

TAB 14

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022
Response Date: February 13, 2009
Requestor: AT&T
Respondent: T-Netix, Inc.
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 18: Describe in as much detail as possible the process by which an intrastate, interLATA call from a payphone at a Washington state prison was processed from caller to call-recipient, specifying in particular who connected the call from the point of origin to the service provider and what hardware or software was used to process the call.

T-Netix's Response to Second Data Request No. 18:

T-Netix objects to this Request on the ground that the term "Washington state prisons" improperly refers to all "reformatories, prisons, jails, or other correctional facilities in the State of Washington" rather than the three institutions identified by Complainants as originating the inmate collect calls at issue in this litigation. Therefore, the Request is overly broad, unduly burdensome and expensive, oppressive, and not relevant or reasonably calculated to lead to the discovery of admissible evidence.

T-Netix further objects to this Request on the ground that the defined term "relevant period" improperly refers to "January 1, 1996 to the present" rather than from June 20, 1996 through December 31, 2000. According to telephone records that Complainants produced in response to T-Netix First Data Request No. 2, the latest month during which complainants received inmate collect calls for which they allege no prerecorded rate information was provided is November 2000. Therefore, the Request is overly broad, unduly burdensome and expensive, oppressive, and not relevant or reasonably calculated to lead to the discovery of admissible evidence.

Subject to and without waiving these objections, T-Netix incorporates by reference the objections set forth in and its response to Second Data Request No. 16. The only difference between the processing of a local call and long-distance call, whether intrastate or interstate, was whether the LEC completed the call or routed it to the applicable interLATA carrier for connection to the dialed number. If AT&T as the interLATA carrier for the relevant Washington State correctional institutions had direct circuits terminating on a separate Network Interface with which the T-Netix premise equipment was interconnected, T-Netix would route an interLATA call to the NI, from which it would be connected to the dialed number by AT&T and whichever carrier(s) it utilized to provide terminating switched access

T-Netix's Amended Response to Second Data Request No. 18:

T-Netix objects to this Request on the ground that the term "Washington state prisons" improperly refers to all "reformatories, prisons, jails, or other correctional facilities in the State of Washington" rather than the four institutions identified by Complainants as originating the

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION
RESPONSES TO SECOND DATA REQUESTS

inmate collect calls at issue in this litigation. Therefore, the Request is overly broad, unduly burdensome and expensive, oppressive, and not relevant or reasonably calculated to lead to the discovery of admissible evidence.

T-Netix further objects to this Request on the ground that the defined term "relevant period" improperly refers to "January 1, 1996 to the present" rather than from June 20, 1996 through December 31, 2000. According to telephone records that Complainants produced in response to T-Netix First Data Request No. 2, the latest month during which complainants received inmate collect calls for which they allege no prerecorded rate information was provided is November 2000. Therefore, the Request is overly broad, unduly burdensome and expensive, oppressive, and not relevant or reasonably calculated to lead to the discovery of admissible evidence.

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T-Netix in addition states that it is aware of no facts from on which it can base a conclusion that AT&T utilized direct circuits or special access services at any Washington State correctional facility to which AT&T provided services. It is T-Netix's belief that, in each instance, calls were transported to AT&T over the LEC's intrastate switched access service and connected thereby to AT&T's POP and long-distance network.

T-Netix's Second Supplemental Response to Second Data Request No. 18:

Subject to and without waiving any objection stated herein, T-Netix refers to TNXWA33969, provided on CD. This document is an electronic spreadsheet file and was extracted for this litigation from a larger database of T-Netix's electronic work logs for the four facilities in question and others. This document shows the assigned local carrier, the intraLATA carrier and the interstate carrier for each of the four facilities in question, and shows that T-Netix was not the assigned carrier for any of these call types. The Call Flow diagram previously produced shows that the T-Netix premised based equipment, provided at the four facilities in question, did not include local or network access lines or switched access (FGD) services, did not provision dial tone, did not switch or route calls over the public switched network or to any local or long-distance service. These are all functions of the assigned carriers and the public switched network.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION
RESPONSES TO SECOND DATA REQUESTS

For the T-Netix premises equipment, when an inmate call was placed the system initially determined the type of call (local, intrastate, interLATA, interstate, or international, *etc.*) based on the number dialed. If the call was intrastate, interLATA the premise based equipment ran multiple "checks" on the number, such as determining if the dialed number is an "allowed" number (*i.e.*, not a number designated by the DOC that should be blocked), or if it is a "Private" number (*i.e.*, attorney call that should not be recorded), or if any other conditions were placed on the number by the DOC through the primary contractor. If the number passed the screening, the premise equipment then processed the call to be connected to the local exchange lines through the Local Carrier's Network Interface (NI) or Network Interface Device (NID). This function is similar to the functions of a premise based PBX when connecting to a local exchange access line at the LECs NID. As stated above, T-Netix is not a facility based carrier, nor is it a local exchange carrier and, therefore, its premise equipment connects to facilities owned and operated by other carriers.

When T-Netix equipment made a connection to the access line provider's facilities at the network interface device, the call was then processed through the public switched network. In the case of an intrastate, interLATA call, the local exchange carrier that provided the local access line switched and connected the call to the Primary Interexchange Carrier (PIC) assigned to the line, in each case AT&T. This routing was over the public switched network and was not the responsibility of the T-Netix premises equipment. When the called party answered the call, the T-Netix equipment recognized the call was answered and the premise equipment made the announcements regarding it being an inmate call, the facility, and the carrier (*i.e.*, calls were branded as the appropriate carrier), provided or offered rate quotes, made any other announcements directed or requested by the primary contractor, and allowed the called party to accept or reject the call.