

# EXHIBIT A

[Service date: November 17, 2008]

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

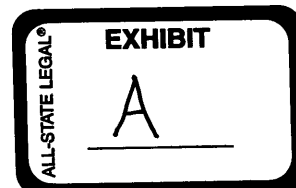
**T-NETIX, INC.'S RESPONSES TO  
AT&T'S SECOND DATA REQUESTS**

Respondent T-Netix, Inc. ("T-Netix"), through counsel, hereby responds to Respondent AT&T Communications of the Pacific Northwest, Inc.'s Second Data Requests.

**GENERAL OBJECTIONS**

1. T-Netix objects to each and every Request to the extent that it is not relevant or reasonably calculated to lead to the discovery of admissible evidence.
2. T-Netix objects to each and every Request to the extent that it calls for information that is exempt from discovery by virtue of the attorney-client privilege, work product privilege, or other applicable privilege.
3. T-Netix objects to each and every Request to the extent that it is duplicative or intended to harass T-Netix.

T-Netix, Inc.'s Responses to AT&T's  
Second Data Requests (UT-042022)



WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

4. T-Netix objects to each and every Request to the extent that it calls for information that applies to interstate communications or matters outside the State of Washington and is therefore not relevant to any issue within the jurisdiction of the Commission.

5. T-Netix objects to each and every Request to the extent that it calls for information that is in the public record, including matters filed with a public agency.

6. T-Netix objects to each and every Request to the extent that it is unduly burdensome and expensive, and/or oppressive as presently propounded.

7. T-Netix objects to each and every Request to the extent that it calls for information that is not in the possession of T-Netix.

8. T-Netix objects to the extent that Complainants seek through the Requests, instructions, and/or the definitions to impose on T-Netix greater obligations than are required by applicable laws, regulations, and rules.

9. T-Netix objects to each and every Requests to the extent that it calls for information or documents related to calls received by individuals other than Complainants, or from correctional institutions other than those from which Complainants allegedly received inmate collect calls, or otherwise seeks information relevant only to claims for relief on a class-wide basis, as the civil damages lawsuit giving rise to this primary jurisdiction referral has not been certified as a class action.

10. As discovery in this matter is ongoing, T-Netix reserves the right to supplement or make changes to the responses herein if additional or more information becomes available. T-Netix further reserves the right to make additional objections to these Requests. T-Netix does

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

not concede the relevance, admissibility, or materiality of any information by virtue of these responses

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 7: Identify as specifically as possible all equipment (including hardware and software) provided by T-Netix relating to telephone service at Washington state prisons during the relevant period, including for each particular piece of equipment the dates during which T-Netix provided the equipment, the Washington state prison at which the equipment was provided or for which it facilitated telephone service, the person or entity that owned the equipment at the time, and the person most knowledgeable about such equipment.

T-Netix's Response to Second Data Request No. 7:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 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.

T-Netix in addition objects to this Request because the "hardware and software" provided by T-Netix to AT&T bears no relationship at all to which party, if any, served as an OSP within the meaning of the Commission's rules for interLATA calls placed from the correctional facilities at issue. Since the telecommunications technologies underlying any platform are completely immaterial to the issue before the Commission in this primary jurisdiction proceeding, none of the information sought in this request is even remotely relevant.

Subject to and without waiving these objections, T-Netix refers AT&T to TNXWA00001-599, TNXWA01052-1125, TNXWA01126-1239, and TNXWA01528-1652 for detailed descriptions of equipment, software, and products provided by T-Netix to AT&T in Washington State. T-Netix owned the premise-based equipment described in these documents and provided that equipment, and any or all associated software, as a subcontractor to AT&T. At all correctional facilities in Washington State at which T-Netix provided hardware and/or

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

software, AT&T held the primary contract with the State of Washington Department of Corrections, was the common carrier for all interLATA calls originating from covered institutions, the party that rated and priced and the entity identified as the telecommunications provider for such calls, and the party contractually responsible for regulatory compliance. T-Netix premise-based equipment was utilized at McNeil Island Corrections, Airway Heights Correctional Center, and Monroe Correctional Complex from prior to June 20, 1996 through later than December 31, 2000. Upon information and belief, individuals who may have knowledge of the facts described in this Response are Scott Passe, Engineer/System Architect; Ken Rose, Field Supervisor for Technicians; Gary Skinner, Manufacturing Engineer; and Alice Clements, .

This response is not a concession or agreement, however, that AT&T was an OSP within the meaning of the Commission's rate quote regulations, which are applicable to payphones made available at aggregator locations only.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 8: Describe in as much detail as possible the nature of and functions performed by each particular piece of equipment (including hardware and software) identified in your response to Data Request No. 7.

T-Netix's Response to Second Data Request No. 8:

T-Netix incorporates by reference the objections set forth in and its response to Second Data Request No. 7, and refers AT&T to TNXWA00001-599, TNXWA01052-1125, TNXWA01126-1239, and TNXWA01528-1652 for detailed description of the equipment, software, and products provided by T-Netix to AT&T in Washington State.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 9: Identify as specifically as possible all services provided by T-Netix relating to telephone service at Washington state prisons during the relevant period, including for each particular service the dates during which T-Netix provided the service, the Washington state prison at which or for which it was provided, and the person most knowledgeable about such service.

T-Netix's Response to Second Data Request No. 9:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 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.

T-Netix in addition objects to this Request because the phrase "services provided by T-Netix relating to telephone service" is vague and ambiguous. T-Netix provided equipment and software to AT&T under the contract between the parties. AT&T has not specified, by definition or otherwise, what it means by services "relating to telephone service."

Subject to and without waiving these objections, T-Netix responds that lacks sufficient information at this time, years after the events at issue and after a number of intervening corporate and personnel changes, to determine with precision which services were provided by T-Netix to AT&T at which Washington State institution(s) at any particular period of time. T-Netix refers AT&T to TNXWA00001-599 for a list of products that would have been available for AT&T's use at any covered Washington State facility. Various Washington facilities may or may not have activated some or all of these products that were available on the T-Netix system. Upon information and belief, individuals who may have knowledge of the facts described in this Response are Scott Passe, Engineer/System Architect; Ken Rose, Field Supervisor for Technicians; Gary Skinner, Manufacturing Engineer; and Alice Clements



WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 10: Describe in as much detail as possible the nature and purpose of each particular service identified in your response to Data Request No. 9.

T-Netix's Response to Second Data Request No. 10:

T-Netix incorporates by reference the objections set forth in and its response to Second Data Request No. 9.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 11: Describe in as much detail as possible the process by which rate disclosures were made to recipients of telephone calls from inmates at Washington state prisons where T-Netix provided equipment or services, and identify the person(s) most knowledgeable about this process.

T-Netix's Response to Second Data Request No. 11:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 responds that rate disclosures were made available at Washington State correctional facilities by voice prompt or by voice response message. Upon information and belief, AT&T supplied the rates to be loaded by T-Netix onto computer cards that were installed into the premise-based equipment. The rates loaded into the system were AT&T rates and were those used for providing rate quotes. If a customer requested a rate quote, or if AT&T as the common carrier and telecommunications service provider for the facilities in question requested that rates be quoted on all calls, T-Netix would have been able to configure the system to provide the rate quote via a voice recording. Upon information and belief, individuals who may have knowledge of the facts described in this Response are Scott Passe, Engineer/System Architect; Ken Rose, Field Supervisor for Technicians; Gary Skinner, Manufacturing Engineer; and Alice Clements.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 12: Describe in as much detail as possible each and every change or revision to the process described in your response to Data Request No. 11.

T-Netix's Response to Second Data Request No. 12:

T-Netix incorporates by reference the objections set forth in and its response to Second Data Request No. 11 and further responds that it is unaware of changes or revisions, if any, to that process.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 13: Please provide hard copies of all responses you provide to any Data Requests served by any other party and all documents produced in response to such Data Requests.

T-Netix's Response to Second Data Request No. 13:

Responsive documents will be provided.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 14: Identify all persons, including all former and present T-Netix personnel, who have knowledge about the claims in this proceeding.

T-Netix's Response to Second Data Request No. 14:

Upon information and belief, individuals who may have knowledge about the facts described in this response are Scott Passe, Engineer/System Architect; Ken Rose, Field Supervisor for Technicians; Gary Skinner, Manufacturing Engineer; and Alice Clements. In addition, Curtis Hopfinger, Director, Regulatory and Government Affairs, has knowledge about the claims in this proceeding. Former T-Netix employees Alan Schott and/or Nancy Lee may in addition have knowledge about the facts related to this response and/or the claims in this proceeding.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 15: Produce all documents relating to the transfer from T-Netix to AT&T of ownership of any equipment relating to telephone service at Washington state prisons during the relevant period, including any bills of sale, transfers of title, or sales receipts.

T-Netix's Response to Second Data Request No. 15:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 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.

T-Netix in addition objects to this Request because the phrase "equipment relating to telephone service" is vague and ambiguous. T-Netix provided equipment and software to AT&T under the contract between the parties. AT&T has not specified, by definition or otherwise, what it means by services "relating to telephone service."

T-Netix in addition objects to this Request because the equipment provided by T-Netix to AT&T, and the title thereto, bears no relationship at all to which party, if any, served as an OSP within the meaning of the Commission's rules for interLATA calls placed from the correctional facilities at issue. Since the telecommunications technologies underlying any platform are completely immaterial to the issue before the Commission in this primary jurisdiction proceeding, none of the documents described in this request is even remotely relevant.

Subject to and without waiving these objections, T-Netix responds that it lacks sufficient information at this time, years after the events at issue and after a number of intervening corporate and personnel changes, to determine with precision whether or not there was a transfer from T-Netix to AT&T, or vice-versa, of title to or ownership interests in any of the hardware or software "relating to telephone service" in Washington State.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 16: Describe in as much detail as possible the process by which a local 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 local service provider and what hardware or software was used to process the call.

T-Netix's Response to Second Data Request No. 16:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 responds that for the T-Netix premise-based equipment, when an inmate call is placed the system initially determines the type of call (i.e., local, in-state toll, interstate, or international) based on the dialed number. The equipment then runs multiple "checks" on the dialed number, such as determining whether the number is an "allowed" number (i.e., not a number designated by the DOC that should be blocked), whether it is a "private" number (i.e., an attorney call that should not be recorded), or whether any other conditions are placed on the number by the DOC through the primary contractor. If the number passes the screening, the premise equipment then processes the call by routing it to local exchange lines through the LEC's Network Interface (NI) or Network Interface Device (NID) for connection to the dialed number. This functionality is similar to the function of a premise-based PBX when connecting to a local exchange access line at the LEC's NID. For local calls, the LEC connected the call to the called party.

At all Washington State facilities at which T-Netix provided equipment and/or services to AT&T, the access lines connecting the T-Netix system to the LEC were COCOT lines or trunks

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

leased by AT&T as the primary DOC contractor. T-Netix did not provide any telecommunications services at or to any such facilities, and did not operate as or hold itself out to inmates, AT&T, the DOC or called parties as a common carrier for any services provided at those facilities. T-Netix's premise-based equipment was interconnected only with telecommunications switches or transport facilities owned and operated by the LEC, AT&T, or another common carrier. For local calls, unlike interLATA calls, the calls were "branded" (i.e., identified as being carried and provided by) as LEC calls; interLATA calls were branded as AT&T calls and were connected to the dialed number by AT&T and whichever carrier(s) it utilized to provide terminating switched access. T-Netix in addition refers AT&T to the call flow diagram and the documents produced in response to Data Request No. 7.



WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 17: Describe in as much detail as possible each and every change or revision to the process described in your response to Data Request No. 16.

T-Netix's Response to Second Data Request No. 17:

T-Netix 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 and further responds that it is unaware of changes or revisions, if any, to that process.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
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

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Seconded Data Request No. 19: Describe in as much detail as possible each and every change or revision to the process described in your response to Data Request No. 18.

T-Netix's Response to Second Data Request No. 19:

T-Netix 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. 18 and further responds that it is unaware of changes or revisions, if any, to that process.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 20: Identify which T-Netix call control platform and architectural variant (as specified at TNXWA 00141 unless an additional platform was used) was used to process calls at each Washington state prison during the relevant period.

T-Netix's Response to Second Data Request No. 20:

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 facilities identified by Complainants as originating the inmate collect calls at issue in this proceeding. 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 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 responds that it appears this Request was intended to refer to TNXWA00142 rather than TNXWA00141. A premise based P-III platform was utilized at McNeil Island Corrections, Airway Heights Correctional Center, and Monroe Correctional Complex from prior to June 20, 1996 through later than December 31, 2000.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 21: Produce all documents relating to or identifying the call control platform and architectural variant used at each Washington state prison during the relevant period.

T-Netix's Response to Second Data Request No. 21:

T-Netix 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 responds that it has previously provided responsive documents and is now producing additional responsive documents.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 22: Identify the person(s) most knowledgeable about T-Netix's Telephony Interface module or functionality during the relevant period.

T-Netix's Response to Second Data Request No. 22:

T-Netix objects to this Request on the ground that the 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.

T-Netix in addition objects to this Request because the modules or functionalities of the hardware and software provided by T-Netix to AT&T bear no relationship at all to which party, if any, served as an OSP within the meaning of the Commission's rules for interLATA calls placed from the correctional facilities at issue. Since the telecommunications technologies underlying any platform are completely immaterial to the issue before the Commission in this primary jurisdiction proceeding, none of the information sought in this request is even remotely relevant.

Subject to and without waiving these objections, T-Netix responds that, upon information and belief, Dan Gross is the person most knowledgeable about T-Netix's Telephony Interface module or functionality.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

Docket No.: UT-042022  
Response Date: November 17, 2008  
Requestor: AT&T  
Respondent: T-Netix, Inc.  
Prepared by: Joseph Ferretti

AT&T's Second Data Request No. 23: Produce all documents relating to or that describe T-Netix's Telephony Interface module or functionality during the relevant period.

T-Netix's Response to Second Data Request No. 23:

T-Netix objects to this Request on the ground that the 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.

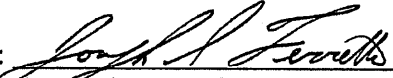
T-Netix in addition objects to this Request because the modules or functionalities of the hardware and software provided by T-Netix to AT&T bear no relationship at all to which party, if any, served as an OSP within the meaning of the Commission's rules for interLATA calls placed from the correctional facilities at issue. Since the telecommunications technologies underlying any platform are completely immaterial to the issue before the Commission in this primary jurisdiction proceeding, none of the information sought in this request is even remotely relevant.

Subject to and without waiving these objections stated herein, T-Netix refers AT&T to TNXWA01052-1125, TNXWA01126-1239, and TNXWA01528-1652.

WASHINGTON UTILITIES & TRANSPORTATION COMMISSION  
RESPONSES TO SECOND DATA REQUESTS

DATED this 17<sup>th</sup> day of November, 2008.

T-NETIX, INC.

By: 

Joseph S. Ferretti  
DUANE MORRIS  
505 9th Street, N.W., Suite 1000  
Washington, DC 20004-2166  
(202) 776.7863  
(202) 478.2811 (fax)

Glenn B. Manishin  
DUANE MORRIS  
505 9th Street, N.W., Suite 1000  
Washington, DC 20004-2166  
(202) 776.7813  
(202) 478.2811 (fax)

Arthur A. Butler, WSBA # 04678  
ATER WYNNE LLP  
601 Union Street, Suite 1501  
Seattle, WA 98101-3981  
(206) 623-4711  
(206) 467-8406 (fax)