

ORIGINAL

OPEN MEETING  
MEMORANDUM



0000153596

TO: THE COMMISSION

FROM: Utilities Division

DATE: May 28, 2014

RE: IN THE MATTER OF THE APPLICATION OF CENTURYLINK PUBLIC COMMUNICATIONS, INC. DBA CENTURYLINK PAYPHONE FOR APPROVAL OF THE INITIAL INSTITUTIONAL TELECOMMUNICATIONS TARIFF (DOCKET NO. T-03555A-14-0142)

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ARIZONA CORPORATION COMMISSION  
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*[Signature]*

On April 25, 2014, CenturyLink Public Communications, Inc. ("CPC") filed its initial Institutional Telecommunications Tariff. The proposed tariff contains the rates, terms and conditions for CPC's provision of Inmate Communications Services. On April 29, 2014, CPC filed a letter in which it agreed to extend the 30 day statutory requirement for Commission approval of its filing until and including June 11, 2014.

On April 25, 2014, CPC filed an Application for approval of the Special (Non-Streamlined) Customer Owned Pay Telephone ("COPT") the proposed tariff filed and for a waiver of the generic COPT tariff provisions that conflict with CPC's proposed Special COPT Tariff. In the April 25, 2014 Application, CPC states:

1. That it has a Generic (Streamlined) COPT Tariff on file with the Commission that permits CenturyLink to provide traditional pay telephone service in Arizona,
2. That it seeks to provide pay telephone service to inmates of correctional institutions in Arizona,
3. That CPC presently provides inmate calling services in various correctional institutions throughout the United States but does not presently provide inmate calling services in Arizona,
4. That CPC requires a Special (Non-Streamlined) COPT Tariff in order to compete to provide pay telephone service to inmates at correctional institutions in Arizona and
5. That CPC requests that the Commission approve the Special (Non-Streamlined) COPT Tariff filed by CPC in this matter and also grant it a waiver of the Commission's Generic (Streamlined) COPT Tariff requirements that conflict with the terms of the proposed Special COPT Tariff.

CPC is currently certificated to provide COPT service under the terms of the Generic COPT tariff.<sup>1</sup> The Generic COPT tariff contains the rates terms and conditions determined by the Commission to be appropriate for the provision of COPT service. The tariff contains Commission-approved provisions related to the rates and charges for calls, the ability to access

<sup>1</sup> Decision No. 61049, dated August 6, 1998. CPC was initially known as Sprint Payphone Services, Inc.

alternative providers of long distance calls, instructions on how to make calls, the duration of local calls, the provision of 911 and directory assistance, payment methods and the provision of operator services. Under the terms and conditions of the Generic COPT Tariff, COPT Operator Assistance charges may not exceed those for the certificated local exchange carrier or any carrier certificated to provide interexchange operator services to that location.

CPC proposes to offer Collect/Post-Paid and Prepaid Services. Collect/Post-Paid Service is the traditional collect calling option where the called party is billed for the call. CPC proposes two prepaid calling options. They are Debit Service where funds are transferred to an Inmate's account and funds are deducted for calls that are completed and Prepaid Collect Services where the called party sets up an account that is linked to a credit card, debit card, payments through retail outlets, electronic checks, customer payments and payments through Western Union.

CPC's proposed calling rates are as follows:

4.1.I Institutional Collect Calling Rates	
Local Usage Charge, Per Call:	\$0.50
Local Service Charge, Per Call:	\$1.50
IntraLATA Usage Charge, Per Minute:	\$0.30
IntraLATA Service Charge, Per Call:	\$3.00
InterLATA Usage Charge, Per Minute:	\$0.30
InterLATA Service Charge, Per Call:	\$3.00
4.1.2 Institutional Prepaid Collect Calling Rates	
Local Usage Charge, Per Call:	\$0.50
Local Service Charge, Per Call:	\$1.50
IntraLATA Usage Charge, Per Minute:	\$0.30
IntraLATA Service Charge, Per Call:	\$2.50
InterLATA Usage Charge, Per Minute:	\$0.30
InterLATA Service Charge, Per Call:	\$2.50
4.1.3 Institutional Debit Calling Rates	
Local Usage Charge, Per Call:	\$0.50
Local Service Charge, Per Call:	\$1.50
IntraLATA Usage Charge, Per Minute:	\$0.30
IntraLATA Service Charge, Per Call:	\$2.50
InterLATA Usage Charge, Per Minute:	\$0.30
InterLATA Service Charge, Per Call:	\$2.50

CPC originally proposed to include a provision in its tariff that would allow it to negotiate with prospective customers for the provision of any competitive telecommunications service and offer or agree to provide such service on such terms and for such rates and charges as it deemed reasonable, without regard to its tariff. If approved as submitted, CPC would be able to enter into contracts to charge rates that are higher than those reflected in its tariff. On May 21, 2014, CPC filed revisions to its proposed tariff to include maximum rates and indicate that the rates for services provided under contract would be subject to the maximum rates included in its tariff. The proposed maximum rates for all types of calls (\$4.50 service charge per call, \$0.58 per minute for long distance calls and \$0.58 per local call) are the same as rates that have been approved for other providers of Inmate Services.

As stated previously, CPC is currently certificated to provide COPT service under the terms of the Generic COPT tariff. Because CPC is authorized to provide COPT service and has requested a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff, Staff does not believe that approval of the proposed Institutional Telecommunications Service pursuant to A.A.C. R4-2-906 is necessary if the waiver is approved. Given that COPT service provided to inmates is subject to limitations determined by the institution's administration, Staff believes that CPC should be granted a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff.<sup>2</sup> Further, Staff recommends approval of the proposed Institutional Telecommunications Service.



for

Steven M. Olea  
Director  
Utilities Division

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ORIGINATOR: Wilfred Shand

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<sup>2</sup> In Decision No. 61567, the Commission granted a similar waiver for Public Communications Services, Inc.

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BEFORE THE ARIZONA CORPORATION COMMISSION

BOB STUMP  
Chairman  
GARY PIERCE  
Commissioner  
BRENDA BURNS  
Commissioner  
BOB BURNS  
Commissioner  
SUSAN BITTER SMITH  
Commissioner

IN THE MATTER OF THE APPLICATION )  
OF CENTURYLINK PUBLIC )  
COMMUNICATIONS, INC. FOR )  
APPROVAL OF THE INITIAL )  
INSTITUTIONAL )  
TELECOMMUNICATIONS TARIFF. )

DOCKET NO. T-03555A-14-0142  
DECISION NO. \_\_\_\_\_  
ORDER

Open Meeting  
June 10 and 11, 2014  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On April 25, 2014, CenturyLink Public Communications, Inc. ("CPC") filed its initial Institutional Telecommunications Tariff. The proposed tariff contains the rates, terms and conditions for CPC's provision of Inmate Communications Services.
2. On April 29, 2014, CPC filed a letter in which it agreed to extend the 30 day statutory requirement for Commission approval of its filing until and including June 11, 2014.
3. On April 25, 2014, CPC filed an Application for approval of the Special (Non-Streamlined) Customer Owned Pay Telephone ("COPT") the proposed tariff filed and for a waiver of the generic COPT tariff provisions that conflict with CPC's proposed Special COPT Tariff. In this Application, CPC states:
  - A. That it has a Generic (Streamlined) COPT Tariff on file with the Commission that permits CenturyLink to provide traditional pay telephone service in Arizona,

- 1 B. That it seeks to provide pay telephone service to inmates of correctional institutions in Arizona,
- 2 C. That CPC presently provides inmate calling services in various correctional institutions throughout the United States but does not presently provide inmate calling services in Arizona,
- 3
- 4 D. That CPC requires a Special (Non-Streamlined) COPT Tariff in order to compete to provide pay telephone service to inmates at correctional institutions in Arizona and
- 5 E. That CPC requests that the Commission approve the Special (Non-Streamlined) COPT Tariff filed by CPC in this matter and also grant it a waiver of the Commission's Generic (Streamlined) COPT Tariff requirements that conflict with the
- 6 terms of the proposed Special COPT Tariff.
- 7

8 4. CPC is currently certificated to provide COPT service under the terms of the Generic  
 9 COPT tariff.<sup>1</sup> The Generic COPT tariff contains the rates terms and conditions determined by the  
 10 Commission to be appropriate for the provision of COPT service. The tariff contains Commission-  
 11 approved provisions related to the rates and charges for calls, the ability to access alternative providers  
 12 of long distance calls, instructions on how to make calls, the duration of local calls, the provision of  
 13 911 and directory assistance, payment methods and the provision of operator services. Under the  
 14 terms and conditions of the Generic COPT Tariff, COPT Operator Assistance charges may not  
 15 exceed those for the certificated local exchange carrier or any carrier certificated to provide  
 16 interexchange operator services to that location.

17 5. CPC proposes to offer Collect/Post-Paid and Prepaid Services. Collect/Post-Paid  
 18 Service is the traditional collect calling option where the called party is billed for the call. CPC  
 19 proposes two prepaid calling options. They are Debit Service where funds are transferred to an  
 20 Inmate's account and funds are deducted for calls that are completed and Prepaid Collect Services  
 21 where the called party sets up an account that is linked to a credit card, debit card, payments through  
 22 retail outlets, electronic checks, customer payments and payments through Western Union.

23 6. CPC's proposed calling rates are as follows:

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28 <sup>1</sup> Decision No. 61049, dated August 6, 1998.

1	4.1.I Institutional Collect Calling Rates	
2	Local Usage Charge, Per Call:	\$0.50
3	Local Service Charge, Per Call:	\$1.50
4	IntraLATA Usage Charge, Per Minute:	\$0.30
5	IntraLATA Service Charge, Per Call:	\$3.00
6	InterLATA Usage Charge, Per Minute:	\$0.30
7	InterLATA Service Charge, Per Call:	\$3.00
8	4.1.2 Institutional Prepaid Collect Calling Rates	
9	Local Usage Charge, Per Call:	\$0.50
10	Local Service Charge, Per Call:	\$1.50
11	IntraLATA Usage Charge, Per Minute:	\$0.30
12	IntraLATA Service Charge, Per Call:	\$2.50
13	InterLATA Usage Charge, Per Minute:	\$0.30
14	InterLATA Service Charge, Per Call:	\$2.50
15	4.1.3 Institutional Debit Calling Rates	
16	Local Usage Charge, Per Call:	\$0.50
17	Local Service Charge, Per Call:	\$1.50
18	IntraLATA Usage Charge, Per Minute:	\$0.30
19	IntraLATA Service Charge, Per Call:	\$2.50
20	InterLATA Usage Charge, Per Minute:	\$0.30
21	InterLATA Service Charge, Per Call:	\$2.50

7. CPC originally proposed to include a provision in its tariff that would allow it to negotiate with prospective customers for the provision of any competitive telecommunications service and offer or agree to provide such service on such terms and for such rates and charges as it deemed reasonable, without regard to its tariff. If approved as submitted, CPC would be able to enter into contracts to charge rates that are higher than those reflected in its tariff. On May 21, 2014, CPC filed revisions to its proposed tariff to include maximum rates and indicate that the rates for services provided under contract would be subject to the maximum rates included in its tariff. The proposed maximum rates for all types of calls (\$4.50 service charge per call, \$0.58 per minute for long distance calls and \$0.58 per local call) are the same as rates that have been approved for other providers of Inmate Services.



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ORDER

IT IS THEREFORE ORDERED the tariff filing, as amended, be and hereby is approved.

IT IS FURTHER ORDERED the CenturyLink Public Communications, Inc.'s request for a waiver of the provisions of the generic tariff that conflict with its proposed Institutional COPT Tariff be and hereby is approved.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

SMO:WMS:red/ML

1 SERVICE LIST FOR: CENTURYLINK PUBLIC COMMUNICATIONS, INC.  
2 DOCKET NO. T-03555A-14-0142

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14 Arizona Corporation Commission  
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