



Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

June 8, 2013

Submitted Online Only

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

Re: *Ex Parte* Submission for WC Docket No. 12-375

Dear Secretary Dortch:

On March 25, 2013, the Human Rights Defense Center submitted a comment on the above WC Docket with respect to Inmate Calling Services (ICS). Our comment included three exhibits, including Exhibit B, "Interstate ICS Rates," and Exhibit C, "ICS Commission Data."

On May 30, 2013, CenturyLink filed an *ex parte* submission to correct the record, noting that we had misidentified CenturyLink as the ICS provider for the New Hampshire and Wyoming Departments of Corrections (DOCs) in Exhibits B and C of our March 25 comment.

CenturyLink is correct, and we hereby submit revised versions of Exhibits B and C that reflect the actual ICS provider for New Hampshire and Wyoming: ICSolutions. The revised versions also include additional ICS data obtained since our March 25 comment was submitted.

Note that no corrections were made to the ICS phone rates provided in the original versions of Exhibits B and C, nor do the changes in said exhibits have any material impact on our March 25, 2013 comment – except that the ICS commission data for FY 2012 now totals \$112.5 million for 46 state DOCs and the federal Bureau of Prisons, as opposed to the \$103.9 million that we originally reported. Thank you for your time and attention in this regard;

Sincerely,

Alex Friedmann
Associate Director, HRDC

Attachments

Interstate Inmate Calling Service (ICS) Rates

		Rates (2012)			Cost of 15-Minute Call			
Company		Collect	Pre-Paid	Debit	Collect	Pre-Paid	Debit	
AL	Embarq (CenturyLink) *	\$3.95 + .89/min.	\$3.95 + .89/min.	\$3.95 + .89/min.	\$17.30	\$17.30	\$17.30	
AK	Securus	3.95 + .89/min.	3.95 + .89/min.	N/A	\$17.30	\$17.30	N/A	
AZ	Securus	2.40 + .40/min.	2.00 + .40/min.	2.00 + .40/min.	\$8.40	\$8.00	\$8.00	
AR	GTL	3.95 + .45/min.	N/A	N/A	\$10.70	N/A	N/A	
CA	GTL	.44/min.	.44/min.	N/A	\$6.60	\$6.60	N/A	
CO	VAC (GTL)	3.00 + .15/min.	1.50 + .13/min.	1.50 + .10/min.	\$5.25	\$3.45	\$3.00	
CT	Securus	.3245/min.	.2433/min.	N/A	\$4.87	\$3.65	N/A	
DE	GTL	1.71 + .66/min.	1.71 + .66/min.	1.71 + .66/min.	\$11.61	\$11.61	\$11.61	
FL	T-NETIX (Securus)	1.20 + .06/min.	1.02 + .06/min.	N/A	\$2.10	\$1.92	N/A	
GA	GTL	3.95 + .89/min.	?	N/A	\$17.30	?	N/A	
HI	Hawaiian Telcom	?	?	N/A	?	?	N/A	
ID	PCS (GTL)	3.80 + .85/min.	3.60 + .80/min.	3.40 flat	\$16.55	\$15.60	\$3.40	
IL	CCPS	2.50 + .19-.26/min.	1.80 +.16-.26/min.	N/A	\$5.35-6.40	\$4.20-5.70	N/A	
IN	PCS (GTL)	.24/min.	.24/min.	.24/min.	\$3.60	\$3.60	\$3.60	
IA	PCS (GTL)	N/A	N/A	3.00 + .30/min.	N/A	N/A	\$7.50	1
KS	Embarq (CenturyLink) *	1.70 + .40/min.	1.30 + .35/min.	1.28 + .30/min.	\$7.70	\$6.55	\$5.78	
KY	Securus	2.00 + .30/min.	2.00 + .30/min.	2.00 + .30/min.	\$6.50	\$6.50	\$6.50	2
LA	Securus	2.15 + .17-.27/min.	2.15 + .17-.27/min.	1.935 + .153-.243/min.	\$4.70-6.20	\$4.70-6.20	\$4.23-5.58	
ME	PCS (GTL)	3.00 + .69/min.	3.00 + .69/min.	.30/min.	\$13.35	\$13.35	\$4.50	
MD	T-NETIX (Securus)	2.85 + .30/min.	.30/min.	.30/min.	\$7.05	\$4.50	\$4.50	3
MA	GTL	.86 + .10/min.	.86 + .10/min.	.65 + .08/min.	\$2.36	\$2.36	\$1.85	
MI	PCS (GTL)	.23/min.	.23/min.	.21/min.	\$3.45	\$3.45	\$3.15	
MN	GTL	3.95 + .89/min.	N/A	.32/min.	\$17.30	N/A	\$4.80	
MS	GTL	3.30 + .75/min.	?	?	\$14.55	?	?	4
MO	Securus	1.00 + .05/min.	.05/min.	.05/min.	\$1.75	\$0.75	\$0.75	
MT	Telmate	.24 + .12/min.	.24 + .12/min.	.24 + .12/min.	\$2.04	\$2.04	\$2.04	
NE	PCS (GTL)	.70 + .05/min.	.50 + .05/min.	.50 + .05/min.	\$1.45	\$1.25	\$1.25	
NV	CenturyLink *	3.00 + .59/min.	3.00 + .59/min.	3.00 + .59/min.	\$11.85	\$11.85	\$11.85	
NH	ICSolutions	1.20 + .10/min.	.15/min.	.15/min.	\$2.70	\$2.25	\$2.25	
NJ	GTL	.33/min.	.33/min.	.33/min.	\$4.95	\$4.95	\$4.95	
NM	Securus	.65 flat	.59 flat	.65 flat	\$0.65	\$0.59	\$0.65	5
NY	VAC (GTL)	.048/min.	.048/min.	.048/min.	\$0.72	\$0.72	\$0.72	
NC	GTL	3.40 flat	3.40 flat	3.06 flat	\$3.40	\$3.40	\$3.06	
ND	Evercom (Securus)	2.40 + .24/min.	N/A	.34/min.	\$6.06	N/A	\$5.10	6
OH	GTL	3.94 + .88/min.	?	?	\$17.14	?	?	7
OK	VAC (GTL)	3.00 flat	3.00 flat	N/A	\$3.00	\$3.00	N/A	
OR	Telmate	.16/min.	.16/min.	.16/min.	\$2.40	\$2.40	\$2.40	
PA	GTL	3.50 + .50/min.	2.45 + .46/min.	2.33 + .43/min.	\$11.00	\$9.35	\$8.78	
RI	GTL	1.30 + .30/min.	1.30 + .30/min.	1.17 + .27/min.	\$5.80	\$5.80	\$5.22	
SC	GTL	.99 flat	.75 flat	.75 flat	\$0.99	\$0.75	\$0.75	8
SD	VAC (GTL)	3.15 + .43/min.	1.35 + .09/min.	1.35 + .09/min.	\$9.60	\$2.70	\$2.70	9
TN	GTL	3.535 + .6175/min.	?	3.1817 +.55579/min.	\$12.80	?	\$11.52	10
TX	Embarq (CenturyLink) +	.43/min.	.43/min.	.387/min.	\$6.45	\$6.45	\$5.81	
UT	VAC (GTL)	3.00 + .45/min.	3.00 + .45/min.	N/A	\$9.75	\$9.75	N/A	11
VT	PCS (GTL)	1.25 + .15/min.	1.00 + .10/min.	.50 + .10/min.	\$3.50	\$2.50	\$2.00	
VA	GTL	2.40 + .43/min.	2.40 + .40/min.	2.40 + .40/min.	\$8.85	\$8.40	\$8.40	
WA	VAC (GTL)	3.50 + .50/min.	3.50 + .50/min.	3.50 + .50/min.	\$11.00	\$11.00	\$11.00	12
WV	GTL	.85 + .50/min.	.75 + .44/min.	N/A	\$8.35	\$7.35	N/A	13
WI	Embarq (CenturyLink) +	.18/min.	.18/min	N/A	\$2.70	\$2.70	N/A	
WY	ICSolutions	2.80 + .55/min.	2.40 + .50/min.	2.00 + .25/min.	\$11.05	\$9.90	\$5.75	
FBOP	Multiple vendors	2.45 + .40/min.	?	?	\$8.45	?	?	

* ICS provided by CenturyLink, with prepaid accounts provided by ICSolutions

+ ICS provided by CenturyLink, with prepaid accounts provided by Securus

Exhibit B (Interstate ICS Rates) – Notes

- 1 Debit calling only; \$9.00 max for calls.
- 2 Under a new ICS contract effective 3/1/13, debit calls will cost 20% less.
- 3 Rates per email from MD DOC; no per-minute charge for first minute of collect interstate calls. ICS contract changed to GTL in March 2013, resulting in new rates.
- 4 Collect rate is per call to GTL on 3/8/13.
- 5 All flat rates are for 20-minute calls.
- 6 \$.30 for the first minute for collect interstate calls, then \$.24/min. thereafter (in addition to the connection/per-call fee).
- 7 Collect rate is per call to GTL on 3/8/13.
- 8 All flat rates are for 15-minute calls.
- 9 Inmate voicemail also available, at \$1.00 for a 60-second message.
- 10 Actual rates are \$3.53525 + .61755/min. collect and \$3.181735 + .555795/min. debit.
- 11 Rates are per call to VAC on 3/8/13.
- 12 Debit rate is per call to VAC on 3/8/13; other rates are per contract.
- 13 Debit calls included in contract but apparently not in practice.

Inmate Calling Service (ICS) Commissions

State	Company	Commission Payments				Percentage in 2012	
		FY 2009	FY 2010	FY 2011	FY 2012		
Alabama	Embarq (CenturyLink)*	\$4,463,686.90	\$4,124,126.47	\$3,530,496.70	\$3,038,002.18	see note	1
Alaska	Securus	84,125.08	74,503.59	83,393.95	85,438.58	7%	
Arizona	Securus	3,723,046.36	3,884,803.26	4,120,894.06	4,314,062.50	53.70%	
Arkansas	GTL	2,394,900.77	2,475,527.50	2,447,253.75	2,010,223.57	45%	
California	GTL	5,985,850.00	NONE	NONE	NONE	NONE	2
Colorado	VAC (GTL)	2,800,132.91	2,464,650.70	2,495,865.97	1,912,792.10	49%	3
Connecticut	Securus	3,590,667.50	3,797,824.40	4,032,757.64	4,212,201.86	68.75%	
Delaware	GTL	1,310,401.78	1,444,827.32	1,195,151.36	998,380.04	40%	
Florida	T-NETIX (Securus)	2,727,756.86	5,374,083.28	5,205,803.74	5,156,269.19	35%	4
Georgia	GTL	7,445,914.55	7,695,712.76	6,284,715.76	5,316,672.82	60%	
Hawaii	Hawaiian Telcom	104,875.00	?	?	?	?	
Idaho	PCS (GTL)	1,248,804.57	1,368,425.38	1,495,963.54	1,441,051.81	see note	5
Illinois	CCPS	10,392,626.00	10,940,246.00	12,649,898.00	12,946,806.00	56%	
Indiana	PCS (GTL)	1,693,965.32	1,547,481.77	1,929,932.14	1,696,977.76	43.50%	
Iowa	PCS (GTL)	1,231,000.00	1,231,000.00	750,000.00	650,972.00	see note	6
Kansas	Embarq (CenturyLink)*	1,814,693.80	1,876,165.29	1,769,540.31	1,839,450.64	41.30%	7
Kentucky	Securus	3,333,168.00	2,706,767.00	2,880,166.00	2,796,139.00	54%	
Louisiana	Securus	3,602,686.75	3,303,407.37	3,289,038.16	3,044,009.33	70%	
Maine	PCS (GTL)	234,329.79	225,504.10	171,379.45	319,383.27	60%	8
Maryland	T-NETIX (Securus)	?	?	?	?	48-60%	
Massachusetts	GTL	1,972,546.06	1,870,044.28	1,706,889.43	1,714,972.89	15-30%	
Michigan	PCS (GTL)	NONE	NONE	NONE	NONE	NONE	
Minnesota	GTL	3,388,860.00	3,470,898.00	3,767,811.00	3,690,953.00	59%	
Mississippi	GTL	2,788,922.59	2,262,203.71	1,945,008.21	1,651,805.23	60.50%	
Missouri	Securus	NONE	NONE	NONE	NONE	NONE	
Montana	Telmate	252,121.02	226,095.50	227,834.67	220,617.00	25%	
Nebraska	PCS (GTL)	NONE	NONE	NONE	NONE	NONE	
Nevada	CenturyLink *	3,033,941.22	2,747,336.97	2,736,802.16	2,706,372.51	54.20%	
New Hampshire	ICSolutions	?	?	?	?	20%	9
New Jersey	GTL	5,106,355.00	3,734,512.00	3,633,197.00	3,877,997.00	41%	
New Mexico	Securus	NONE	NONE	NONE	NONE	NONE	
New York	VAC (GTL)	NONE	NONE	NONE	NONE	NONE	
North Carolina	GTL	7,578,956.67	7,217,875.33	7,464,539.07	6,881,021.44	58%	
North Dakota	Evercom (Securus)	126,245.62	114,110.95	107,516.94	90,435.73	40%	
Ohio	GTL	?	?	15,000,000.00	15,000,000.00	see note	10
Oklahoma	VAC (GTL)	1,240,396.00	1,218,429.88	1,167,318.18	1,017,657.90	76.60%	11
Oregon	Telmate	3,000,000.00	3,000,000.00	3,000,000.00	3,000,000.00	see note	12
Pennsylvania	GTL	7,174,942.65	7,250,923.88	7,361,264.77	585,138.73	44.40%	13
Rhode Island	GTL	NONE	NONE	NONE	NONE	NONE	
South Carolina	GTL	NONE	NONE	NONE	NONE	NONE	
South Dakota	VAC (GTL)	241,839.00	154,767.00	229,398.76	520,332.05	33-38%	14
Tennessee	GTL	2,595,417.00	2,635,599.00	2,916,310.00	2,991,100.00	50.10%	15
Texas	Embarq (CenturyLink)+	224,228.00	4,276,006.00	5,673,568.00	5,893,470.00	40%	16
Utah	VAC (GTL)	798,429.40	699,489.59	745,155.88	765,858.16	45-55%	
Vermont	PCS (GTL)	65,091.87	63,584.34	40,974.59	44,781.29	37%	
Virginia	GTL	4,524,329.69	4,033,303.82	4,104,977.98	3,208,762.44	35%	17
Washington	VAC (GTL)	?	?	?	?	?	
West Virginia	GTL	903,735.30	890,005.21	919,726.80	931,637.16	46%	
Wisconsin	Embarq (CenturyLink)+	2,039,339.45	2,052,346.15	2,171,279.29	2,344,085.34	30%	
Wyoming	ICSolutions	347,512.83	475,976.21	532,305.11	385,340.50	65.50%	18
FBOP	Multiple vendors	7,180,900.58	5,734,687.35	4,255,246.24	3,220,277.21	58%	19
TOTALS:		112,766,741.89	108,663,251.36	124,039,374.61	112,521,448.23		

* ICS provided by CenturyLink, with prepaid accounts provided by ICSolutions

+ ICS provided by CenturyLink, with prepaid accounts provided by Securus

Exhibit C (ICS Commissions) – Notes

- 1 The Alabama DOC uses a “per diem rate” commission system; commission payments are calculated based on a per diem rate x the average prisoner population, per day. Under the DOC’s 2012 ICS contract with CenturyLink, the per diem rate is .572.
- 2 No commissions, but California Technology Agency receives an \$800,000 annual fee from GTL.
- 3 FY2012 commission amount is for 10 months of the FY.
- 4 FY2009 commission amount is only for January through June 2009.
- 5 No commission percentage; the commission is \$2.25 per debit call, \$2.00 per pre-paid collect call and \$1.75 per collect call. Community Work Centers have a 20% commission.
- 6 Not called “commissions,” but the Iowa DOC receives payments from its ICS provider.
- 7 Commission amounts are for calendar years, not fiscal years.
- 8 Uses a calendar year, not fiscal; 2012 amount is through November 2012.
- 9 Commission is \$27,000/month + 20%, starting September 2012.
- 10 Ohio DOC receives a flat/fixed annual commission of \$15 million.
- 11 Commission is a flat rate of \$2.30 per call, which equates to a 76.6% commission based on a flat rate charge of \$3.00 per call.
- 12 \$750,000/quarter plus 50% commission if profit is over \$1.5 million.
- 13 FY2012 commission data is incomplete.
- 14 33-38% on collect calls (varies by distance); \$1.00 commission per debit call (all distances).
- 15 The TN DOC provided updated commission data for FY 2009-2012 on April 12, 2013.
- 16 FY2012 ended on August 31; commission amount is as of August 5, 2012.
- 17 FY2012 commission amount is for 11 months.
- 18 FY2012 commission amount is from January through August 2012.
- 19 Commission does not apply to direct-dial calls; according to the FBOP, most ICS calls are direct-dial.