

# **EXHIBIT A**

BEFORE THE WASHINGTON UTILITIES  
AND TRANSPORTATION COMMISSION

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3 )  
SANDY JUDD, ET AL )  
4 COMPLAINANT )  
5 )  
VS. ) DOCKET NO.  
6 ) UT-042022 )  
7 )  
AT&T COMMUNICATION OF THE )  
8 PACIFIC NORTHWEST, INC. )  
AND T-NETIX, INC. )  
RESPONDENT. )  
9 )  
10 )

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ORAL DEPOSITION OF

ROBERT RAE

AUGUST 6, 2009

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15 ORAL DEPOSITION OF ROBERT RAE, produced as a witness  
16 at the instance of the DEFENDANT, and duly sworn, was  
17 taken in the above-styled and numbered cause on the 6th  
18 of August, 2009, from 8:48 a.m. to 5:41 p.m., before  
19 Carolyn England, CSR in and for the State of Texas,  
20 reported by machine shorthand, at the offices of  
21 Bennett, Weston & LaJone, PC, 1750 Valley View Lane,  
22 Suite 120, Dallas, Texas, 75234, pursuant to the  
23 provisions stated on the record or attached hereto.

24  
25 Job No.: 211476

1 P R O C E E D I N G S .

2 ROBERT RAE,

3 having been first duly sworn, testified as follows:

4 EXAMINATION

5 BY MR. PETERS:

6 Q. Sir, could you just tell us your full name?

7 A. Sure. My name is Robert Rae.

8 Q. Mr. Rae, my name is Charles Peters. We met  
9 briefly when you came into the room a few moments ago.

10 I think you may be aware I represent AT&T.

11 A. Okay.

12 Q. Have you ever had your deposition taken  
13 before?

14 A. I have.

15 Q. How many times?

16 A. Let's say approximately ten times. I'm not  
17 sure the exact number.

18 Q. You may already be familiar with this, but  
19 I'll be asking you a series of questions today. If for  
20 any reason at all you do not understand any of my  
21 questions, I'm going to ask you to let me know at that  
22 time. Is that acceptable to you?

23 A. That is.

24 Q. The -- you said you've had your deposition  
25 taken about ten times. Are all of those in connection

1 was just something that I looked at for a brief second  
2 as part of answering an unrelated question.

3 Q. Let me ask you this. Do you know whether or  
4 not for intraLATA calls where the LECs billed separately  
5 for T-NETIX's services?

6 A. I honestly don't know how that arrangement  
7 worked.

8 Q. Did you make any attempt to determine that?

9 A. For intraLATA, no. Like I said, I was focused  
10 on the interLATA at the time.

11 Q. So you didn't make any attempt to determine it  
12 for intraLATA calls?

13 A. I did not, no.

14 Q. Why not?

15 A. Well, I guess it wasn't important for me to  
16 try to understand some of the intra -- my focus on the  
17 interLATA relationship for the questions I was asked at  
18 the time.

19 Q. So you didn't consider it to be important at  
20 all to your opinions in this case?

21 A. No, no.

22 Q. Is it your understanding, though, this is  
23 accurate, that T-NETIX did, in fact, have business  
24 relationships with the LECs?

25 A. Yes.

1 Q. Make any attempt to determine any business  
2 relationships in place with LECs related to Washington  
3 between '96 and 2000?

4 A. Lightly, but no, I did not go into a full due  
5 diligence on that.

6 Q. It says, in the third paragraph on this page,  
7 that T-NETIX has established contractual and strategic  
8 relationships with American Telephone and Telegraph and  
9 several RBOCs, including Bell Atlantic, US West,  
10 Southwestern Bell, NYNEX and the larger independent  
11 telephone companies, such as GTE, United Telephone and  
12 Alltel. Do you see that?

13 A. I see that.

14 Q. Any reason to doubt the accuracy of that?

15 A. No. I was -- I was actually around and did  
16 due diligence for other purposes into relationships that  
17 occurred with several of those.

18 Q. Okay. Is it accurate that T-NETIX had  
19 relationships with US West and GTE in 1996?

20 A. I believe that to be true. I can't say for  
21 sure. I know that I had seen remnants of those  
22 relationships at periods in 2004.

23 Q. Who would have documentation related to those  
24 arrangements?

25 A. Well, they would -- contracts of any kind

1 would be in company record stored in the general  
2 counsel's organization, so somewhere in that file  
3 retention process.

4 Q. You told me that you didn't consider looking  
5 into the business relationship with the LECs to be  
6 important for your work. Do you have any intention of  
7 looking into it between now and any hearing in this  
8 case?

9 A. Not at this time.

10 Q. Could you turn to the next page, page TNXWA  
11 370?

12 A. Okay.

13 Q. If you could look at the fourth paragraph, it  
14 says that: The company's system allows the current LECs  
15 to provide these sophisticated control services to  
16 prison facilities while leaving its existing telephones  
17 in place. Do you see that?

18 A. Yes. I want to try to get some more context,  
19 but go ahead and ask your question.

20 Q. Well, my question is just whether that was  
21 true as of -- between 1996 and 2000.

22 A. That was -- that was the general process, yes.

23 Q. A little bit further down in that paragraph,  
24 it talks about the controller boards. Those are T-NETIX  
25 controller boards?