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*ADMITTED IN DC ONLY

August 21, 2015

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: WC Docket No. 12-375 - Global Tel*Link Corporation - Notice of *Ex Parte* Presentation

Dear Secretary Dortch:

On August 19, 2015, Global Tel*Link Corporation (“GTL”) representative David Silverman, Executive Vice President, Legal and Regulatory Affairs and Chief Legal Officer, and the undersigned met with Commissioner Ajit Pai and his Legal Advisor, Alison Nemeth to discuss matters relating to inmate calling services (“ICS”) addressed by the Federal Communications Commission’s (“FCC’s”) *ICS Order and First FNPRM* and *Second FNPRM*.¹

The meeting covered the following issues:

- the comments, reply comments, and *ex partes* submitted by GTL in the above-captioned docket;
- the need for swift final action and implementation of a comprehensive order that addresses “all three legs of the stool,” which is essential to eliminate the regulatory

¹ *Rates for Interstate Inmate Calling Services*, 28 FCC Rcd 14107 (2013) (“*ICS Order and First FNPRM*”), *pets. for stay granted in part sub nom. Securus Tech., Inc. v. FCC*, No. 13-1280 (D.C. Cir. Jan.13, 2014), *pets. for review pending sub nom. Securus Tech., Inc. v. FCC*, No. 13-1280 (D.C. Cir. filed Nov. 14, 2013) (and consolidated cases); *Rates for Interstate Inmate Calling Services*, 29 FCC Rcd 13170 (2014) (“*Second FNPRM*”).

uncertainty influencing marketplace practices such as large upfront payments and multi-year commitments for new contracts for ICS that may undermine the FCC's goal to promote market-based rates for inmate calling services;

- Examples of state or department of corrections actions taken to promote market-based pricing for inmate calling services, such as:
 - The Ohio Department of Rehabilitation and Correction's (ODRC) comprehensive approach, which eliminated the required payment of site commissions and reduced all interstate and intrastate ICS rates to \$0.05 per minute with no surcharge or other connection related fee. The transition period to this new regime was four (4) days from execution of the contract.
 - Colorado – State eliminated commissions by law effective August 5, 2015 except as is necessary to pay for calling costs and the direct and indirect costs incurred by the department in managing the calling system. For the purposes of this provision, “direct and indirect costs incurred by the department in managing the calling system” includes costs related to the provision of security and monitoring systems by either the department. All interstate and intrastate rates are \$0.12 per minute and international calling is \$0.50 per minute. Transaction fees are \$7.95, but a no fee option must be available.
- How the unique security and communication service needs of each correctional facility require individual case basis contracts, which leads to different market-based pricing results (e.g., \$0.05, \$0.12, or \$0.20 per minute) among the same or similar “type” of facility. The specific security and inmate communication service needs of each facility are different and cannot be defined by regulators based on facility type, which is why a *backstop* rate cap is critical to the inmate calling services market;
- The ICS provider cost data represents the best underlying data available for determining a backstop rate cap low enough to protect end users from exorbitant rates, but high enough to allow a market-based solution to take effect. The ICS provider cost data supports the Joint Provider Reform Proposal backstop rate caps; and
- The ICS market is dynamic and requires simultaneous FCC action that establishes non-tiered backstop rate caps for all ICS rates, replaces site commissions with admin-support payments that reflect legitimate costs, and accepts the Joint Provider Reform Proposal backstop rate caps for ancillary charges.

August 21, 2015

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Pursuant to Section 1.1206(b) of the FCC's rules, a copy of this notice is being filed in the appropriate docket.

Please contact me if you have any questions regarding this matter.

Respectfully submitted,

/s/ Chérie R. Kiser

Chérie R. Kiser

Counsel for Global Tel*Link Corporation

cc (via e-mail): Commissioner Pai
Alison Nemeth