

WILKINSON ) BARKER ) KNAUER ) LLP

1800 M STREET, NW  
SUITE 800N  
WASHINGTON, DC 20036  
TEL 202.783.4141  
FAX 202.783.5851  
WWW.WBKLAU.COM  
HOWARD M. LIBERMAN  
202.383.3373  
HLIBERMAN@WBKLAW.COM

REDACTED FOR PUBLIC INSPECTION

December 12, 2018

VIA HAND DELIVERY

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> St. SW  
Room TW-B204  
Washington, DC 20554

Re: *Securus Technologies Inc. and Inmate Calling Solutions, LLC,  
Consolidated Applications for Consent to the Transfer of Control of  
Licenses and Authorizations, WC Docket No. 18-193*

Dear Ms. Dortch:

Inmate Calling Solutions, LLC d/b/a ICSolutions ("ICS") hereby submits a Revised Response to the Wireline Competition Bureau's ("WCB") Information and Document request ("Information Request") dated September 11, 2018 in connection with the above-referenced transaction. The Revised Response specifically provides updated responses to Questions 9, 11, 14, and 19 of the Information Request. In accordance with the Protective Order in this docket,<sup>1</sup> ICS also is submitting separately two sets of this filing to WCB staff.

This filing contains information that meets the requirements for treatment as "Confidential" or "Highly Confidential," under the Protective Order in this docket.<sup>2</sup> ICS is

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<sup>1</sup> *Securus Technologies Inc., and Inmate Calling Solutions, LLC, Consolidated Applications for Consent to the Transfer of Control of Licenses and Authorizations*, Protective Order, WC Docket No. 18-193, DA No. 18-938 (rel. Sept. 11, 2018) ("Protective Order").

<sup>2</sup> Consistent with the Protective Order, *id.* at ¶ 3, ICS obtained written approval from Commission staff to designate certain material as Highly Confidential. Pursuant to discussions with staff, the provided documents, unless specifically reviewed and downgraded, have been classified as "Highly Confidential." Notwithstanding this default classification, ICS is not asserting Highly Confidential status for any

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therefore submitting this filing pursuant to the staff's instructions and the procedures established in the Protective Order and in the Information Request.<sup>3</sup> ICS will also file a redacted version of this filing for public inspection in the Commission's Electronic Comment Filing System.

ICS has made diligent efforts to ensure that none of the material it is submitting herewith is privileged under the attorney-client privilege or attorney work product doctrine. To the extent that any privileged materials may have been inadvertently produced, such production does not constitute a waiver of any applicable privilege. ICS requests that any privileged materials inadvertently produced be returned to ICS as soon as such inadvertent production is discovered by any party, and reserves all rights to seek return of any such documents.

If you have any questions arise concerning this submission, please contact the undersigned.

Very truly yours,



Howard M. Liberman  
*Counsel to Inmate Calling Solutions, LLC*  
*d/b/a ICSolutions*

Enclosures

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documents that have been publicly released (which would be Public) or for third party materials that are copyrighted (which would be considered Confidential).

<sup>3</sup> Consistent with the Protective Order, *id.* at ¶ 3, ICS obtained written approval from Commission staff to designate certain material as Highly Confidential. Pursuant to discussions with staff, the provided documents, unless specifically reviewed and downgraded, have been classified as "Highly Confidential." Notwithstanding this default classification, ICS is not asserting Highly Confidential status for any documents that have been publicly released (which would be Public) or for third party materials that are copyrighted (which would be considered Confidential).

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
<b>TKC Holdings, Inc.,</b> Transferor	)	
	)	
<b>Inmate Calling Solutions, LLC d/b/a</b>	)	
<b>ICSolutions,</b> Licensee	)	
	)	WC Docket 18-193
and	)	
	)	
<b>Securus Technologies, Inc.,</b> Transferee	)	
	)	
Consolidated Applications for Consent to	)	
Transfer Control of Domestic and International	)	
Authorizations Pursuant to Section 214 of the	)	
Communications Act of 1934, as Amended	)	

**REVISED RESPONSE TO INFORMATION REQUEST BY  
INMATE CALLING SOLUTIONS, LLC D/B/A ICSOLUTIONS**

Inmate Calling Solutions, LLC d/b/a ICSolutions (“ICS”) hereby revises certain narrative responses and other materials (“Response”) submitted on October 17, 2018 (“October 17 Response”) in connection with the Wireline Competition Bureau’s Information and Document Request (“Information Request”) dated September 11, 2018.<sup>1</sup> Copies of exhibits to this Revised Response also are provided on the enclosed CD.<sup>2</sup>

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<sup>1</sup> Information and Document Request (attachment to Letter from Lisa Hone, Deputy Chief, Wireline Competition Bureau, FCC, to Paul C. Besozzi et al., Counsel to Securus Technologies, Inc., and Howard M. Liberman et al., Counsel for TKC Holdings, Inc. and Inmate Calling Solutions, LLC, WC Docket No. 18-193 (Sept. 11, 2018)). Terms not otherwise defined herein have the meaning set forth in the Information Request or the Response.

<sup>2</sup> Consistent with the Protective Order adopted in this proceeding, ICS obtained written approval from Commission staff to designate certain material as Highly Confidential. Pursuant to

This Revised Response provides updated information in response to Questions 9, 11, 14, and 19 of the Information Request. In particular, the responses to Questions 9, 11, and 14, have been updated to reflect that the assets and customers of Protocall, LLC (“Protocall”) have been acquired by Combined Public Communications, LLC (“CPC”)<sup>3</sup> and the recent entrance of a significant new competitor, ComApp Technologies, LLC (“ComApp”). The response to Question 19 has been revised to provide updated and additional responsive information.

## REQUESTS AND RESPONSES

9. *List the names of each of the Applicants’ competitors for the provision of any Relevant Service in the last five years, and for each such competitor, submit all documents relating to that competitor’s efforts to compete in the provision of each Relevant Service, including:*
  - a. *facilities to be served;*
  - b. *products or services to be supplied, including features or quality, and new services;*
  - c. *pricing, including inmate prices and commissions, and including discounts or rebates;*
  - d. *sales;*
  - e. *requests for proposals (RFPs) or bids;*
  - f. *sales call reports or win/loss reports;*
  - g. *features or quality;*

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discussions with staff, certain documents and information provided with this response, unless specifically reviewed and downgraded, have been classified as “Highly Confidential.” Notwithstanding this default classification, ICS is not asserting Highly Confidential status for any documents that have been publicly released (which would be Public) or for third party materials that are copyrighted (which would be considered Confidential). *Securus Technologies Inc., and Inmate Calling Solutions, LLC, Consolidated Applications for Consent to the Transfer of Control of Licenses and Authorizations*, Protective Order, WC Docket No. 18-193, DA No. 18-938 (rel. Sept. 11, 2018) (“Protective Order”).

<sup>3</sup> See *Domestic Section 214 Application Filed For the Acquisition of Certain Assets of Protocall, LLC by Combined Public Communications, LLC*, Public Notice, WC Docket No. 18-309, DA No. 18-1202 (rel. Nov. 27, 2018). ICS was not previously aware that CPC had acquired the assets of Protocall in 2017.

- h. offering additional products and services to purchasers of any Relevant Service;*
- i. expansion plans;*
- j. research and development;*
- k. plans to introduce a new Relevant Service;*
- l. plans to exit (or actual exit of) the provision of any Relevant Service;*
- m. market shares; and*
- n. relative strengths and weaknesses.*

The list of ICS's competitors that was provided in the Response is revised to add ComApp as a competitor and update the information for Protocall to reflect the acquisition by CPC:

- ComApp Technologies, LLC
  - 99 Washington St., Melrose, MA 02176
  - 888-809-7014
  - <https://www.comapptech.com/>
- Protocall (acquired by CPC)
  - 14927 S. Caenen Lane, Olathe, KS 66062
  - 888-867-5063
  - <http://www.protocallphones.com/>

**11. *List the names of each person that has plans to enter or expand output of, has entered or expanded output of, or has attempted to enter or expand output of the provision of any Relevant Service in the last five years, and for each such plan, entry, expansion, or attempt:***

- a. describe the plan, entry, or attempt, including identifying the Relevant Service; and*
- b. describe the Applicants' estimate of costs and times to enter, steps necessary to entry, and entry barriers (including any necessary regulatory approvals and the minimum viable scale required for entry).*

The following is added to the response to Question 11(a) of the Response:

- *ComApp Technologies Entry by Former Industry Employees*

A significant new competitor, ComApp, has recently entered the industry and bid aggressively.<sup>4</sup> ComApp is based in Massachusetts and is a subsidiary of Homisco Inc., a global telecommunications services company. [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>4</sup> See HIGICS\_0001559931 (Undated Letter), at -931; HIGICS 0000949621 (Email dated Apr. 23, 2018), at -621 [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]

[REDACTED] [END HIGHLY CONFIDENTIAL]

<sup>5</sup> See [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]

[REDACTED] [END HIGHLY CONFIDENTIAL]

<sup>6</sup> HIGICS\_0000893104 (Email dated Apr. 25, 2018), at -104 [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]

[REDACTED] [END HIGHLY CONFIDENTIAL]; HIGICS 0000949621 (Email dated Apr. 23, 2018) [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]

[REDACTED] [END HIGHLY CONFIDENTIAL]

[REDACTED] [END HIGHLY  
CONFIDENTIAL]

14. *Applicants state that “[t]oday, many incumbent competitors besides GTL and STI can - and do-provide ITS to larger correctional facilitates, including CenturyLink (which is an independent competitor).” Applicants further state that “CenturyLink’s presence in fact does constrain the prices charged by all other bidders.” (Joint Opposition to Petition to Deny at 16, 21). Identify all “incumbent competitors” to which this statement is referring and identify and provide documents sufficient to show that each such entity “provide[s] ITS to larger correctional facilitates.” Provide all documents relating to, discussing, or analyzing CenturyLink, or any other “incumbent competitor” identified in response to this request, as a competitor to the Applicants post-transaction, including any documents relating to whether the incumbent competitor’s presence constrains the prices charged by other bidders.*

The list of incumbent competitors that was provided in the Response is revised to remove Protocol from the list.

19. *Describe each bid, estimate, quote, proposal, or response to any request for information, submission, or proposal (collectively hereinafter, bid) that each of the Applicants drafted, submitted, or participated in as a primary bidder, joint bidder, or subcontractor since January 1, 2013 to supply any Relevant Service, and for each bid list the following in the format specified in the accompanying template:*
- a. issuer and date of the Request for Proposal (RFP);*
  - b. date each Applicant submitted the bid;*
  - c. if either Applicant ultimately withdrew a bid, state the withdrawal date and the reason for withdrawal;*
  - d. the identity of the incumbent provider at the time of the RFP, or state if there was no incumbent provider;*
  - e. the total estimated value, in dollars, of the bid, including any recurring or one-time commissions to the actual or potential Facility Customer, or other incentives;*

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<sup>7</sup> See, e.g., HIGICS\_0000949621 (Email dated Apr. 23, 2018), at -621 [BEGIN HIGHLY  
CONFIDENTIAL]

[REDACTED] [END HIGHLY CONFIDENTIAL]

- f. the initial duration of the contract as described in the RFP, including starting and ending dates;*
- g. the name and address(es) of the Facility Customer covered in the contract, and the address and type of each facility to be served (e.g., jail or prison);*
- h. the average daily number of inmates at all facility address(es) covered by the contract;*
- i. the contract's provisions for possible extensions;*
- j. whether the bid submitted won or was declined, and if won, the estimated value of the bid;*
- k. each Relevant Service provided in the winning bid;*
- l. if an Applicant did not win the bid, the name, if known, of the winning bidder, the ranking of the Applicant or Applicants' bid or bids; and reason for not winning, if known;*
- m. the identities of all other bidders and the ranking of their bids, if known; and*
- n. for each bid described, provide all documents related to the RFP, the completed bid, and all correspondence between the actual and potential Facility Customer and either of the Applicants; and identify in metadata associated with each document to which RFP each document refers.*

The response to Question 19 is revised to add the following:

Data concerning the bids in which ICS has participated in the past five years has been provided on a rolling basis using the template provided by the FCC. Updated RFP data also is attached as **Exhibit 2** (the "Updated RFP Spreadsheet"). Tab 1 of the Updated RFP Spreadsheet includes revisions that update previously submitted data, fix a small number of inadvertent errors in the previously submitted data, and add new RFP data from August 1, 2018 through November 30, 2018. Tab 2 of the Updated RFP Spreadsheet includes additional information about how the data were collected and reported. (Except as otherwise noted above, this and any other prior updates to the RFP data have included only new data since the prior updates and did not change previously submitted data.)

[BEGIN HIGHLY CONFIDENTIAL]



[REDACTED]

[REDACTED]

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<sup>8</sup> For further information about the RFP process, see [BEGIN HIGHLY CONFIDENTIAL]  
[REDACTED] [END HIGHLY  
CONFIDENTIAL].

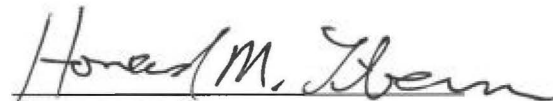
<sup>9</sup> [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]  
[REDACTED] [END HIGHLY CONFIDENTIAL]

<sup>10</sup> [BEGIN HIGHLY CONFIDENTIAL] [REDACTED] [END HIGHLY  
CONFIDENTIAL].

[REDACTED]  
[REDACTED] [END HIGHLY CONFIDENTIAL]

\* \* \*

Respectfully submitted,



Howard M. Liberman  
Jennifer L. Kostyu  
Wilkinson Barker Knauer, LLP  
1800 M Street, N.W., Suite 800N  
Washington, D.C. 20036  
202-783-4141 (tel)  
202-783-5851 (fax)  
hliberman@wbklaw.com  
jkostyu@wbklaw.com

*Counsel to Inmate Calling Solutions, LLC  
d/b/a ICSolutions*

December 12, 2018


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<sup>11</sup> See, e.g., Response at 19-34; [BEGIN HIGHLY CONFIDENTIAL] [REDACTED]  
[END HIGHLY CONFIDENTIAL]

**Declaration of Tim McAteer**

I, Tim McAteer, hereby declare under penalty of perjury as follows:

1. I am President and General Manager of Inmate Calling Solutions, LLC d/b/a ICSolutions ("ICS");
2. I have read the attached Revised Response of ICS to the Federal Communications Commission's Information and Document Requests, which were prepared pursuant to my direction and control;
3. This Declaration is submitted in support of the foregoing Revised Response; and
4. The statements of fact contained in the Revised Response are true and correct to the best of my knowledge and belief.

  
Tim McAteer

Dated: December 12, 2018

# **EXHIBIT 1**

**REDACTED**

## **EXHIBIT 2**

**REDACTED**

**EXHIBIT 3**

**REDACTED**