minutes and can not be credited which is untrue. They continue to have problems with their services and refuses to fix the problem. They charge for a service that is faulty. Thank you**

~~100-2528~~

User complaint number: 09-C0014 [REDACTED]

**Form 2000B – Billing, Privacy, or Service Quality Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov), by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12th Street, SW  
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT**

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve billing, privacy, or service quality. The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMD-PER, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). **PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.**

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0874.

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a common carrier, the complaint is forwarded to the defendant carrier who must, within a prescribed time frame, either

**Form 2000B – Billing, Privacy, or Service Quality Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

satisfy the complaint or explain to the Commission and the complainant its time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).**



November 18, 2009

Federal Communications Commission  
Attn: Jeffrey H. Tignor  
445 12th Street, SW  
Washington, DC 20554

VIA EMAIL: [carrierresponses@fcc.gov](mailto:carrierresponses@fcc.gov)

RE: Harriet [REDACTED] (602) 703-[REDACTED] / (928) 377-[REDACTED] (NIQ)  
(928) 377-[REDACTED], (623) 398-[REDACTED], (602) 373-[REDACTED]  
Case ID: 09-C0013 [REDACTED]

Dear Mr. Tignor:

By this letter, T-Netix Telecommunications Services, Inc. ("T-Netix") responds to the complaint lodged by Ms. Harriet [REDACTED] regarding a block on prepaid account 24 [REDACTED] that is associated with telephone number (602) 703-[REDACTED]. According to our records, Ms. [REDACTED] has been accepting calls from the Arizona Department of Corrections - Kingman Correctional in Golden Valley, Arizona. To provide some background, T-Netix is the inmate telephone service provider that was awarded the contract to provide inmate calling service for this confinement facility. Correctional Billing Services ("CBS"), a division of T-Netix, provides the billing and customer care services.

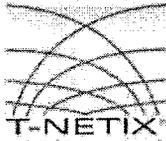
According to Ms. [REDACTED]'s complaint T-Netix's placed a block on her phone line indicating she was not allowed to use call forwarding to accept calls from the aforementioned facility. She further indicates she was using a private company which, she identifies in her complaint as Cons Call Home that gives her a local number that rings to her cellular phone.

Based on my investigation, prepaid account 248 [REDACTED] associated with telephone number (928) 377-[REDACTED] was established on August 15, 2008, via the Interactive Voice Response ("IVR") system. Customer records indicate that Ms. [REDACTED] accepted two hundred forty-six (246) calls at multiple telephone numbers: (928) 377-[REDACTED], (928) 377-[REDACTED], (623) 398-[REDACTED] and (602) 703-[REDACTED] between August 23, 2008 and October 11, 2009. Our records further indicate on July 9, 2009, Ms. [REDACTED]'s account was blocked, because a remote call forwarding feature was detected by our system on calls placed to telephone number (928) 377-[REDACTED]. On July 10, 2009, customer records indicate Ms. [REDACTED] contacted the CBS Customer Service department to inquire why she was unable to receive calls from the aforementioned facility and was advised of the information aforementioned. Please note that in her complaint correspondence, Ms. [REDACTED] admits that she was utilizing a service she identified as "ConsCallHome" in order to receive inmate-initiated calls that gives her a local number that rings to her cellular phone.

It is T-Netix's understanding and belief that ConsCallHome causes inmate-initiated telephone calls to be diverted to different and unknown terminating telephone numbers. Inmates initiate such calls by dialing a number that is local to the correctional facility but is not registered to the actual called party. It is our belief that programs, such as ConsCallHome, that mask the true terminating telephone of inmate calls are illegal and violate the facility's security policies and agreements. These arrangements may also violate state and federal regulatory requirements. Due to regulations and policies established to preserve safety and security inside and outside correctional institutions, T-Netix is required to complete inmate calls only when the

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telephone number dialed by the inmate is the actual telephone number to which the call terminates. To this end, T-Netix continually monitors its systems to detect this type of abuse and, when detected, the telephone numbers are blocked until such time as we are provided with an accurate terminating telephone number that is registered to a LEC end user. Call diversion arrangements, like ConsCallHome, prevent the correctional facility from being able to identify where the call is terminating, and correctional authorities consider this to be a serious security concern. For this reason, calls must be blocked if the true terminating telephone number, or location, is masked or altered by some form of call forwarding.

Accordingly, T-Netix has blocked and will continue to block calls to (928) 377-████. Securus Technologies, Inc., the parent company of T-Netix, has filed a Petition for Declaratory Ruling seeking the Commission's affirmance that inmate telecommunications service providers may block inmate attempts to make calls via "call diversion schemes" like ConsCallHome under long-standing Commission precedent. The Commission opened WC Docket No. 09-144 for its consideration of this Petition, and many companies in this industry as well as law enforcement officials have expressed strong support for the Petition.

Ms. █████ should note she can provide a valid telephone number for the state in which she resides, as well as a local telephone billing invoice to the undersigned at fax number (972) 277-0416. Upon receipt of the information requested, an investigation will be initiated at which time T-Netix will then be able to verify the telephone number is valid and clear the telephone line in question, appropriately completing calls.

Sincerely,

*Cameshia Davis*

Cameshia Davis  
Regulatory Complaint Analyst

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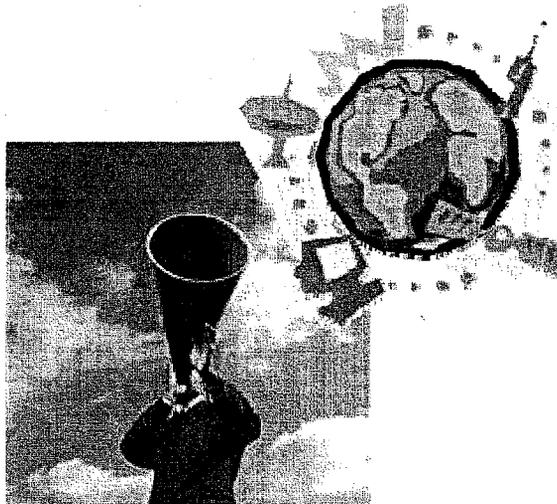


## CARRIER RESPONSE COVER PAGE

COMPLAINT # : 09-C0013 [REDACTED]

CARRIER : Evercom Systems, Inc.

CONSUMER NAME : [REDACTED]



**Carrier Instructions:** To better assist the FCC in ensuring that carrier responses are attached to the correct complaint, this cover page has been provided to you for responding to the complaint referenced above. Please ensure that this page precedes your response to this complaint. If you have any questions, please contact your FCC POC.

**FCC Instructions:** When scanning the carrier's response, select file type "Carrier Response" and upload file to the complaint # noted above.

**Complaint Summary: 09-C0013 [REDACTED]**

**Date Served : 10/28/2009**

**Response Due Date : 11/27/2009**

**Carrier : Evercom Systems, Inc.**

**Form Type : 2000B**

**Consumer Name : [REDACTED], harriet**

**Expected Response Method: Paper**

User complaint number: 09-C0013 [REDACTED]

Carrier: Evercom Systems, Inc.

Form 2000B – Billing, Privacy, or Service Quality Complaint

Consumer's Information:

First Name: harriet Last Name: [REDACTED]

Company Name: cons call home

(Complete only if you are filing this complaint on behalf of a company or an organization.)

Street Address or Post Office Box Number: [REDACTED]

City: wittmann State: AZ Zip Code: 85361

Telephone Number (Residential or Business): (602) 703 - [REDACTED] <sup>allowed</sup> 602.313. [REDACTED]

E-mail Address: [REDACTED]@hotmail.com  
928.377. [REDACTED]  
623.398. [REDACTED]

\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\*

1. Telephone number(s) involved (including area code): (928) 377 - [REDACTED]
2. What is the name of the telephone company, wireless carrier, or other company that is the subject of your complaint?: **correctional billings service**
3. What is the account number that is the subject of your complaint?: **928377 [REDACTED]**
4. If you are disputing charges on a telephone bill, complete the following:
  - a. Disputed amount: \$
  - b. Have you paid any of the disputed charges?: **false**
  - c. Did the billing company adjust or refund the disputed charges?: **false**
  - d. If yes, what was the amount of the adjustment or refund?:\$
  - e. Are the disputed charges related to additional services?: **false**
 If yes, please explain:
5. For billing and non-billing complaints (including privacy and service quality issues) please provide the details of your complaint or any additional information below: **put a block on my phone saying i was not allowed to use call forwarding. I am using a private company that gives me a local number that rings to my cell phone.**

User complaint number: 09-C0013 [REDACTED]

**Form 2000B – Billing, Privacy, or Service Quality Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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You may submit this form over the Internet at <http://www.fcc.gov/cgb/complaints.html>, by e-mail to [fccinfo@fcc.gov](mailto:fccinfo@fcc.gov), by fax to 1-866-418-0232, or by postal mail to:

Federal Communications Commission  
Consumer & Governmental Affairs Bureau  
Consumer Complaints  
445 12th Street, SW  
Washington, D.C. 20554

In addition, you may submit your complaint over the telephone by calling 1-888-CALL-FCC or 1-888-TELL-FCC (TTY). If you choose to submit your complaint over the telephone, an FCC customer service representative will fill out an electronic version of the form for you during your conversation. If you have any questions, feel free to contact the FCC at 1-888-CALL-FCC or 1-888-TELL-FCC (TTY).

**FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT AND THE PRIVACY ACT**

The Federal Communications Commission is authorized under the Communications Act of 1934, as amended, to collect the personal information that we request in this form. This form is used for complaints that involve billing, privacy, or service quality. The public reporting for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, OMD-PERF, Paperwork Reduction Project (3060-0874), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to [PRA@fcc.gov](mailto:PRA@fcc.gov). **PLEASE DO NOT SEND YOUR COMPLETED FORMS TO THIS ADDRESS.**

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0874.

In addition, the information that consumers provide when filling out FCC Form 2000 is covered by the system of records notice, FCC/CGB-1, Informal Complaints and Inquiries File (Broadcast, Common Carrier, and Wireless Telecommunications Bureau Radio Services). The Commission is authorized to request this information from consumers under 47 U.S.C. 206, 208, 301, 303, 309(e), 312, 362, 364, 386, 507, and 51; and 47 CFR 1.711 et seq.

Under this system of records notice, FCC/CGB-1, the FCC may disclose information that consumers provide as follows: when a record in this system involves a complaint against a common carrier, the complaint is forwarded to the defendant carrier who must, within a prescribed time frame, either

User complaint number: 09-C0013 [REDACTED]

**Form 2000B – Billing, Privacy, or Service Quality Complaint**

**\*\*\* ANSWER EACH QUESTION THAT APPLIES TO YOUR SPECIFIC COMPLAINT \*\*\***

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satisfy the complaint or explain to the Commission and the complainant its time frame, either satisfy the complaint or explain to the Commission and the complainant its failure to do so; where there is an indication of a violation or potential violation of a statute, regulation, rule, or order, records from this system may be referred to the appropriate Federal, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, state, or local agency responsible for investigating or prosecuting a violation or for enforcing or implementing the statute, rule, regulation, or order; a record from this system may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit; a record on an individual in this system of records may be disclosed, where pertinent, in any legal proceeding to which the Commission is a party before a court or administrative body; a record from this system of records may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when: (a) the United States, the Commission, a component of the Commission, or, when represented by the government, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and (b) the Commission determines that the disclosure is relevant or necessary to the litigation; a record on an individual in this system of records may be disclosed to a Congressional office in response to an inquiry the individual has made to the Congressional office; a record from this system of records may be disclosed to GSA and NARA for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall not be used to make a determination about individuals.

In each of these cases, the FCC will determine whether disclosure of the information in this system of records notice is compatible with the purpose for which the records were collected. Furthermore, information in this system of records notice is available for public inspection after redaction of information that could identify the complainant or correspondent, i.e., name, address and/or telephone number.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507 AND THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. SECTION 552a(e)(3).**