

SERVICE DATE

OCT 14 1998

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

In the Matter of the Refund for)	
Overcharges Submitted by:)	DOCKET NO. UT-981153
)	
GLOBAL TEL*LINK CORPORATION)	
)	ORDER APPROVING
)	DISTRIBUTION OF FUNDS
.....)	

BACKGROUND

On June 29, 1998, the Commission received a certified check in the amount of \$34,902.25, from attorneys representing Global Tel*Link Corporation (Global Tel). This issue was the subject of a class action lawsuit brought about in an Alabama state court against Global Tel in which a settlement was reached. The amount received represents Washington State's share of refunds owed to unidentified consumers resulting from overcharges occurring on prisoner payphones.

In the settlement agreement, the Alabama court provided guidelines on how the refunds should be distributed. More specifically, paragraph 11(C)(ii) lists the following types of payees:

[A] payment to a prisoners fund, a fund to provide telephone service to low income consumers, a consumer organization that represents consumers in ratemaking cases, or a fund to provide information to telephone consumers, or... a distribution that otherwise benefits the Class.

On September 3, 1998, Commission Staff issued a letter to four state agencies which were considered potential recipients of the refund. In the letter, Commission Staff sought proposals on how best to distribute the refund. Staff requested that the proposals include a description of how the monies would be doirected and how such expenditure would meet the criteria set forth by the Alabama court.

On September 28, 1998, the Public Counsel Section of the Office of the Attorney General sent its proposal stating that it would use the refund to represent consumers on telecommunications matters before the Commission.

On October 5, 1998, the Department of Corrections sent its proposal which stated that it would deposit the refund in its Offender Betterment Fund to

support two programs: 1) the Labor and Industries' Victims Compensation Fund, and 2) the M-2 Job Therapy Community Support Plan, Family to Family Program.

On October 8, 1998, the Department of Social and Health Services submitted its proposal stating that it would use the funds to provide assistance to the homeless in the form of telephone-related services.

On October 14, 1998, the Commission convened an open public meeting at its offices in Olympia, Washington, to determine how the refund would be distributed.

DISCUSSION

While choosing between the three proposals was difficult, the Commission has decided to distribute the refund to the Department of Social and Health Services (DSHS) for the purpose of providing assistance to the homeless as outlined in its proposal. In part, this decision is made based upon the fact that the DSHS program is a pilot project that is currently unfunded and represents an opportunity to further welfare reform. We believe, that while all the proposals received have merit, the proposal submitted by DSHS will serve as the best and most effective use of the funds while meeting the criteria established by the Alabama state court.

FINDINGS OF FACT

1. The Commission is an agency of the state of Washington vested by statute with the authority to regulate the rates, rules, regulations, practices, accounts, securities, and transfers of public service companies, including telecommunications companies.
2. Global Tel*Link Corporation is an authorized provider of telecommunications services in Washington.
3. On June 29, 1998, the Commission received a certified check in the amount of \$34,902.25, from attorneys representing Global Tel*Link Corporation for refunds due to unidentified Washington consumers resulting from overcharges on prisoner payphones as was determined pursuant to a class action lawsuit brought about in Britt v. Global Tel*Link Corp., No. 94-001101 (Mobile Cty., Ala.), in which a settlement agreement was reached.

4. Pursuant to the settlement agreement in Britt v. Global Tel*Link Corp., No. 94-001101 (Mobile Cty., Ala.), the court outlined certain criteria which the Commission used to determine how to distribute the refund.

5. Proposals were received from Public Counsel, the Department of Corrections, and the Department of Social and Health Services.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to RCW 80.01.040(1) and RCW 80.01.040(3).

2. The proposal submitted by the Department of Social and Health Services is consistent with the criteria set forth by the Alabama state court which ordered the refund by Global Tel*Link Corporation.

ORDER

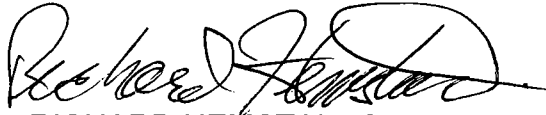
THE COMMISSION ORDERS That the refund received from Global Tel*Link Corporation be distributed in its entirety to the Department of Social and Health Services to provide assistance to the homeless as outlined in its proposal submitted to the Commission on October 8, 1998.

DATED at Olympia, Washington and effective this 14th day of October, 1998.

WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION



ANNE LEVINSON, Chair



RICHARD HEMSTAD, Commissioner



WILLIAM R. GILLIS, Commissioner