

October 25, 2010

David S. Danner
Secretary and Executive Director
c/o Washington Utilities and Transportation Commission
Records Department
1300 S. Evergreen Park Drive S.W.
Olympia, WA 98504-7250

VIA UPS NEXT DAY AIR AND E-FILE

Re: Judd and Herivel v. AT&T Communications of the Pacific
Northwest, Inc. and T-Netix, Inc.
WUTC Docket No. UT-042022

Dear Mr. Danner:

T-Netix, Inc. ("T-Netix"), Respondent in the above-named proceeding, by and through counsel, files this letter to make two clarifications to the Response to Bench Requests Nos. 7 Through 9, filed October 20, 2010.

1. Response to Bench Request 7 at page 5: T-Netix stated that "Ms. Herivel alleged, in the civil case after the T-Netix Motion was granted, that she received one interLATA call from an inmate, but concedes that she can produce no evidence of any such call." T-Netix wishes to clarify that its Motion for Summary Determination, appended to the Response, was not granted on the ground that the Commission is without jurisdiction or authority to grant such a motion within a proceeding initiated by a primary jurisdiction referral. Rather, T-Netix's subsequent request for a stay of the proceeding, in order that it could file a Motion for Summary Judgment in the underlying civil action, was granted. That Motion for Summary Judgment was granted but later reversed on appeal based on Ms. Herivel's later allegation of receiving an interLATA phone call.

2. TNXWA 41923-42249: T-Netix wishes to clarify that these documents are not the entire set of supplemental telephone bills that Complainants produced. T-Netix removed a few telephone bills from that production that did not contain any evidence of collect calls. Providing no evidence of "the collect calls at issue in this proceeding," which is the scope of Bench Request No. 7, those telephone bills were neither responsive nor relevant.

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This letter will be served on counsel for all parties via electronic and First Class Mail.
Please do not hesitate to contact me with any questions regarding these clarifications.

Sincerely,

ATER WYNNE LLP



Arthur A. Butler

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cc: Parties of Record

CERTIFICATE OF SERVICE

I hereby certify that I have this 25th day of October, 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 25th day of October 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:

On Behalf Of AT&T Communications

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Confidentiality Status: Highly Confidential

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