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April 8, 2008

Electronic Ex Parte Filing

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

Re: Petitioners' Alternative Rulemaking Proposal
CC Docket No. 96-128

Dear Ms. Dortch:

Yesterday, Pat Nolan, Vice President of the Prison Fellowship Ministry, Doane Kiechel, of Morrison & Foerster LLP, and the undersigned, representing petitioners Martha Wright, *et al.* ("Petitioners"), met with Scott M. Deutchman, Competition and Universal Service Legal Advisor to Commissioner Michael J. Copps, to discuss Petitioners' Alternative Rulemaking Proposal in the above-captioned docket ("Proposal"). The Proposal requests: (1) the adoption of benchmarks capping the interstate long distance debit calling and collect calling service rates charged to prison inmates and persons receiving collect calls from prisoners; and (2) a requirement that inmate calling service providers offer a debit calling option.

¹ Petitioners' Alternative Rulemaking Proposal, *Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996*, CC Dkt. No. 96-128 (Mar. 1, 2007) ("Proposal"); FCC Public Notice, *Comment Sought on Alternative Rulemaking Proposal Regarding Issues Related to Inmate Calling Services*, 22 FCC Rcd 4229 (WCB 2007).

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The Petitioners' representatives discussed the issues raised by the Proposal and the urgent need for Commission relief and responded to questions from Mr. Deutchman. The Petitioners' representatives emphasized the excessiveness of inmate long distance rates relative to any credible measure of costs and noted that the inmate calling service providers have failed to explain how they are economically able to provide interstate inmate calling services at rates that, net of commission payments, are below the requested benchmarks to several disparate state prison systems but are unable to provide such services at comparable rates to all state and other prison systems.

The views expressed by the Petitioners' representatives tracked the positions set forth in Petitioners' filings in this proceeding as well as the discussion in the attached talking points. Petitioners' representatives provided Mr. Deutchman with a copy of the talking points as well as the attached reports and articles concerning the inmate telephone service issue.

In accordance with Section 1.1206(b)(1) of the Commission's rules, this letter and attachments are submitted for inclusion in the record of the above-captioned docket. Please do not hesitate to contact the undersigned with any questions or concerns about this letter or the issues discussed.

Very truly yours,

/s/ Frank W. Krogh
Frank W. Krogh

Counsel to Petitioners

Attachments

cc: Scott M. Deutchman