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January 5, 1994

BY HAND

Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

NOTICE OF WRITTEN
EX PARTE PRESENTATION

Re: Inmate Phone Services/Billed Party Preference;
CC Docket No. 92-77

Dear Mr. Caton:

The members of the Inmate Calling Services Providers Task Force ("ICSPTF") are opposed to the imposition of billed party preference (BPP) for inmate calling services for the many reasons discussed in their filings submitted in this proceeding. BPP was originally advanced as a way to address simplified, uniform dialing and choice for end users. These original grounds for supporting BPP have been largely addressed by ICSPTF -- to the extent that they are at all relevant in the inmate calling environment.

Another rationale now being advanced in support of BPP is that it will help address problems of overcharging for inmate calling services. ICSPTF wishes to emphasize that it supports a strong and effective regulatory response to the excessive rates that a small segment of inmate calling services providers charge. ICSPTF is attempting to address the practices that fuel any such overcharging, and has been conducting a nationwide campaign to bring awareness of the problem and to reverse this troubling trend. For example, ICSPTF has raised the issue in a presentation to the American Jail Association (AJA), which similarly does not approve of exorbitant calling rates for inmates and has encouraged ICSPTF to educate AJA's membership (sheriffs and correctional facility administrators) on the importance of requiring rate ceilings in their RFPs for inmate calling services and to scrutinize providers for rate compliance.

BPP, however, is not the solution to the problem of excessive rates. As the record in this proceeding makes clear, the general public will ultimately be the ones who pay the more than $1.5 billion that BPP is now estimated to cost. Moreover, with regard to inmate calling services, it is likely that inmate families will end up paying for the specialized inmate phone equipment at correctional facilities through calling surcharges or other payment means. In short, BPP is not the way to address the rate problem and will ultimately cause more harm to inmate families than good.

ICSPTF believes the Commission should address the problem of excessive rates directly rather than through indirect and overly intrusive proposals such as BPP. A simple solution is for the Commission to impose fair and effective rate ceilings for inmate calling services. These ceilings would provide a benchmark for correctional facility administrators in evaluating providers for selection and subsequently scrutinizing rate compliance by those providers. FCC action in this regard would provide relief to inmate families who are being overcharged much more quickly and effectively than BPP, and without the risk of higher calling rates to pay for BPP's implementation and the other detrimental effects of BPP. For these reasons, ICSPTF would support an effort by the Commission to address the problem of excessive rates directly rather than through BPP.

Sincerely,

Albert H. Kramer

AHK/hlh

cc: Mark Nadel, Esq.