

[Service date: *April 2, 2010*]

BEFORE THE  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

SANDY JUDD and TARA HERIVEL,

Complainants,

v.

AT&T COMMUNICATIONS OF THE  
PACIFIC NORTHWEST, INC., and  
T-NETIX, INC.,

Respondents.

Docket No. UT – 042022

**T-NETIX, INC'S RESPONSE TO  
BENCH REQUEST NO. 6**

Respondent T-Netix, Inc. ("T-Netix"), through counsel, submits this Response to Bench Request No. 6.

**BENCH REQUEST NO. 6:**

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.

**RESPONSE TO BENCH REQUEST NO. 6:**

As a subcontractor to AT&T, T-Netix provided the premises-based equipment located at Department of Corrections (DOC) correctional facilities which consisted of both hardware and software mainly associated with security features. This equipment included the premises-based call processor (P-III), security features such as the ability for the facilities to turn on and off certain, or all, inmate telephones, and monitoring and recording equipment (actual recordings were and remain the property of the DOC). T-Netix is not, and was not, a facilities-based carrier and did not provide any network facilities, transmission facilities, network switching facilities, or central office call processing services or facilities. T-Netix did lease facilities needed to provide local calls from five (5) facilities on behalf of AT&T. For those calls, the underlying network, transmission, and switching facilities and central office call processing services were provided by PTI. For local calls placed beginning March 3, 1998, from the five WA DOC facilities, AT&T agreed, among other things, to purchase all inmate telephone sets and reimburse T-Netix for the commissions paid and for the cost of inmate telephone lines. T-Netix refers to the letter from John Giannaula, T-Netix, Inc. VP Finance, to Sandi Hornung, AT&T, dated March 10, 1999, attached as Exhibit 12 to AT&T's Amended Motion for Summary Determination.

DATED this 2nd day of April, 2010.

T-NETIX, INC

By: 

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this 2nd day of April, 2010, served via e-filing a true and correct copy of the foregoing, with the WUTC Records Center. The original, along with the correct number of copies (5), of the foregoing document will be delivered to the WUTC, via the method(s) noted below, properly addressed as follows:

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I hereby certify that I have this 2nd day of April 2010, served a true and correct copy of the foregoing document upon parties of record, via the method(s) noted below, properly addressed as follows:

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