

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matters of

Rates for Interstate Inmate Calling Services

Securus Technologies, Inc. Petition
to Expand Pay Tel Waiver

Securus Technologies, Inc. Petition
for Leave to Add Fee for Voice
Biometric Technology

WC Docket No. 12-375

**SECURUS TECHNOLOGIES, INC.
APPLICATION FOR REVIEW
(DA 14-786)**

Stephanie A. Joyce
ARENT FOX LLP
1717 K Street, N.W.
Washington, D.C. 20036
Telephone 202.857.6081
Facsimile 202.857.6395
Stephanie.Joyce@arentfox.com

Counsel to Securus Technologies, Inc.

Dated: July 7, 2014

SUMMARY

The Commission should set aside the *Bureau Order* for a number of reasons, each of which is an independent ground for reversal.

First, the Bureau failed to give appropriate consideration to the extensive cost data that Securus provided with its March 2013 comments demonstrating that in many facilities – most of them the smaller jails like those served by Pay Tel – Securus’s costs of service are higher than Pay Tel’s costs. Rather, the Bureau simply repeated the Commission’s unreasonable interpretation – manipulation – of that data to grossly understate Securus’s costs.

Secondly, the Bureau simply failed to grasp the illogic of granting rate relief to a carrier that is subject to the same intrastate rate regulations as Securus but whose costs of service are so low that they formed the basis of the Interim Rate Caps. With both carriers limited to charging what Pay Tel characterized as “below-average-cost” intrastate rates, but knowing that Pay Tel’s cost of interstate service is only \$0.23 per minute for collect calls and \$0.21 per minute for debit calls, how can Pay Tel be entitled to charge \$0.46 per minute but Securus is not?

Third, the Bureau failed to appreciate the external cost that Pay Tel incurs, and which the Commission expressly acknowledged in the *Inmate Rate Order*, to provide Voice Biometrics service on inmate calls. Securus incurs the same external cost. Now Pay Tel is more assured of recovering that cost, while Securus – already suffering under the interstate Interim Rate Caps that are demonstrably below its cost – does not have that assurance.

Finally, the Bureau ignored the pleas of Securus, and CenturyLink which supported both Petitions that were resolved in the *Bureau Order*, to correct the significant market distortion that the Pay Tel waiver has created. Pay Tel now receives double the interstate revenue of any other carrier in its region. That revenue will enable it to do more innovation and

offer more services and features than any other carrier. The Bureau therefore has given Pay Tel a tremendous competitive advantage over Securus, simply by failing to maintain regulatory parity as the Commission is required to do. Securus gave the Bureau the means to remedy this market-destabilizing problem, and inexplicably the Bureau refused to do so. The Commission now should right that wrong.

TABLE OF CONTENTS

STANDARD OF REVIEW 1

BACKGROUND 1

 A. The *Pay Tel Waiver Order* 2

 B. Securus Petition to Expand Pay Tel Waiver 2

 C. Securus Petition for Leave to Add Fee for Cost of Voice Biometrics 3

ARGUMENT 4

I. THE COMMISSION SHOULD REVERSE THE BUREAU’S REFUSAL
 TO EXPAND THE PAY TEL WAIVER 4

 A. The *Bureau Order* Is Not Reasonably Based in the Record and Contains
 Illogical Analysis 5

 B. The Bureau Has Given Pay Tel a Tremendous Financial Advantage,
 Creating a Skewed ICS Market 10

II. THE COMMISSION SHOULD REVERSE THE BUREAU’S REFUSAL TO
 ALLOW RECOVERY OF THE EXTERNAL COST FOR VOICE BIOMETRICS 11

CONCLUSION 13

Attachment WC Docket No. 12-375, Declaratory Ruling and Order, DA 13-1990
 (rel. June 6, 2014)

Securus Technologies, Inc. (“Securus”), through counsel and pursuant to 47 C.F.R. §§ 1.104 and 1.115, applies to the Federal Communications Commission (the “Commission”) for review of the Order Denying Petitions issued June 6, 2014, by the Wireline Competition Bureau under delegated authority.¹ The *Bureau Order* contains several errors of both fact and law and should be reversed.

STANDARD OF REVIEW

Rule 1.115 sets forth the grounds on which the Commission will reverse the decision of a Bureau issued on delegated authority, among them “an erroneous finding as to an important or material question of fact.”² The Commission will overturn an order where “the Bureau erred by ignoring evidence in the record”³ which, as shown below, is the case here.

BACKGROUND

On February 19, 2014, Securus filed two Petitions with the Wireline Competition Bureau seeking rate parity in light of an almost company-wide waiver that had been granted to Pay Tel Communications, Inc. (“Pay Tel”), another provider of inmate calling services (“ICS”), permitting it to charge almost double the amount of the Interim Rate Caps established in the *Inmate Rate Order*.⁴

¹ WC Docket No. 12-375, Order, DA 14-786 (WCB June 6, 2014) (“*Bureau Order*”).

² 47 C.F.R. § 1.115(b)(2)(iv).

³ Docket AAD 97-82, *GTE Hawaiian Tel. Co., Inc.*, Memorandum Opinion and Order, 19 FCC Rcd. 22268 ¶ 1 (2004) (reversing decision to grant Sandwich Isles Communications status as an incumbent local exchange carrier “serving a previously unserved area” for purposes of receiving Universal Service support).

⁴ *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-113 (rel. Sept. 26, 2013) published at 78 Fed. Reg. 67956 (Nov. 13, 2014) (“*Inmate Rate Order*”).

A. The *Pay Tel Waiver Order*

On February 11, 2014, the day on which the *Inmate Rate Order* became effective, the Commission granted Pay Tel permission to charge \$0.46 per minute “for existing and new clients and may not charge interstate rates any greater than its rates as of February 10, 2014 if those rates were under \$0.46 per-minute.”⁵ The waiver was granted “for a period of nine months unless the Commission decides to take action on intrastate ICS rate caps sooner[.]”⁶ The waiver applies to almost every site that Pay Tel serves.⁷

B. Securus Petition to Expand Pay Tel Waiver

On February 19, 2014, Securus filed the Petition to Expand Pay Tel Waiver (“Petition to Expand”) requesting that “the relief granted to Pay Tel be granted to all providers of Inmate Calling Services (“ICS”) operating in city and/or county jails located in the 13 states that Pay Tel serves.”⁸ Securus argued that:

- 1) All ICS carriers in Pay Tel territory are subject to the same “below-average-cost intrastate rate constraints”⁹ which Pay Tel claimed would put it in “an economically unsustainable situation.”¹⁰
- 2) The expert report of Steven E. Siwek that Securus submitted with its March 2013 comments in this docket, and on which the Pay Tel Petition relied, demonstrated that the Rate Caps are below Securus’s cost of service.¹¹

⁵ WC Docket No. 12-375, Order, DA 14-187 ¶ 20 (WCB Feb. 11, 2014) (“*Pay Tel Waiver Order*”).

⁶ *Pay Tel Waiver Order* ¶ 21.

⁷ Pay Tel did not request or receive a waiver for “new facilities added in three states (New Mexico, California and Maryland) after the second quarter of 2013.” *Pay Tel Waiver Order* n.25.

⁸ Petition to Expand at 1.

⁹ *Id.* at 2 (quoting Pay Tel Communications, Inc. Petition for Waiver of Interim Interstate Rates at 2 (Jan. 8, 2014) (“Pay Tel Petition”).

¹⁰ *Id.* at 2 (quoting Pay Tel Petition at 2).

¹¹ *Id.* at 4-5.

- 3) If Pay Tel was put “in an economically unsustainable position” by the Rate Caps, and its own costs were the Commission’s basis for the Rate Caps,¹² then surely Securus was in an equally unsustainable position and thus deserved the same rate relief.¹³
- 4) Granting rate relief to only one ICS provider would skew the market, because that relief “additional funds to develop new services and technology to enhance its competitive position.”¹⁴

CenturyLink filed comments supporting the Petition to Expand, arguing that “all ICS providers are subject to the same rules imposed by state regulatory commissions,” and added that all ICS providers face “the same constraints imposed by correctional facilities and the same challenges in serving city and county jails.”¹⁵ Were only Pay Tel to get the \$0.46 rate relief, CenturyLink explained, all other ICS providers would be “significantly injured in their ability to compete for contracts and to serve existing sites.”¹⁶

C. Securus Petition for Leave to Add Fee for Cost of Voice Biometrics

Also on February 19, 2014, Securus filed a Petition for Leave to Add Fee for Voice Biometrics Technology (“Biometrics Petition”) seeking permission “to add a per-minute fee of \$0.02 to its interstate calls in order to cover the cost of providing voice biometric technology required for secure inmate calling.”¹⁷ That technology is called “Continuous Voice Verification”, or “CVV”, and is a mandatory feature in most correctional facilities that Securus serves.¹⁸

¹² Petition to Expand at 3 (quoting *Inmate Rate Order* ¶ 27).

¹³ *Id.* at 3.

¹⁴ *Id.* at 7.

¹⁵ WC Docket No. 12-375, Comments of CenturyLink Regarding Securus Technologies, Inc.’s Inmate Call Service Petitions at 2 (Mar. 11, 2014) (“CenturyLink Comments”).

¹⁶ *Id.* at 2.

¹⁷ Biometrics Petition at 1.

¹⁸ *Id.* at 2.

Securus noted that the Commission expressly acknowledged, as to Pay Tel, that voice biometrics impose a distinct external cost of service.¹⁹ Securus then demonstrated with sworn testimony that it incurs the same cost, from the same third-party vendor, that Pay Tel incurs.²⁰

The Biometrics Petition did not seek relief that would be additive to the relief sought in the Petition to Expand.²¹ That is, had the Commission granted Securus the same rate relief of \$0.46 per minute within the same states that Pay Tel serves, the CVV external cost would have been covered in that rate. The Biometrics Petition was an attempt by Securus at least to recover the fixed CVV cost that the Commission itself has acknowledged as a cost of ICS.

ARGUMENT

I. THE COMMISSION SHOULD REVERSE THE BUREAU'S REFUSAL TO EXPAND THE PAY TEL WAIVER

The Bureau erred in refusing to grant Securus the same rate relief that was granted to Pay Tel. First, the refusal defied logic and simply ignored, or at the least unreasonably interpreted, record evidence. Secondly, the refusal has set up a tremendously skewed market in which one member of the industry has been advantaged to the immediate disadvantage of everyone else; the Bureau has picked a “winner” in the ICS market in direct contravention of Commission practice.²²

¹⁹ Biometrics Petition at 2 (citing *Inmate Rate Order* ¶ 27).

²⁰ *Id.* at 3 (quoting Declaration of Russell Roberts ¶ 3 (Feb. 19, 2014)).

²¹ “This request is distinct from, and seeks less expansive relief than, the Petition to Expand Pay Tel Waiver that also has been filed on this day.” *Id.* at 1.

²² See Petition to Expand at 7 (quoting CC Docket No. 98-147, *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, Fourth Report and Order, 16 FCC Rcd. 15435, 15438 ¶ 7 (2001) (“Indeed, we have previously recognized that, in adopting the 1996 Act, Congress consciously did not try to pick winners or losers, or favor one technology over another.”) (*Fourth Advanced Services Order*)).

A. The Bureau Order Is Not Reasonably Based in the Record and Contains Illogical Analysis

The Commission used Pay Tel’s costs to set the Rate Caps, as the Bureau acknowledges.²³ The Pay Tel 2013 cost study, according to the *Inmate Rate Order*, reported a cost for collect calls of \$0.23 per minute and a cost for debit calls of \$0.21 per minute.²⁴ The Commission set Interim Rate Caps at \$0.25 and \$0.21 per minute, respectively. Pay Tel’s cost study undeniably carried the day.

All ICS providers in Pay Tel’s region are bound by the same intrastate rate caps and regulations. Thus, the only way that Pay Tel deserved rate relief to the exclusion of Securus is if Pay Tel’s intrastate service costs are demonstrably higher than the costs on which the FCC relied in setting the Rate Caps. But Pay Tel’s cost study, submitted as Exhibit A to the Pay Tel Petition, shows that its intrastate costs are the same as those on which the Commission relied:

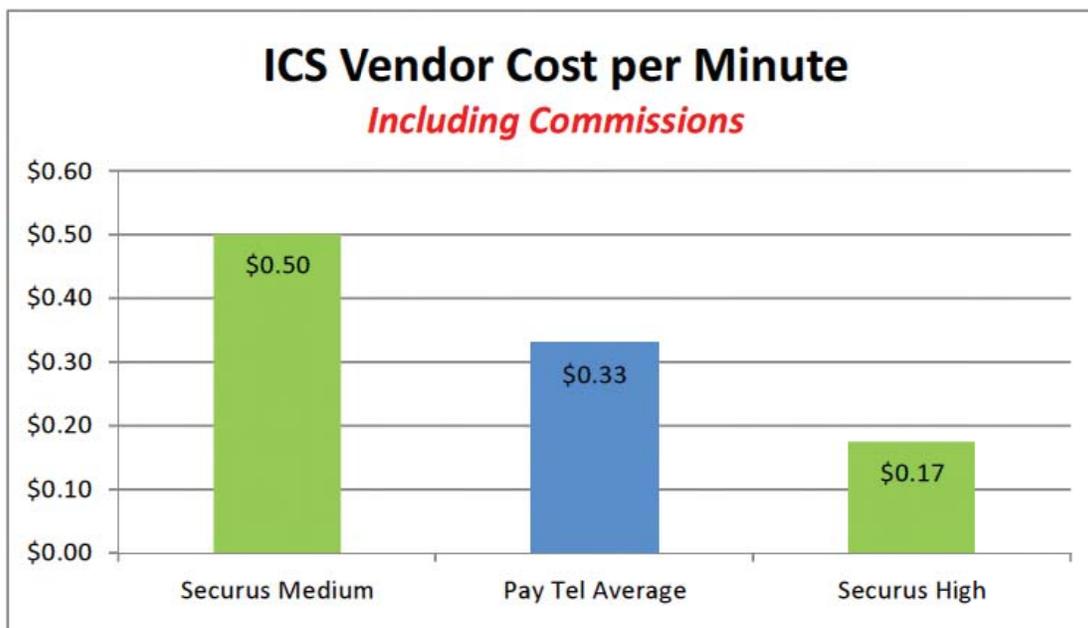
	2012	2013	2014	2015	Average
Total Costs:					
<i>Locations not using Continuous Voice Biometric Identification</i>					
Collect/Prepaid Collect Call Costs, per Minute	\$0.293	\$0.322	\$0.345	\$0.360	\$0.330
Debit Call Costs, per Minute	\$0.273	\$0.307	\$0.330	\$0.344	\$0.313
<i>Locations using Continuous Voice Biometric Identification</i> ¹					
Collect/Prepaid Collect Call Costs, per Minute	\$0.312	\$0.341	\$0.364	\$0.379	\$0.349
Debit Call Costs, per Minute	\$0.292	\$0.326	\$0.349	\$0.364	\$0.333

²³ Bureau Order ¶ 4.

²⁴ Inmate Rate Order ¶ 27.

Cost Excluding Commissions:					
Locations <i>not using</i> Continuous Voice Biometric Identification					
Collect/Prepaid Collect Call Costs, per Minute	\$0.186	\$0.206	\$0.215	\$0.215	\$0.205
Debit Call Costs, per Minute	\$0.165	\$0.191	\$0.200	\$0.200	\$0.189
Locations <i>using</i> Continuous Voice Biometric Identification ¹					
Collect/Prepaid Collect Call Costs, per Minute	\$0.205	\$0.226	\$0.234	\$0.234	\$0.225
Debit Call Costs, per Minute	\$0.185	\$0.210	\$0.219	\$0.219	\$0.208

As Pay Tel showed in its own waiver filings, Securus’s cost of service is much higher in most of its facilities. These facilities are smaller facilities, nearly all city or county jails, exactly like the facilities that Pay Tel serves. They have low volumes of service (measured in minutes), just as do the Pay Tel facilities. For these facilities, Securus’s cost of service soars above Pay Tel’s reported costs:



In addition, Securus low-volume facilities have a per-minute cost of \$1.71.²⁵ So it is clear that Securus’s cost of service is *higher* than those of Pay Tel and *higher* than the Interim

²⁵ Petition to Expand at 5 (citing Siwek Report Table 2).

Rate Caps. In addition, the “below-average-cost intrastate rate constraints”²⁶ of which Pay Tel complained apply to Securus and all other ICS carriers.²⁷ The logic is inescapable: (1) if Securus’s costs are higher than Pay Tel’s; and (2) Pay Tel cannot survive under the new Interim Rate Caps; and (3) Securus and Pay Tel are subject to the same rate caps for intrastate calls, then Securus deserves, at a minimum, the same relief afforded to Pay Tel.

Securus showed in the Siwek Report that its cost of service is quite high in many of its facilities:

Table 2: ICS Costs per Minute			
Category	ICS Costs	Total Minutes	ICS Costs per Minute
High 10 Simple Average	\$ 1,759,901	10,068,670	\$ 0.1748
Medium 10 Simple Average	\$ 34,258	68,403	\$ 0.5008
Low 10 Simple Average	\$ 2,207	1,290	\$ 1.7106
State DOC Simple Average	\$ 4,605,001	43,083,108	\$ 0.1069

The Siwek Report stated that the State DOC category contained only eight (8) facilities and that no State DOC facility was included in the High, Medium, or Low categories.²⁸ All of this information was provided in the Petition to Expand.²⁹

The Bureau responded to this data in much the same way it discussed the Siwek Report in the *Inmate Rate Order*: it manipulated the report in an unsupportable manner to reach the false conclusion that Securus’s average cost of service is \$0.04 per minute.³⁰ That analysis rests on the unreasonable assumption that Securus experiences exactly the same annual call

²⁶ Petition to Expand at 2 (quoting Pay Tel Petition at 2).

²⁷ Petition to Expand at 6; CenturyLink Comments at 2.

²⁸ Siwek Report § 2.4

²⁹ Petition to Expand at 4-5.

³⁰ *Bureau Order* ¶ 16; *Inmate Rate Order* ¶ 26.

volume in each of the four categories of facility that Siwek created. Nothing in the Siwek Report could support that assumption, and indeed the State DOC category contains only 8 facilities whereas Securus nationwide served approximately 2,200 total facilities in 2013.³¹ The Commission had no basis to simply add up all of the average minutes in the Siwek Table and divide by the sum of the average costs. That purported \$0.04 per-minute cost figure is thus gravely in error.

The Bureau then compounds its error by applying to Securus the “2008 ICS Provider Data” that Securus jointly submitted with *six other* ICS providers.³² That 2008 joint report³³ derived one set of combined average costs:

Debit Calls	\$1.56 per-call cost	\$0.06 per-minute cost
Collect Calls	\$2.49 per-call cost	\$0.07 per-minute cost

Thus, for a 15-minute call, combining and averaging the two types of costs results in:

Debit Calls	\$0.174 per-minute cost
Collect Calls	\$0.236 per-minute cost

Those figures are based on *aggregated* 2008 data from *seven* ICS providers. In addition, Securus told the Commission in October 2011 that its per-minute costs had increased

³¹ WC Docket No. 12-375, Comments of Securus Technologies, Inc. at 11 (Mar. 25, 2013).

³² *Bureau Order* ¶ 18.

³³ CC Docket No. 96-128, *Inmate Calling Service Interstate Call Cost Study* (filed Aug. 15, 2008).

“approximately 16.5%.”³⁴ So, if the Bureau *consistently* had attributed the 2008 ICS Provider Data Submission to Securus, it would have seen that Securus’s updated cost per-minute cost is \$0.203 for debit calls and \$0.275 for collect calls. The *Bureau Order* never even acknowledges the Securus October 2011 letter.

Finally, the Bureau erred in dismissing out of hand the “shortfall analysis” that Securus submitted which mirrored the Pay Tel “shortfall analysis” on which the Bureau relied in granting the waiver. As Securus showed, the Bureau purported to rely on the cost study submitted with the Pay Tel Petition, but made sure to note that the Cost-Based Rule from the *Inmate Rate Order* has been stayed by the D.C. Circuit.³⁵ The *Pay Tel Waiver Order* thus spent a good deal of time discussing the estimated “11 percent of its total 2012 revenue” that Pay Tel will lose under the Interim Rate Caps.³⁶ In keeping with that analysis, Securus submitted its own estimated shortfall: Geoff Boyd, Chief Financial Officer of Securus, stated in a sworn declaration that

On an annual basis, comparing the revenue that Securus will realize under the Interim Rate Caps versus what it would realize at \$0.46 per minute, I calculate that Securus will incur a revenue shortfall on interstate calls from jails in the above-listed states of approximately \$1.5 Million, based upon historical call volumes.³⁷

Pay Tel’s revised shortfall was \$1,666,412.³⁸

³⁴ CC Docket No. 96-128, Letter from Stephanie A. Joyce, Counsel to Securus, to Marlene H. Dortch, FCC (Oct. 11, 2011). Securus appended this letter to its March 2013 Comments filed in this docket.

³⁵ Petition to Expand at 6 (quoting *Inmate Rate Order* n.29).

³⁶ *Pay Tel Waiver Order* ¶ 6.

³⁷ Declaration of Geoffrey Boyd ¶ 3 (Mar. 4, 2014), filed via Letter from Stephanie A. Joyce, Counsel to Securus, to Marlene H. Dortch, FCC (Mar. 4, 2014).

³⁸ Letter from Marcus Trathen, Counsel to Pay Tel, to Marlene H. Dortch, FCC (Jan. 16, 2014).

Securus's financial loss is thus as large as Pay Tel's, but it got none of the relief that Pay Tel received. The Bureau all but ignored that fact, mentioning the Securus shortfall in a footnote.³⁹

The Bureau made much of the fact that the Petition to Expand, whose aim was to regain regularity parity for the ICS industry, sought rate relief for “all providers of Inmate Calling Services (‘ICS’) operating in the ... states Pay Tel serves.”⁴⁰ It makes the unsurprising finding that Securus did not submit cost data for any ICS carrier but itself. Securus, by contrast and as explained herein, did provide a great deal of cost data. Nothing prevented the Bureau from providing lesser relief – rate relief for Securus only – than what the Petition to Expand requested. To deny relief to Securus on the ground that it could not report the costs of other ICS providers is an unsound basis for decision.

B. The Bureau Has Given Pay Tel a Tremendous Financial Advantage, Creating a Skewed ICS Market

Pay Tel now receives, by virtue of its almost company-wide waiver, approximately double the amount of interstate call revenue of every other ICS provider in its territory. The Petition to Expand articulated the obvious result of this disparate treatment:

It is axiomatic that permitting Pay Tel to realize almost double the interstate calling revenue of other ICS carriers will provide it with additional funds to develop new services and technology to enhance its competitive position. The other ICS carriers will not have that excess revenue. A significant and lasting loss of good will with correctional facilities could result from an inability to offer what Pay Tel now can offer.⁴¹

³⁹ Bureau Order n.34.

⁴⁰ *Id.* ¶ 15 (quoting Petition to Expand at 1 (emphasis included)).

⁴¹ Petition to Expand at 7.

CenturyLink agreed, stating that it, along with all other ICS providers, will be “significantly injured in their ability to compete for contracts and to serve existing sites.”⁴² Thus, after imposing unprecedented, sweeping rate regulation on the ICS industry and slashing rates, the FCC took the further step of tilting Pay Tel’s entire region into its own favor and gutting the ability of other ICS carriers, equally affected by the Interim Rate Cap, to maintain and win service contracts. The Commission should not be “picking winners and losers” in this manner.⁴³

* * *

For each of these independent reasons, the *Bureau Order* is flawed and should be set aside by the Commission with regard to the Pay Tel \$0.46 per-minute rate.

II. THE COMMISSION SHOULD REVERSE THE BUREAU’S REFUSAL TO ALLOW RECOVERY OF THE EXTERNAL COST FOR VOICE BIOMETRICS

The Bureau erred in refusing Securus the mere \$0.02 per-minute additive rate that it needs in order to recover the external cost of providing CVV voice biometrics technology on inmate calls. As with the Petition to Expand, this refusal was born of twin errors: (1) ignoring record evidence, and (2) failing to comprehend the obvious, possibly irreparable, competitive harm that occurs when one market participant is effectively given extra revenue by virtue of disparate regulatory treatment.

CVV technology costs Securus \$0.02 per minute just as it does Pay Tel.⁴⁴ The

⁴² CenturyLink Comments at 2.

⁴³ Petition to Expand at 7 (quoting *Fourth Advanced Services Order*, 16 FCC Rcd. at 15438 ¶ 7).

⁴⁴ Roberts Decl. ¶ 3; *Inmate Rate Order* ¶ 27.

carriers buy the technology from the same vendor, JLG Technologies.⁴⁵ The Bureau dismisses the import of this external cost, which the FCC expressly recognized for Pay Tel, by stating “This is an incorrect reading both of Pay Tel’s waiver petition and of the *Pay Tel Waiver Order*. Pay Tel did not cite the cost of continuous voice biometrics as a reason for its waiver and never requested additional revenue to offset such costs.”⁴⁶

But it is the Bureau that actually misreads the record. Securus never alleged in the Biometrics Petition that Pay Tel relied only on the CVV charge “as a reason for its waiver.” It is simply the case that the Commission knows about the cost of CVV – characterizing it as an “advanced security feature”⁴⁷ – and it is a cost that Securus incurs in just the same way. These similarly situated carriers should have been treated the same way.

The CVV cost is part of Pay Tel’s reported per-minute costs of \$0.23 for collect calls and \$0.21 for debit.⁴⁸ But apparently Pay Tel loses money under that \$0.21/\$0.25 Interim Rate Caps and needed the Commission’s help. Securus needs that help as well. CVV may not have been the entire basis for Pay Tel’s Petition, but it certainly was one reason for it. The \$0.46 rate that Pay Tel got from the Commission certainly will pay for CVV. In the Biometrics Petition, Securus simply asked that, if nothing else, it have the ability to recover the CVV cost that Pay Tel now so easily can afford.

The same competitive concerns underpinned the Biometrics Petition. “Pay Tel’s ability to innovate, offer additive calling products, and provide additional benefits to existing and

⁴⁵ Securus acquired the assets of JLG effective June 9, 2014, as a wholly owned subsidiary. Securus as a corporation nonetheless continues to incur the \$0.02 per-minute charge wherever it provisions CVV.

⁴⁶ *Bureau Order* ¶ 24.

⁴⁷ *Inmate Rate Order* ¶ 27.

⁴⁸ *Id.*

potential correctional customers has thus been enhanced by the Commission. Securus's ability to do the same has necessarily been diminished."⁴⁸ The Biometrics Petition presented an easy way to avoid that market-skewing effect and sought minimal relief. The Bureau erred in refusing to grant it.

CONCLUSION

For all these reasons, the Commission should grant this Application and set aside the *Bureau Order*.

By: 

Stephanie A. Joyce
ARENT FOX LLP
1717 K Street, N.W.
Washington, D.C. 20036
Telephone 202.857.6081
Stephanie.Joyce@arentfox.com

Counsel to Securus Technologies, Inc.

Dated: July 7, 2014

⁴⁸ Biometrics Petition at 4.

CERTIFICATE OF SERVICE

I hereby certify on this 7th day of July, 2014, that the foregoing Application for Review, with the Attachment, was served via First Class and electronic* mail on the following persons:

Marlene H. Dortch *
Secretary
Federal Communications Commission
Marlene.Dortch@fcc.gov

Chairman Tom Wheeler *
Federal Communications Commission
Tom.Wheeler@fcc.gov

Commissioner Jessica Rosenworcel *
Federal Communications Commission
Jessica.Rosenworcel@fcc.gov

Commissioner Mignon Clyburn *
Federal Communications Commission
Mignon.Clyburn@fcc.gov

Commissioner Michael O'Rielly
Federal Communications Commission
Michael.ORielly@fcc.gov

Commissioner Ajit Pai *
Federal Communications Commission
Ajit.Pai@fcc.gov

Jonathan Sallet *
General Counsel
Federal Communications Commission
Sean.Lev@fcc.gov

Julie Veach *
Chief
Wireline Competition Bureau
Federal Communications Commission
Julie.Veach@fcc.gov

Deborah M. Golden
D.C. Prisoners' Project
Washington Lawyers Committee
for Civil Rights and Urban Affairs
11 Dupont Circle, Suite 400
Washington, D.C. 20036

Cherie R. Kiser
Angela Collins
Cahill Gordon & Reindel LLP
1990 K Street, NW
Suite 950
Washington, DC 20006

Counsel for Martha Wright, et al.

*Counsel to Global Tel*Link Corporation*

Thomas Dethlefs
CenturyLink
1099 New York Avenue, N.W.
Suite 250
Washington, D.C. 20001

Daniel Thomas Ream
P.O. Box 71
Wickhaven, PA 15492

By:



Stephanie A. Joyce