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August 2, 2013

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By ECFS

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

RE: *Rates for Interstate Inmate Calling Services*
WC Docket No. 12-375

Dear Ms. Dortch:

Pursuant to Section 1.1206(b) of the FCC's rules, this notice is respectfully submitted to report a meeting between undersigned counsel for Martha Wright, et al. (the "Petitioners") and Matthew Berry, Chief of Staff, and Ian Moore of Commissioner Pai's office, on August 1, 2013.

During the meeting, undersigned counsel presented his views that:

- the FCC has authority under Sections 201, 205 and 276 of the Communications Act, as amended, to adopt the proposed benchmark rates for interstate and intrastate ICS calls;
- the Petitioners and other parties supporting reform have submitted more than sufficient data and related information for the FCC to justify the adoption of a benchmark rate of \$0.07 per minute, with no other charges or ancillary fees;
- three of the four largest ICS providers have failed to provide any detailed information to support their objection to the Petitioners' proposed rate;
- the wide disparity of the rates charged by the same ancillary services, such as funding accounts through third-party companies, by different ICS providers demonstrate that the ICS providers have no incentive to reduce the impact of the ancillary fees on their customers;
- the ICS providers pass through the costs, with a mark-up, of many of the new services such as Voice Biometrics, by imposing a per-call or per-minute fee;
- the recent Best and Final Offers submitted by ICS providers in Florida support what the Petitioners have been arguing throughout the proceeding - namely that lower rates will lead to higher call volumes, which will lead both to higher commissions to the correctional facilities, and lower recidivism rates;
- existing contracts between ICS providers and correctional facilities regularly include provisions that permit the amendment or renegotiation of the terms in the event of state or federal regulatory changes, including requirements to lower ICS rates; and

- the impact of the proposed benchmark rate on smaller facilities, will be minimal, in light of the lower costs associated with providing limited service to individuals who have been booked, but spend less than 72 hours in jail.

Should there be any questions regarding this submission, please contact undersigned counsel.

Respectfully submitted,



Lee G. Petro

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