

unwanted calling by inmates in a billed party preference ("BPP") environment. In this regard, Southwestern Bell, Sprint and GTE are simply wrong to the extent that they believe that the significant fraud risks which they acknowledge would be present if inmates are allowed to reach multiple carriers through access code dialing could somehow be controlled or managed if BPP were adopted. What these parties refuse to recognize is that BPP is, in essence, nothing more than an automated form of access code dialing. For all practical purposes, inmates would be able to reach multiple carriers -- including carriers who are unprepared to handle inmate calls -- in a BPP environment just as easily as if access codes were unblocked at the phone. The risk of fraud and unwanted inmate calling under either scenario is essentially the same.

Similarly, the illogic of MCI's position in this proceeding and its support for BPP at inmate facilities in CC Dkt. 92-77 is all too apparent. MCI now states that "there are strong public interest reasons to control inmate access to the public switched network -- both to protect members of the public and to prevent fraudulent use of carrier services." MCI Comments at 8. Yet BPP would require that inmate calls be routed through the public switched network rather than through the carrier designated by the correctional official, and would thus invalidate the ability of correctional officials to effectively control how inmate calls are routed.

Third, ICSPTF supports the goal of ensuring that consumers can be adequately informed about the rates for inmate calls. However, Gateway's suggestion for requiring real-time rate quotes would be

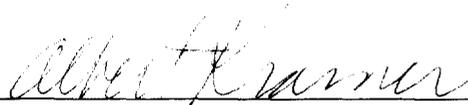
costly to implement and, due to the unique nature of inmate calling patterns, provide duplicative information, be wasteful, and create unnecessary processing delays for consumers. Very few of the inmate calling systems which are currently installed have the technical capability to provide real-time rate quotes. The cost of retro-fitting the entire embedded base to install this capability would be significant. Moreover, since inmates are generally restricted in who they are allowed to call (e.g. family members, lawyers, etc.), and since those same individuals are repeatedly called by inmates, requiring rate quotes before each call would be redundant and a needless inconvenience for consumers. It would result in unnecessary usage of network capacity and increase the processing time for calls.

Of course, the need for rate quotes would be diminished even further if the Commission adopts rate benchmarks for inmate calls, such as ICSPTF has proposed. If rate benchmarks are adopted, consumers could become readily aware of the maximum rate that should be charged. Thus, rate benchmarks would take away the ability of unscrupulous providers to "surprise" consumers with any unexpected charges. In this regard, there is strong support among those filing comments for rate benchmarks or some form of rate regulation.² The Commission should take heed of the support for this position and move forward with adopting ICSPTF's proposal.

² See, Comments of State of Georgia, Department of Administrative Services, Telecommunications Division, Pacific Bell and Nevada Bell, Sprint, Ameritel Pay Phones, Inc., Executone Information Systems, Inc., Gateway, Global Tel*Link and Public Service Commission of Nevada.

In sum, the comments in this proceeding clearly demonstrate that (a) the Commission should not extend the "aggregator" definition to inmate-only telephones, (b) the Commission should terminate its BPP proceeding, and (c) the only real and sensible solution to the allegations concerning excessive rates is to adopt ICSPTF's rate benchmark proposal.

Respectfully submitted,



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Dated: March 24, 1995