

[Service Date March 19, 2010]

March 19, 2010

**NOTICE OF BENCH REQUESTS**  
**(AT&T's and T-Netix's filings due by Friday, April 2, 2010)**

RE: *Sandy Judd and Tara Herivel, Complainants, v. AT&T Communications of the Pacific Northwest, Inc., and T-Netix, Inc., Docket UT-042022*

The Washington Utilities and Transportation Commission (Commission) seeks information in the form of the following bench requests to AT&T Communications of the Pacific Northwest, Inc. (AT&T) relating to its Amended Motion for Summary Determination (Amended Motion) and to T-Netix, Inc. (T-Netix) relating to Amendment No. 3 of the original State of Washington, Department of Corrections contract (DOC contract):

**BENCH REQUEST NO. 5 (To AT&T):**

AT&T filed its Amended Motion on August 24, 2009. In this filing, AT&T asserts that “[d]iscovery in this proceeding has demonstrated that Qwest, Verizon Northwest, and PTI [collectively, LECs] retained T-Netix to both connect calls from the prisons at issue to local or long-distance service providers and provide the operator services for such calls.”<sup>1</sup> Further, the original contract between AT&T and DOC indicates that the LECs will be responsible for providing operator services.<sup>2</sup>

Please provide the contract(s) between T-Netix and the LECs within which T-Netix pledges to connect calls and provide operator services to the correctional facilities at issue in this case on behalf of the LECs.

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<sup>1</sup>*Sandy Judd and Tara Herivel, Complainants, v. AT&T Communications of the Pacific Northwest, Inc., and T-Netix, Inc., Respondents, AT&T's Amended Motion, ¶ 15, Docket UT-042022 (August 24, 2009).*

<sup>2</sup>*Sandy Judd and Tara Herivel, Complainants, v. AT&T Communications of the Pacific Northwest, Inc., and T-Netix, Inc., Respondents, Exhibit 7 to AT&T's Amended Motion, Docket UT-042022 (August 24, 2009).*

**BENCH REQUEST NO. 6 (To T-Netix):**

In Amendment No. 3 to the DOC contract, T-Netix is obligated to remit a twenty-seven percent (27 percent) monthly commission to the DOC “on local calls.” Other telecommunications companies, such as AT&T, are also required to remit a monthly commission to the DOC in connection with each company’s “billed revenues.” Yet, the DOC contract simply states that T-Netix is a station provider, not a provider of operator-assisted telephone services.

Please indicate what activities or services, if any, T-Netix was providing upon which the monthly commission was based.

Please respond to these Bench Requests no later than Friday, **April 2, 2010**, with an original and five (5) copies. If you have any questions concerning these requests, please contact Administrative Law Judge Marguerite E. Friedlander at 360-664-1285, or via e-mail at [mfriedla@utc.wa.gov](mailto:mfriedla@utc.wa.gov).

Sincerely,

Marguerite E. Friedlander  
Administrative Law Judge

cc: All Parties