

# **EXHIBIT 3**

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

**SUPPLEMENTAL AFFIDAVIT OF  
NANCY LEE IN SUPPORT OF T-  
NETIX, INC.'S MOTION FOR  
SUMMARY DETERMINATION**

I, Nancy Lee, do hereby affirm the following:

1. I am the Senior Vice President for Billing Services at T-NETIX, Inc. I am the same Nancy Lee who submitted an affidavit in this proceeding in April 2005.
2. I have requested that research be conducted into whether the following numbers received calls from the Airway Heights Correctional Center during the period October 1, 1998 to December 31, 1998: (206) 652-9415; (360) 714-8119; and (360) 738-8903. It is my understanding that Ms. Tara Herivel was the billed-to party for these phone numbers at various times.
3. Our research indicates no calls from Airway Heights to any of these numbers during the time period specified.

I affirm, in accordance with the laws of perjury in the State of Texas, that the foregoing is true and correct.

Supplemental Affidavit of Nancy Lee in Support  
of T-Netix, Inc.'s Motion for Summary  
Determination

ATER WYNNE LLP  
Lawyers  
601 Union Street, Suite 5450  
Seattle, Washington 98101-2327  
(206) 623-4711

*Nancy Lee*

Nancy Lee  
Senior Vice President of Billing Services

SUBSCRIBED AND SWORN TO BEFORE ME this 27<sup>th</sup> day of June, 2005.

*Cindy A. Perry*  
NOTARY PUBLIC

My Commission Expires: 9-7-2005



## CERTIFICATE OF SERVICE

I hereby certify that I have this 27th day of June, 2005, served the true and correct original, along with the correct number of copies, of the foregoing document upon the WUTC, via the method(s) noted below, properly addressed as follows:

|   |                                     |  |
|---|-------------------------------------|--|
| Carole Washburn                                       | <input checked="" type="checkbox"/> | Hand Delivered                           |
| Executive Secretary                                   | <input type="checkbox"/>            | U.S. Mail (first-class, postage prepaid) |
| Washington Utilities and Transportation<br>Commission | <input type="checkbox"/>            | Overnight Mail (UPS)                     |
| 1300 S Evergreen Park Drive SW                        | <input type="checkbox"/>            | Facsimile (360) 586-1150                 |
| Olympia, WA 98504-7250                                | <input checked="" type="checkbox"/> | Email (records@wutc.wa.gov)              |

I hereby certify that I have this 27th day of June, 2005, 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:*

|   |                                     |  |
|---|-------------------------------------|--|
| Ms. Letty S. Friesen                            | <input type="checkbox"/>            | Hand Delivered                           |
| AT&T Communications of the Pacific<br>Northwest | <input checked="" type="checkbox"/> | U.S. Mail (first-class, postage prepaid) |
| Law Department                                  | <input type="checkbox"/>            | Overnight Mail (UPS)                     |
| 919 Congress Avenue, Suite 900                  | <input type="checkbox"/>            | Facsimile (303) 298-6301                 |
| Austin TX 78701-2444                            | <input checked="" type="checkbox"/> | Email (lsfriesen@att.com)                |

*Confidentiality Status: Highly Confidential*

### *On Behalf Of T-Netix:*

|                                |                                     |  |
|--------------------------------|-------------------------------------|--|
| Stephanie A. Joyce             | <input type="checkbox"/>            | Hand Delivered                           |
| Kelley Drye & Warren LLP       | <input checked="" type="checkbox"/> | U.S. Mail (first-class, postage prepaid) |
| 1200 19th Street NW, Suite 500 | <input type="checkbox"/>            | Overnight Mail (UPS)                     |
| Washington DC 20036-2423       | <input type="checkbox"/>            | Facsimile (202) 955-9792                 |
|                                | <input checked="" type="checkbox"/> | Email (sjoyce@kelleydrye.com)            |

*Confidentiality Status: Highly Confidential*

### *On Behalf Of T-Netix:*

|                                |                                     |  |
|--------------------------------|-------------------------------------|--|
| Glenn B. Manishin              | <input type="checkbox"/>            | Hand Delivered                           |
| Kelley Drye & Warren LLP       | <input checked="" type="checkbox"/> | U.S. Mail (first-class, postage prepaid) |
| 1200 19th Street NW, Suite 500 | <input type="checkbox"/>            | Overnight Mail (UPS)                     |
| Washington DC 20036-2423       | <input type="checkbox"/>            | Facsimile (202) 955-9792                 |
|                                | <input checked="" type="checkbox"/> | Email (gmanishin@kelleydrye.com)         |

*Confidentiality Status: Public*

Supplemental Affidavit of Nancy Lee in Support  
of T-Netix, Inc.'s Motion for Summary  
Determination

ATER WYNNE LLP  
Lawyers  
601 Union Street, Suite 5450  
Seattle, Washington 98101-2327  
(206) 623-4711

**On Behalf Of Judd & Herivel:**

Jonathan P. Meier  
Sirianni Youtz Meier & Spoonemore  
719 Second Avenue, Suite 1100  
Seattle WA 98104  
  
*Confidentiality Status: Highly Confidential*

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (206) 223-0246  
 Email (jon@sylaw.com)

**On Behalf Of AT&T:**

Charles H. Peters  
Schiff Hardin LLP  
233 South Wacker Drive  
6600 Sears Tower  
Chicago IL 60606  
  
*Confidentiality Status: Highly Confidential*

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (312) 258-5600  
 Email (cpeters@schiffhardin.com)

**On Behalf Of Commission:**

Ann E. Rendahl ALJ  
Washington Utilities and Transportation  
Commission  
1300 S Evergreen Park Drive SW  
PO Box 47250  
Olympia WA 98504-7250

Hand Delivered  
 U.S. Mail (first-class, postage prepaid)  
 Overnight Mail (UPS)  
 Facsimile (360) 586-8203  
 Email (arendahl@wutc.wa.gov)

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 27th day of June, 2005, at Seattle, Washington.

  
\_\_\_\_\_

June 27, 2005

Carol J. Washburn  
Executive Secretary  
Washington Utilities and  
Transportation Commission  
1300 S. Evergreen Park Drive S.W.  
Olympia, WA 98504-7250

**COPY VIA E-MAIL  
ORIGINAL VIA MESSENGER**

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

Dear Ms. Washburn:

Enclosed please find the Supplemental Affidavit of Nancy Lee in Support of T-Netix, Inc.'s Motion for Summary Determination, plus two copies. All parties of record have been served via the method(s) outlined on the certificate of service attached to the Agreements.

Please feel free to contact our office if you have any questions.

Sincerely,

ATER WYNNE LLP



Susan Arellano  
Assistant to Arthur A. Butler

Enclosures

cc w/encl: All Parties of Record ✓