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FEDERAL COMMUNICATIONS COMMISSION
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IN REPLY REFER TO:

CC 92-77

September 16, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Bill K. Brewster
U.S. House of Representatives
Attention: Monika Carter
1727 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Brewster:

Thank you for your letter on behalf of Charles Sisco, Sheriff, Seminole County Sheriff Department, and E. M. Bristol, Sheriff, Murray County Sheriff Office, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice seeks comment on this analysis and asks interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invites parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost.

The Further Notice also explicitly seeks comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice seeks additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also seeks comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Bill K. Brewster
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Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,



Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

BILL K. BREWSTER
3D DISTRICT
OKLAHOMA

WAYS AND MEANS
COMMITTEE

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Congress of the United States
House of Representatives
Washington, DC 20515-3603

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MCALISTER, OK 74601
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123 W. 7TH AVENUE, SUITE 206
STILLWATER, OK 74074
(405) 743-1400

August 25, 1994

Mr. Reed Hundt
Chairman
Federal Communications Commission
1919 M. Street, N.W.
Washington, D.C. 20554

Dear Mr. Hundt:

I am writing on behalf of several County Sheriffs who have contacted me to express their concerns about Proposed Rule Docket 92-77 regarding the Billed Party Preference (BBP) telephone system.

Enclosed, please find copies of two letters I have received concerning this proposed action by the Federal Communications Commission (FCC). My constituents are extremely concerned about the monetary burden implementation of the BBP system would have on prison facilities in rural Oklahoma. Moreover, it is believed that the BBP system would intrude upon the discretion of prison heads to choose their own telephone carrier. After reviewing this matter, I share the concerns of my constituents and believe that the FCC has an obligation to address these concerns before issuing any Final Rule. I would appreciate you looking into this matter and responding to the concerns outlined in the enclosed letter. Please forward your response to Monika Carter in my Washington Office.

Thanking you in advance for your prompt attention to this matter.

Sincerely,

Bill K. Brewster
Member of Congress

BB/mc

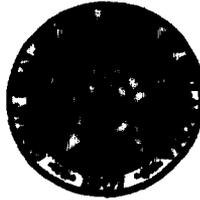
enclosures

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CHARLES SISCO

SHERIFF

SEMINOLE COUNTY, OKLAHOMA



WEWOKA, OKLAHOMA
74884

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MC

208713

Linda Trichin
418-1900

LAI

July 25, 1994

Congressman Bill Brewster
1727 Longworth Office Building
Washington, D. C. 20515

Re: CC Docket No. 92-77 Opposition to Billed Party
Preference

Dear Congressman Brewster:

I oppose the application of Billed Party Preference (BPP) at inmate facilities.

I have analyzed the security and administration needs at my facility and I have found it necessary to route inmate calls from my facility to a single carrier that is equipped to handle inmate calls and with whom I have a contractual relationship. Inmates should not be allowed open access to the telecommunications network and the freedom to use any carrier they please. I have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network.

The sheriff's of rural Oklahoma cannot afford to provide this type of equipment without the help of inmate phone service providers. BPP will take away my right to coordinate inmate calls through a carrier I know and trust. Instead, inmates calls will be routed to a number of different carriers that will not provide the needed type of equipment to run a secure type system.

BPP would also eliminate the much need larger percent of revenue now paid to an individual correctional facility by a contracted individual carrier. That if calls are allowed to be routed to a number of different carriers, none of whom will have any obligation to us, these larger percentages of revenue to correctional facilities will be terminated. The carriers profits will increase and the quality of service to the correctional facility and inmates will decrease and

the rates charged by the carrier will remain the same. Without inmate phones, the moral of our inmates will be devastated and the increased tension will make it more difficult for our staff "one man per shift" to manage these inmates.

The sheriff's in Oklahoma are sensitive to the rates inmate families pay for calls. We fully appreciate the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. The proper and more effective action would be to adopt rate ceilings on inmate calls and then let Sheriffs enforce these rate ceilings through their contracts. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security decisions - decisions that are clearly within our discretion and which we have a public responsibility to make.

Respectfully submitted,



Charles Sisco, Sheriff
Seminole County Sheriff Department
110 S. Wewoka Ave.
Wewoka, Okla. 74884

MURRAY COUNTY SHERIFF OFFICE
SULPHUR, OK. 73086
(405) 622-5124

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Bronck
fax
514 59

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July 29, 1994

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Bill Brewster
U.S. House of Representatives
Washington, D.C. 20515

RE: CC Docket No. 92-77 Opposition to Billed Party Preference

Dear Congressman Brewster,

We are opposed to the application of Billed Party Preference (BPP) at inmate facilities.

We have analyzed the security and administration needs at our facility and have found it to be necessary to route inmate calls from our facility to a single carrier that is equipped to handle inmate calls and with whom we have a contractual relationship. We cannot allow inmates to have open access to the telecommunications network and the freedom to use any carrier they please. BPP will take away our right to coordinate inmate calls through a carrier we know and trust. Instead, inmate calls will be routed to a number of different carriers, none of whom will have any obligation to us, and few that will be trained to handle inmate calls.

We have also found it necessary to install phone equipment that is specifically designed for inmate calls. This equipment helps prevent fraud, abusive calls, and other criminal activity over the telephone network. Given the constant budgetary constraints that we are under, we cannot afford to provide this equipment without the help of inmate phone service providers. BPP would also eliminate the revenue stream that finances our inmate phone. If BPP is applied to inmate facilities, there will be no way for us to finance these phones, nor will there be inmate phone service providers to assist us. Without inmate phones, the morale of our inmates will be devastated. The resulting increase in tension will make it more difficult for our staff to manage inmates.

Furthermore, we are sensitive to the rates inmate families pay for calls. We fully appreciated the FCC's concern if some Sheriffs do not take responsibility for protecting inmate families from abusive rates. We do not agree with the FCC that the solution for this lack of responsibility is BPP. Indeed we believe the overwhelming majority of Sheriffs are committed to requiring rates that are fair and reasonable.

In short, BPP would take away our ability to employ important security and administrative measures that we have found to be

necessary at our facility, ultimately reducing inmate phone availability, which in turn decreases the efficiency of our staff. We urge you to not adopt regulations that interfere with our administrative and security..

Respectfully,

A handwritten signature in cursive script that reads "EM Bristol". The signature is written in black ink and is positioned above the typed name.

Sheriff E. M. Bristol