

February 18, 2016

VIA ECFS

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

**Stephanie A. Joyce**

Partner  
202.857.6081 DIRECT  
[stephanie.joyce@arentfox.com](mailto:stephanie.joyce@arentfox.com)

Re: WC Docket No. 12-375, Response to Human Rights Defense Center Reply Comments

Dear Secretary:

Securus Technologies, Inc. (“Securus”) hereby responds to the reply comments filed in the above-named docket by the Human Rights Defense Center on February 8, 2016 (“HRDC Reply Comments”).

HRDC asserts, without citation, that Securus is “simultaneously asking the Commission to eliminate commission kickbacks from those [ICS] private contractual arrangements.” *Id.* at 9. This assertion is false.

First, Securus did not discuss site commissions in its Comments (January 19, 2016) or Reply Comments (February 8, 2016) in this phase of the rulemaking, and so cannot be “simultaneously asking” for action on site commissions of any kind.

Secondly, Securus did not ask the Commission “to eliminate commission kickbacks” at any time in this rulemaking. Securus advocated for a per-minute, additive rate by which correctional facilities would continue to receive direct funding. This position was stated in the Joint ICS Proposal filed September 15, 2014,<sup>1</sup> Securus’s Comments,<sup>2</sup> and Securus’s Reply Comments.<sup>3</sup>

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<sup>1</sup> WC Docket No. 12-375, Letter from Securus, Global Tel\*Link Corp., and Telmate, LLC to Chairman Wheeler and Commissioners Clyburn, Rosenworcel, Pai, and O’Rielly at 3-4 (Sept. 15, 2014).

<sup>2</sup> With regard to crafting a fair, workable, and permanent solution to ICS rates, Securus asks the Commission to ensure that site commissions are a mechanism for facilities to recover demonstrated internal, direct costs of enabling inmate access to telephones, and that the forthcoming permanent rates permit ICS

Securus joined with Global Tel\*Link and Telmate again in October 2015, along with Pay Tel Communications, to ask again for a rule to guarantee funding for correctional facilities.<sup>4</sup>

HRDC was an active participant in this proceeding at the time of these filings<sup>5</sup> and thus it is strange that HRDC seems to have missed these Securus statements. In any event, the HRDC Reply Comments are incorrect with regard to Securus's advocacy on correctional facility funding.

Please let me know if you need any further information from Securus. Thank you for your consideration.

Sincerely,

s/Stephanie A. Joyce

*Counsel to Securus Technologies, Inc.*

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carriers, both as a matter of law and as a matter of fact, to recover the costs of remitting site commissions.

WC Docket No. 12-375, Comments of Securus Technologies, Inc. at 12 (Jan. 12, 2015).

<sup>3</sup> Securus, along with Global Tel\*Link and Telmate, continues to support the adoption of a method, which presently is prohibited for interstate calls, by which facilities can be reimbursed for the direct costs they incur in order to make telephones both available and safe. Assertions that Securus has demanded the elimination of site commissions are false.

WC Docket No. 12-375, Reply Comments of Securus Technologies, Inc. at 1 (Jan. 27, 2015).

<sup>4</sup> WC Docket No. 12-375, Letter from Brian D. Oliver, CEO, Global Tel\*Link, Richard A. Smith, CEO, Securus, Vincent Townsend, President, Pay Tel, and Curt Clifton, Vice President of Government Affairs and Strategic Planning, Telmate, at 1-2 (Oct. 15, 2015).

<sup>5</sup> *E.g.*, WC Docket No. 12-375, Reply Comments of the Human Rights Defense Center (Jan. 27, 2015); Letter from Alex Friedmann, Associate Editor, *Prison Legal News*, to Chmn. Tom Wheeler, FCC (Oct. 4, 2015) (submitted on HRDC letterhead).