

Law Offices

December 20, 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 Daniel Alvarez, Wireline Advisor to Chairman Tom Wheeler, December 17, 2013.

During the meeting, undersigned counsel presented his views that:

- The pending Petition for Stay filed by the Correctional Institutions should be denied because:
  - The Correctional Institutions do not have standing to seek a Stay because they are merely third-party beneficiaries of the unjust, unreasonable and unfair rates;
  - The Correctional Institutions will not suffer irreparable harm if the Stay is not granted; and
  - Many of the Correctional Institutions do not use the funds for the purposes that were indicated in their submission.
- The pending Petition for Stay filed by CenturyLink should be dismissed because:
  - CenturyLink failed to provide any new basis for granting the Stay that was not addressed in the November 21, 2013 Order.<sup>1</sup>
  - The Petitioners supplied additional evidence that the contracts between correctional facilities and CenturyLink included change of law provisions that would permit reformation of existing agreements.

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<sup>1</sup> See Order Denying Stay Petitions and Petition to Hold in Abeyance, DA 13-2236 (rel. Nov. 21, 2013)

- The pending Partial Petition for Stay filed by Pay Tel Communications should be dismissed because:
  - Pay Tel's main argument that it would not qualify for Safe Harbor rates is not sufficient basis for overturning three-tiered structure adopted by the FCC;
  - Only a limited number of states actually impose price caps on local calls, so it would appear from the publically-available information that Pay Tel has failed to substantiate the claim that its costs are above the price caps and that jails should be exempted; and
  - A number of state prisons actually house inmates in local and county jails, so that the "churn" referenced in past Pay Tel filings is not a significant factor.

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

Respectfully submitted,



Lee G. Petro

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