

EXHIBIT A

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

SANDY JUDD, and TARA HERIVEL,

Complainants,

v.

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

Respondents.

Docket No. UT-042022

**AT&T’S RESPONSE REGARDING
BENCH REQUEST NO. 6 AND T-NETIX’S RESPONSE THERETO**

AT&T Communications of the Pacific Northwest, Inc. (“AT&T”), by its attorneys, hereby submits this response to T-Netix’s response to Bench Request No. 6.

In Bench Request No. 6, the Administrative Law Judge noted that Amendment No. 3 to the DOC contract obligated T-Netix “to remit a twenty-seven percent (27 percent) monthly commission to the DOC ‘on local calls,’” and requested that T-Netix “indicate what activities or services, if any, T-Netix was providing upon which the monthly commission was based.” T-Netix’s response does not explicitly answer the request. Instead, T-Netix’s response reiterates the already-undisputed fact that T-Netix provided its P-III platform at all prisons at issue, and admits that T-Netix “provide[d] local calls from five” prisons (presumably those listed in Amendment No. 3), and “lease[d] facilities” for that purpose.

However, T-Netix’s response does not otherwise identify or describe the services it provided at those five prisons upon which the 27% monthly commission was based. For example, T-Netix’s response does not address the specific functions and services T-Netix provided through its P-III platform, such as those discussed in the summary determination papers. *See* AT&T’s Am. Mot. for Summ. Determin., at ¶¶ 15-16 (summarizing expert evidence

on P-III platform). Moreover, T-Netix's response does not address the delivery of intraLATA and interLATA traffic to AT&T's point of presence, the completion of 0+ local calls, and the provision of live or mechanical operator announcements — responsibilities T-Netix inherited from PTI under the arrangement established by the DOC. *See* Ex. 10 to AT&T's Am. Mot. for Summ. Determ., PTI Contract, at ¶¶ 4(b), (c) & (g) (setting forth PTI's responsibilities); Ex. 11 to AT&T's Am. Mot. for Summ. Determ., Amendment No. 3 to DOC Contract, at ¶¶ 2 & 5 (substituting T-Netix for PTI "on local calls . . . in PTI territory").

T-Netix suggests that it or PTI was connecting local calls "on behalf of AT&T." AT&T is not and was not authorized to provide local calling in the PTI rural areas, nor did T-Netix provide such service on AT&T's behalf. T-Netix or PTI provided local calling from those facilities, not AT&T. T-Netix had to get the toll calls to AT&T's point of presence where appropriate and AT&T only picked up inter- or intra-LATA toll calls, not local calls. In every instance, T-Netix "connected" the calls to the local or long-distance provider.

Dated: April 8, 2010

SUBMITTED BY:

**AT&T COMMUNICATIONS OF
THE PACIFIC NORTHWEST, INC.**

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CERTIFICATE OF SERVICE

Pursuant to WAC 480-07-150, I hereby certify that I have this day, April 8, 2010, served this document upon all parties of record by e-mail and Federal Express overnight delivery at the e-mail addresses and mailing addresses listed below:

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Pursuant to WAC 480-07-145, Prehearing Conference Order 08, and Bench Request Nos. 5 & 6, I further certify that I have this day, April 8, 2010, filed MS Word and PDF versions of this document by e-mail, and the original and five copies of this document by Federal Express, with the WUTC at the e-mail address and mailing address listed below:

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Pursuant to the Prehearing Conference Order 08 and Bench Request Nos. 5 & 6, I further certify that I have this day, April 8, 2010, provided a courtesy copy of this document, in MS Word, to ALJ Friedlander by e-mail at the following e-mail address: mfriedla@utc.wa.gov.

Dated: April 8, 2010

/s/Charles H.R. Peters
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