

January 14, 2015

Via ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WC Docket No. 12-375 – Request for Confidential, Unredacted Versions of the Second Further Notice Declaration of Coleman Bazelon and Any Other Confidential Versions of Papers Filed by or on Mr. Bazelon’s Behalf on January 12, 2015

Dear Ms. Dortch:

Attached please find a copy of Pay Tel’s “Request for Confidential, Unredacted Versions of the Second Further Notice Declaration of Coleman Bazelon and Any Other Confidential Versions of Papers Filed by or on Mr. Bazelon’s Behalf of January 12, 2015”.

Please do not hesitate to contact me if you have any questions regarding same.

Sincerely,

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.



Timothy G. Nelson
Direct Dial: (919) 573-6205
tnelson@brookspierce.com

Attachment

January 14, 2015

Via E-Mail and First-Class Mail

Lee G. Petro
Drinker Biddle & Reath LLP
1500 K. Street, N.W.
Washington, D.C.
20005-1209

Deborah M. Golden
D.C. Prisoners' Project
Washington Lawyers' Committee
For Civil Rights and Urban Affairs
11 Dupont Circle, NW, Suite 400
Washington, D.C. 20036

Lee.Petro@dbr.com

deb_golden@washlaw.org

Re: WC Docket No. 12-375 – Request for Confidential, Unredacted Versions of the Second Further Notice Declaration of Coleman Bazelon and Any Other Confidential Versions of Papers Filed by or on Mr. Bazelon's Behalf on January 12, 2015

Dear Mr. Petro and Ms. Golden:

Pay Tel Communications, Inc., pursuant to the Protective Order¹ issued on December 19, 2013 in the above-captioned proceeding, requests by way of this letter confidential versions of papers filed by, or on behalf of, Coleman Bazelon in this docket on January 12, 2015. Specifically, Pay Tel requests the confidential version of the document titled "Second Further Notice Declaration of Coleman Bazelon".

This request is being served simultaneously on the ICS providers whose confidential data is or might be included in Mr. Bazelon's confidential papers.² Please see the attached Certificate of Service. In addition, Pay Tel will today file a copy of this request into the record in WC Docket No. 12-375 via ECFS.

¹ WC Dkt. No. 12-375, Protective Order, DA 13-2434 (rel. Dec. 19, 2013).

² Table 1 of the unredacted version of Mr. Bazelon's report suggests that the confidential data of the following ICS providers appears in the confidential version of same: Combined Public Communications; Lattice, Inc.; Pay Tel; NCIC; Securus; Telmate; Inmate Calling Solutions; Global Tel*Link; CenturyLink; Correct Solutions; and Custom Teleconnect. See Wright Petitioners, Comments, Ex. A, "Second Further Notice Declaration of Coleman Bazelon," at 4, WC Docket No. 12-375 (Jan. 12, 2015).

Note that, at this time, neither Pay Tel nor its Outside Counsel is requesting access to or delivery of the confidential documents.³ Rather, Pay Tel asks that you or Mr. Bazelon send the data directly to Mr. Don J. Wood, Pay Tel's Outside Consultant in this proceeding. Please send (email is preferred) the confidential version of the above-requested documents to:

Don J. Wood
WOOD & WOOD
914 Stream Valley Trail
Alpharetta, Ga 30022
don.wood@woodandwood.net

In accord with the Protective Order, attached hereto please find a copy of Mr. Wood's executed Acknowledgment of Confidentiality.

I appreciate your prompt response to this request. Please do not hesitate to contact me if you have any questions regarding same.

Sincerely,

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.



Timothy G. Nelson
Direct Dial: (919) 573-6205
tnelson@brookspierce.com

Attachment

cc:

Don Wood, Wood & Wood
Pamela Arluk, Chief, Pricing Policy Division, WC Bureau (via email)
Lynne Engledow, Deputy Chief, Pricing Policy Division, WC Bureau (via email)
Attached Service List

³ For the reasons articulated separately in this docket, Pay Tel firmly believes that the Protective Order permits review of Confidential Information submitted in this proceeding by its Outside Counsel (Marcus W. Trathen and Timothy G. Nelson). However, due to objections previously raised by Global Tel*Link, Securus and Telmate to production of confidential information to Pay Tel's Outside Counsel, and in an effort to handle this matter efficiently, Pay Tel's Outside Counsel is not requesting, at this time, access to Mr. Bazelon's confidential documents, but reserves all rights thereto.

CERTIFICATE OF SERVICE

I hereby certify that on this, the 14th day of January, 2015, the foregoing “Request for Confidential, Unredacted Versions of the Second Further Notice Declaration of Coleman Bazelon and Any Other Confidential Versions of Papers Filed by or on Mr. Bazelon’s Behalf on January 12, 2015” was served via First Class and electronic* mail on the following persons:

Stephanie A. Joyce
Arent Fox, LLP
1717 K Street, NW
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Stephanie.joyce@arentfox.com

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Consultant to Correct Solutions, LLC

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*Counsel to Network Communications
International Corp.*

*Consultant to Custom Teleconnect, Inc.,
Combined Public Communications, and Lattice,
Inc.*

Karen Brinkman*
2300 N Street, NW
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Washington, D.C. 20037

Melody Weil
President

Letter to Lee G. Petro and Deborah M. Golden
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KB@karenbrinkmann.com

Counsel to Lattice, Inc.

Combined Public Communications, Inc.
100 Aqua Drive
Cold Spring, KY 41076
mweil@combinedpublic.com

By: s/ Timothy G. Nelson
Timothy G. Nelson

APPENDIX A

Acknowledgment of Confidentiality

WC Docket No. 12-375

I hereby acknowledge that I have received and read a copy of the foregoing Protective Order in the above-captioned proceeding, and I understand it.

I agree that I am bound by the Protective Order and that I shall not disclose or use Stamped Confidential Documents or Confidential Information except as allowed by the Protective Order.

I acknowledge that a violation of the Protective Order is a violation of an order of the Federal Communications Commission. I further acknowledge that the Commission retains its full authority to fashion appropriate sanctions for violations of this Protective Order, including but not limited to suspension or disbarment of Counsel or Consultants from practice before the Commission, forfeitures, cease and desist orders, and denial of further access to Confidential Information in this or any other Commission proceeding.

I acknowledge that nothing in the Protective Order limits any other rights and remedies available to a Submitting Party at law or in equity against me if I use Confidential Information in a manner not authorized by the Protective Order.

I certify that I am not involved in Competitive Decision-Making.

Without limiting the foregoing, to the extent that I have any employment, affiliation, or role with any person or entity other than a conventional private law firm (such as, but not limited to, a lobbying or advocacy organization), I acknowledge specifically that my access to any information obtained as a result of the Protective Order is due solely to my capacity as Counsel or Outside Consultant to a Participant or as a person described in paragraph 8 of the foregoing Protective Order and agree that I will not use such information in any other capacity.

I acknowledge that it is my obligation to ensure that Stamped Confidential Documents are not duplicated except as specifically permitted by the terms of the Protective Order, and to ensure that there is no disclosure of Stamped Confidential Documents or Confidential Information in my possession or in the possession of those who work for me except as specifically permitted by the terms of the Protective Order.

I certify that I have verified that there are in place procedures at my firm or office to prevent unauthorized disclosure of Stamped Confidential Documents and Confidential Information.

Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to them in the Protective Order.

Executed this 25th day of JULY, 2013/2014.



[Name] Dow J. Woods

[Position] PRESIDENT / SENIOR PARTNER

[Firm] Woods & Woods Consulting, Inc.

[Telephone] 770.475.9971