

CAHILL GORDON & REINDEL LLP
EIGHTY PINE STREET
NEW YORK, NY 10005-1702

FLOYD ABRAMS
L. HOWARD ADAMS
ROBERT A. ALESSI
HELENE R. BANKS
ANIRUDH BANSAL
LANDIS C. BEST
SUSAN BUCKLEY
KEVIN J. BURKE
JAMES J. CLARK
BENJAMIN J. COHEN
SEAN M. DAVIS
STUART G. DOWNING
ADAM M. DWORKIN
ANASTASIA EFIMOVA
JENNIFER B. EZRING
JOAN MURTAGH FRANKEL
JONATHAN J. FRANKEL
BART FRIEDMAN

CIRO A. GAMBONI
WILLIAM B. GANNETT
CHARLES A. GILMAN
STEPHEN A. GREENE
JASON M. HALL
WILLIAM M. HARTNETT
CRAIG M. HOROWITZ
DOUGLAS S. HOROWITZ
TIMOTHY B. HOWELL
DAVID G. JANUSZEWSKI
ELAI KATZ
THOMAS J. KAVALER
BRIAN S. KELLEHER
DAVID N. KELLEY
CHÉRIE R. KISER*
EDWARD P. KRUGMAN
JOEL KURTZBERG
ALIZA R. LEVINE

TELEPHONE: (212) 701-3000
FACSIMILE: (212) 269-5420

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900
FAX: (202) 862-8958

AUGUSTINE HOUSE
6A AUSTIN FRIARS
LONDON, ENGLAND EC2N 2HA
(011) 44.20.7920.9800
FAX: (011) 44.20.7920.9825

WRITER'S DIRECT NUMBER
202-862-8950

JOEL H. LEVITIN
GEOFFREY E. LIEBMANN
ANN S. MAKICH
JONATHAN I. MARK
BRIAN T. MARKLEY
WILLIAM J. MILLER
NOAH B. NEWITZ
MICHAEL J. OHLER
ATHY A. O'KEEFFE
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
KIMBERLY PETILLO-DÉCOSSARD
DEAN RINGEL
JAMES ROBINSON
THORN ROSENTHAL
TAMMY L. ROY
JONATHAN A. SCHAFFZIN

JOHN SCHUSTER
MICHAEL A. SHERMAN
DARREN SILVER
HOWARD G. SLOANE
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ JR.
SUSANNA M. SUH
ANTHONY K. TAMA
JONATHAN D. THIER
JOHN A. TRIPODORO
GLENN J. WALDRIP, JR.
HERBERT S. WASHER
MICHAEL B. WEISS
S. PENNY WINDLE
DAVID WISHENGRAD
COREY WRIGHT
DANIEL J. ZUBKOFF
ADAM ZUROFSKY

*ADMITTED IN DC ONLY

May 29, 2014

VIA ECFS

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

Re: WC Docket No. 12-375 - Global Tel*Link Corporation - Notice of Ex Parte Presentation

Dear Secretary Dortch:

On May 29, 2014, Brian D. Oliver, Chief Executive Officer, Global Tel*Link Corporation (“GTL”), David Silverman, Senior Vice President and General Counsel for GTL, and the undersigned met with Commissioner Mignon L. Clyburn, Rebekah Goodheart, Wireline Legal Advisor, and Sharon Lin, Intern to Commissioner Clyburn, to discuss matters relating to inmate calling services (“ICS”) and the Commission’s pending proceeding on interstate and intrastate ICS rates.

The primary purpose of GTL’s meetings on May 29th, was to determine whether the interests of the Commission, FCC Staff, ICS stakeholders, and ICS providers can be aligned to bring about an efficient, national solution to the issues currently pending litigation and further review. GTL reiterated its willingness to work with the Chairman, Commissioners, and FCC Staff to produce a regulatory solution that recognizes the rights and interests of all affected. In this context, GTL presented its understanding of the existing legal framework germane to addressing the issues and

Marlene H. Dortch
Secretary
May 29, 2014

proposals contained in the Federal Communications Commission's ("FCC's") Report and Order and Further Notice of Proposed Rulemaking ("*Order and FNPRM*").¹ The discussion covered:

- Jurisdictional issues concerning intrastate ICS rates and the payment of site commissions under Sections 201(b) and 276 of the Communications Act of 1934, as amended. 47 U.S.C. §§ 201(b) and 276.
- How the correctional facility request for proposal process dictates what services will be provided to those customers and the pricing.
- Competitive market forces are the most effective and efficient means for achieving just and reasonable rates.
- The need for a transition period to address existing contracts and the suggestion that look back requirements could be used to ensure the goals of any comprehensive solution are achieved.
- The regulatory uncertainty and competitive distortions created by the *Order and FNPRM* regarding the lawfulness of the continued payment of site commissions on interstate ICS calls. GTL referred to the May 23, 2014 and May 15, 2014, ex parte presentations in WC Docket No. 12-375 of Century Link and Securus Technologies, Inc., respectively, and the *Pay Tel Waiver Order, Rates for Interstate Inmate Calling Services*, DA 14-187, 29 FCC Rcd 1302, ¶¶ 9, 14, 17-18 (Feb. 11, 2014).
- The different treatment of ICS rates and site commissions by the states since the FCC issued its *Order and FNPRM*, including the recent action noticed by the State of New Jersey.
- In response to questions regarding ancillary fees, GTL reiterated its position set forth in its Comments in response to the NPRM and FNPRM in this docket. *See* Comments of Global Tel*Link Corporation, WC Docket No. 12-375, filed December 20, 2013; Comments of Global Tel*Link, WC Docket No. 12-375, DA 13-1445, filed July 17, 2013.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this notice is being filed in the appropriate docket.

¹ Report and Order & Further Notice of Proposed Rulemaking, *Rates for Interstate Inmate Calling Services*, 28 FCC Rcd 14107 (2013) ("*Order and FNPRM*").

Marlene H. Dortch
Secretary
May 29, 2014

Please contact me if you have any questions regarding this matter.

Respectfully submitted,

/s/ Chérie R. Kiser

Chérie R. Kiser

Counsel for Global Tel*Link Corporation

cc (via e-mail): Commissioner Clyburn
Rebekah Goodheart, Wireline Legal Advisor to Commissioner Clyburn
Sharon Lin