

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC. 20554**

In the Matter of )  
 )  
 ) WC Docket No. 12-375  
Rates for Interstate Inmate Calling Services )  
 )

**REPLY COMMENTS OF IWEBVISIT.COM, LLC  
TO THIRD FURTHER NOTICE OF PROPOSED RULEMAKING**

iWebVisit.com, LLC (“iWebVisit”) respectfully submits these Reply Comments in response to the *Third Further Notice of Proposed Rulemaking* (“*Third FNPRM*”) released November 5, 2015, in the captioned proceeding,<sup>1</sup> and in follow-up to its own Comments filed on January 19, 2016.

**I. Per-Minute Pricing Would Be Difficult to Implement, Inefficient and Detrimental to Visitation**

The Prison Policy Institute (“PPI”) and certain other commenters assert in their comments in this proceeding that the Commission should institute a requirement that video visitation be priced on a per-minute of use basis.<sup>2</sup> Indeed, PPI suggests that such pricing would be more consumer and family friendly.

On the contrary, however, there are a number of reasons why a per-minute pricing structure would likely have a *negative* effect on video visitation and *not*, as is suggested, lead to the reduction of end-user costs and the increase of inmate-family contact. Unlike an ICS

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<sup>1</sup> *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Second Report and Order and Third Further Notice of Proposed Rulemaking, FCC 15-136 (rel. Nov. 5, 2015).

<sup>2</sup> *See, e.g.*, Comments of The Prison Policy Institute, *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Second Report and Order and Third Further Notice of Proposed Rulemaking, at 6.

telephone call, a video “visit” is *scheduled by the visitor* and thus is a reservation of a certain block of visitation time, and comes with a *guarantee* that the visiting terminal will be available and the inmate will have been notified and relocated (if necessary) to the appropriate terminal location ahead of the visit.

Understanding all of the moving parts of the scheduling system is important in order to appreciate the complexity of keeping track of the advance scheduling aspect of the system. The visitation management system needs to know when the next block of time is available. If the system were made available on a per-minute basis according to *consumption determined at the time of the visitation* (with only the start time, and not the end time, being known beforehand, like an ICS telephone call), it would be impossible to know when to schedule the next visit. When should the next reservation time show as available? Two minutes later? Sixty minutes later? The uncertainty of available reservation sessions in a per-minute consumption scheme would result in a reduction in the efficiency of the system and mostly likely the number of visitation sessions actually occurring, and thus in reduced family-inmate contact.

The proponents of per-minute pricing assert that inmates and families are being mistreated by having to pay for reserved, but unused, visitation time. However, any suggestion that a visitor may decide to schedule a visit, save a block of time, notify staff, move an inmate, and then only actually visit for 2 or 3 minutes does not seem likely. In point of fact, an estimated *98 percent* of all on-site iWebVisit visitation sessions are enjoyed for their *entire pre-scheduled duration*.

Further, as noted in our Comments, approximately *60 percent* of all visitation sessions processed by iWebVisit systems today are provided on-site and at no cost to the visitor or the inmate. Under the less efficient and cost effective use of the visitation systems which would

result from a per-minute regime, visitation providers would be forced to price the paying sessions significantly higher in order to recoup the cost of providing the “free on-site video visits” – a situation that would be truly unfair to consumers paying for remote visits.

Today, reserved video visitation works out to a per-minute cost of between 30 and 50 cents for a remote visit session. Under an unreserved, per-minute consumption model, pricing would need to be approximately \$3.00 to \$4.00 for the first minute, with additional minutes being less costly. Clearly, such prices would not benefit inmates and their families.

iWebVisit hopes the FCC has a clearer understanding of how a *visitor-initiated, reservation-based* visitation system differs from an inmate-initiated (impromptu) telephone or video call, and of the value of such pre-scheduled reservation-based visitation solutions for inmates, family members and corrections facilities.

## **II. iWebVisit Does Not Require Corrections Facilities to Ban In-Person Visitation**

PPI further suggests in its comments that iWebVisit requires corrections facilities to ban in-person visitation as part of its service contract, and points specifically to iWebVisit’s contract with Solano County, California in support.<sup>3</sup>

While iWebVisit does not deny the terms of the contract with Solano County referenced by PPI, the Commission should be aware of the following important facts in this regard. The Solano County contract was entered into *before* the current management of iWebVisit was put in place in a (misguided) effort to compete with similar terms from ICS companies offering bundled video visitation services. The current iWebVisit management *does not pursue or support* such contractual limitations. New agreements today do not include such references and any such clauses in prior agreements are considered void and are not being enforced. As a result, despite the contract term noted by PPI, today Solano County continues to offer on-site and in-

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<sup>3</sup> *Id.* at 2.

person visits for many of its inmates.

The bottom line is that iWebVisit strongly supports as much inmate-visitor contact as possible – whether it is in person, by on-site video, or via remote video conferencing.

Respectfully submitted,

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