October 14, 2015

**ELECTRONICALLY FILED**

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

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

Dear Ms. Dortch:

Pursuant to 47 C.F.R. § 1.1206(b)(1), the undersigned submits this written *ex parte* presentation, on behalf of clients with an interest in the provision of Inmate Calling Services (ICS), for filing in the above-referenced docket, to respond to the so-called “Reply Comments on Written Ex Parte Presentation Andrew D. Lipman” filed as an *ex parte* presentation in this docket by Network Communications International Corp. (“NCIC”) on October 9, 2015.

To begin with, NCIC seeks to “clarify” what the undersigned has already stated in previous *ex parte* submissions filed in this docket; namely, that the undersigned represents “clients with an interest in the provision of Inmate Calling Services.” Despite NCIC’s claim of confusion, the undersigned has never purported to represent anyone else.

NCIC then contends that so-called “pirate” providers will exploit alleged “loopholes” in the rules being considered by the FCC. In support of this claim, it points to the State of New Mexico, which banned site commissions and capped intrastate rates in 2010; NCIC claims that “pirates” are offering “single call” services for $9.99 in violation of this rate cap. The document attached to NCIC’s filing specifically contains charges for “TextCollect” calls, which the undersigned understands to be a third-party payment processing service that enables collect calling to mobile telephones.

NCIC’s filing is completely silent about the nature of these single call services, and therefore presents a highly distorted picture. At least one provider has previously explained in some detail
that this optional service meets a very specific need. A “single call” service allows an inmate whose family or friends have not yet established an ICS payment account to make an outbound collect call, which is billed to the recipient’s mobile phone account through the third-party payment processor. This ability can be crucial in some circumstances; for example, an inmate who has just been arrested and whose top priority is to obtain assistance in obtaining bail can quickly place a call to a lawyer, family member, or friend (who may not yet even know that the caller has been arrested), without having to go through the process of opening an account and obtaining funds to prepay for calls. Since these calls are billed through the mobile carriers by way of the third-party provider, the charges must meet those carriers’ billing requirements and must be sufficient to cover both the mobile carriers’ and payment processor’s fees in addition to the other costs of service. One ICS provider has documented that it invested substantial amounts in developing these optional services. Apparently, NCIC has chosen not to make the investment necessary to offer a similar service, and therefore seeks to prevent its competitor from offering this service at all through regulatory advocacy.

The undersigned is aware of a variety of advanced, optional services that may be offered by some, but not all, ICS providers. For example, some carriers like Global Tel*Link, Telmate, and Securus are offering inmates tablets to use to communicate with outside parties. If NCIC does not offer this capability, that would not be a good reason for the FCC to prohibit its competitors from doing so.

The Commission should not be swayed by the misleading arguments of NCIC, which are full of incendiary accusations but noticeably lacking in facts. Instead, it should evaluate single call services and other optional services based on the factual record which shows that these services offer substantial benefits both to incarcerated persons and their families and friends, and should adopt rules that allow this type of innovation to continue.

Please do not hesitate to contact the undersigned should you have any questions about this submission.

Sincerely,

/s/ Andrew D. Lipman

Andrew D. Lipman

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1 See Ex Parte Submission of Securus Technologies, Inc., WC Docket No. 12-375 at (filed July 27, 2015), and prior filings cited in footnotes 30-34 thereof.

2 Global Tel*Link apparently also offers services of this nature, as discussed in its Comments filed Jan. 12, 2015, at 25-26, 30, but does not specifically document the costs it incurred to offer them.