



PUBLIC NOTICE

Federal Communications Commission
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WIRELINE COMPETITION BUREAU SEEKS COMMENT ON GLOBAL TEL*LINK CORPORATION'S PETITION FOR WAIVER OF DEADLINE TO IMPLEMENT RULES 64.6080 AND 64.6090 FOR JAILS

WC Docket No. 12-375

Comments Due: June 17, 2016

Replies Due: June 24, 2016

On June 1, 2016, Global Tel*Link Corporation (GTL) filed a petition seeking “a temporary waiver of the June 20, 2016 deadline by which inmate calling service (ICS) providers must comply with rules 64.6080 and 64.6090 for jails.”¹ As stated in the *2015 ICS Order*, rule 64.6080 states that “no Provider shall impose a Per-Call or Per-Connection Charge on a Consumer.”² Rule 64.6090 states that “no Provider shall offer Flat-Rate Calling for Inmate Calling Services.”³ These rules will take effect for jails on June 20, 2016.⁴

In its petition, GTL requests a 90-day extension to implement rules 64.6080 and 64.6090 because “it will not complete contract negotiations and, in some cases, renegotiations with its correctional facility customers falling within the ‘jail’ category” to the applicable deadline.⁵ Second, GTL states that the “confusion and regulatory uncertainty created by the D.C. Circuit’s stay decisions have deprived GTL of the full time period determined . . . to be necessary” for negotiations with its jail customers.⁶ Finally, GTL asserts that a waiver will allow it to seek relief at the state level from rate caps “that will result in confiscatory rules once the per-call surcharge or flat-rate calling component” is removed from the intrastate rate structure.⁷ If the waiver is granted, GTL will have until September 19, 2016 to comply with rules 64.6080 and 64.6090 for jails.

Interested parties may file **comments on or before June 17, 2016**, and **reply comments on or before June 24, 2016**. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before the dates indicated above. Comments

¹ Petition of Global Tel*Link Corporation for Waiver of Deadline to Implement Rules 64.6080 and 64.6090 for Jails, WC Docket No. 12-375 (filed June 1, 2016), <http://apps.fcc.gov/ecfs/document/view?id=60002090309> (GTL Petition).

² *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Second Report and Order and Third Further Notice of Proposed Rulemaking, 30 FCC Rcd. 12763, 12924 (2015) (*2015 ICS Order*).

³ *Id.*

⁴ *Wireline Competition Bureau Announces the Comment Cycle and Effective Dates for the Inmate Calling Second Report and Order and Third FNPRM*, Public Notice, 30 FCC Rcd 14507 (2016).

⁵ GTL Petition at 3.

⁶ *Id.* at 2-3.

⁷ *Id.* at 3.

may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing ECFS: <http://apps.fcc.gov/ecfs>
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington D.C. 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (tty).

The proceeding this Public Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁸ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

⁸ 47 CFR §§ 1.1200 *et seq.*

For further information, please contact Rhonda Lien, Wireline Competition Bureau, Pricing Policy Division, at (202) 418-1520 or via e-mail at rhonda.lien@fcc.gov.