

# **EXHIBIT 15**

BEFORE THE  
WASHINGTON UTILITIES AND  
TRANSPORTATION COMMISSION

SANDY JUDD and TARA HERIVEL, \*

\*

Plaintiffs, \*

\*

VS. \*

DOCKET NO.

\*

UT-042022

AT&T COMMUNICATIONS OF THE \*  
PACIFIC NORTHWEST, INC., and \*

T-NETIX, INC., \*

\*

Defendants. \*

\*

\*\*\*\*\*

ORAL DEPOSITION OF

KENNETH ROSE

APRIL 24, 2009

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ANSWERS AND DEPOSITION of KENNETH ROSE, a witness  
produced on behalf of the Defendant AT&T Communications,  
taken in the above styled and numbered cause on the 24th  
day of April, 2009, from 9:07 a.m. to 1:58 p.m., before  
Rachel D. Chavez, a Certified Shorthand Reporter in and  
for the State of Texas, taken in the offices of Bennett  
Weston & Lajone, P.C., 1750 Valley View Lane, Suite 120,  
in the City of Dallas, County of Dallas, State of Texas,  
in accordance with the Washington Utilities and  
Transportation Commission.

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1 Q. Okay. And maintenance of platforms?  
2 A. Yes. Maintenance of the platforms as well and  
3 the deinstalls of the platforms?  
4 Q. Is there any -- anything else that you did with  
5 respect to platforms? I've got install, maintain,  
6 deinstall. Anything else?  
7 A. Nothing.  
8 Q. When was the last time a P-III was installed in  
9 Washington, that you're aware of?  
10 A. We haven't installed any P-IIIs in Washington  
11 since 2001. We move -- relocated one, but we never  
12 installed it. I mean, it was already installed, we just  
13 picked it up and moved it to another building.  
14 Q. Okay. So in your tenure at T-Netix, you're not  
15 aware of any P-IIIs that have been installed in  
16 Washington?  
17 A. No.  
18 Q. But -- which one was relocated?  
19 A. It was -- it was a Washington -- it was a  
20 Washington DOC site. It was Fort Lewis, one of the  
21 facilities right in that area there. They opened up a  
22 new facility across the bay and we had to move it across  
23 the bay for them. Mission -- I apologize, I don't know  
24 the exact name.  
25 Q. That's okay. It wasn't -- it wasn't one called

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1 Clallam Bay?  
2 A. No.  
3 Q. Wasn't one called Monroe?  
4 A. No.  
5 Q. Wasn't one called McNeil?  
6 A. No.  
7 Q. And it wasn't one called Airway Heights?  
8 A. No.  
9 Q. Okay. What was -- just generally, what was  
10 involved with relocation of a P-III platform?  
11 A. You have phone lines installed and then you  
12 take the rack with the P-III cards in them.  
13 Q. And what is a rack?  
14 A. It's a metal, steel thing where these cabinets  
15 would mount to it. And inside each of these cabinets  
16 would be the P-III cards. Then you have a host computer  
17 and an admin computer, and we literally picked  
18 everything up, put it in the truck, drove it to the new  
19 location, put it all back in, hooked it all back up,  
20 reloaded the rates on that card for that respective  
21 location, and turned it on.  
22 Q. Was the reason for that relocation that the  
23 prison was moving or something like that?  
24 A. I don't remember the exact reason why. It was  
25 just a different facility.

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1 Q. Okay. Who did you report to in your position  
2 at T-Netix as customer service manager?  
3 A. Liz Lundeen.  
4 Q. What was Ms. Lundeen's position?  
5 A. Director.  
6 Q. Director of anything --  
7 A. Field service.  
8 Q. Director of field service. Where was she  
9 based?  
10 A. Carrollton, Texas.  
11 Q. What types of things would you or the field  
12 technicians do to maintain P-III platforms in  
13 Washington?  
14 A. Go in and make test calls from each card or  
15 phone. On the P-III every phone in the facility had a  
16 dedicated card on it. We would test it to make sure  
17 that the, you know, calls are completing, that the  
18 vendors or the inmates could make the phone calls out.  
19 Clean the systems, take the data that the system would  
20 create and then run it through a translator that will  
21 then make the data available so the user could pull  
22 their own local reports. A system called --  
23 Q. The "user" being the prison?  
24 A. The prison. If they wanted to find out how  
25 many calls were made from cell X, they could run a

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1 report and it'll show them all the calls that ran from  
2 that particular cell or that building or facility. And  
3 just -- you know, that's the basic thing. You know,  
4 there was a whole check sheet of stuff that we -- they  
5 had them do, you know, different types of calls,  
6 different -- you know, make sure that everything is  
7 going through. And if the call -- if the phone is not  
8 working, then, you know, we're not making any money.  
9 Q. And when you say "we," you're referring to --  
10 A. "We" meaning T-Netix.  
11 Q. Now, I listed four prisons earlier, Monroe,  
12 Clallam Bay, McNeil, Airway Heights. Are you familiar  
13 with those specific prisons?  
14 A. Yes.  
15 Q. Are you familiar with what kind of maintenance  
16 was done on those prisons by T-Netix?  
17 A. Yes.  
18 Q. Specifically -- what specifically --  
19 MR. FERRETTI: Objection to the time frame.  
20 Do you have a time frame you want to ask about?  
21 Q. (BY MR. SCOTT) Well, starting in 2005. So you  
22 have specific recollections about maintenance done on  
23 one or more of those four prisons?  
24 A. Yes.  
25 Q. And I assume that's during the time you've

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1 been -- you were in that position from 2001 to whatever  
2 you said, six months ago?  
3 A. Or until we took them out of the Washington  
4 state prison system.  
5 Q. Let's start with that. When were they taken  
6 out? You're referring to the P-IIIs at these four  
7 facilities were taken out?  
8 A. Yes. I mean, they were removed. I don't have  
9 the exact dates when they were switched from -- in  
10 answer to your question, I believe Clallam Bay, McNeil  
11 Island, and Monroe, they were switched out from P-III to  
12 DCB. Airway Heights, I believe, was switched out and  
13 went to -- they put another vendor's platform in there.  
14 I don't remember the exact dates, but I want to say it  
15 was sometime in 2002 to 2003 was when that switch took  
16 place.  
17 Q. For all four of those?  
18 A. For all of them. But I don't have the exact  
19 dates, and I was trying to remember what I -- where I  
20 was at and what I was doing at the time.  
21 Q. Sure. Were switches like that made at other  
22 prisons in Washington?  
23 A. Re- -- reask that question.  
24 Q. Sure. So we've talked about these four  
25 specific prisons and I'm just curious, were switches

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1 like this made at other facilities in Washington?  
2 A. Yes.  
3 Q. How many? Was it every facility or...  
4 A. No. Only when either -- either it was a new  
5 contract or we were asked to put in a new platform  
6 through one of our partners that requested it.  
7 Q. Okay. Who would those partners be?  
8 A. AT&T, Qwest, or I think they go by another name  
9 call FSH, and then GTE, slash, Verizon. And then some  
10 other -- in the State of Washington I don't think I have  
11 any other partners that we dealt with.  
12 Q. And switching from the P-III to the Digital  
13 ComBridge, that's -- is that for a technological  
14 upgrade?  
15 A. Yes.  
16 Q. That's -- was that the purpose for the change?  
17 A. Yes.  
18 Q. So just so I understand it, the Digital  
19 ComBridge is just a more advanced technology than the  
20 P-III; is that fair?  
21 A. Yes.  
22 Q. Does T-Netix or SECURUS still handle the  
23 platform at the four prisons we've been talking about?  
24 A. No.  
25 Q. When did it stop handling them?

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1 A. Different dates. I want to say the last one we  
2 removed was McNeil Island and I want to say it was in  
3 August of 2007. I'm -- I'm not positive. That's my --  
4 I'm trying to place it. I think it was in 2007, I  
5 believe.  
6 Q. Okay. What about the others, do you remember  
7 roughly when they happened?  
8 A. Staged over, you know -- you know, the previous  
9 six months. I don't remember exactly when.  
10 Q. And a new platform provider took over, I  
11 presume?  
12 A. Yes.  
13 Q. Do you know who that was? Or did it vary from  
14 prison to prison?  
15 A. I don't know. I don't remember who it was.  
16 Q. Okay. All right. So before the P-III was  
17 switched to Digital ComBridge in 2002, 2003, do you  
18 remember specific maintenance work that was done at any  
19 of these four prisons we've been talking about?  
20 A. Just the normal day-to-day. Nothing -- I mean,  
21 it was just the normal, you know, go to the facility at  
22 least, you know, once a week and check the system, make  
23 sure everything is running, there's no issues at those  
24 facilities. Because at those facilities we did not fix  
25 the phones. Someone else -- we were strictly

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1 responsible just for the platform that connected to the  
2 outside world.  
3 Q. Okay. So flush that out for me a little bit.  
4 So you're talking about the phone handsets that the  
5 prisoners used that -- where they --  
6 A. Right.  
7 Q. -- they are linked to the platform?  
8 A. Correct. The phone, the handset that -- the  
9 phone that the vendors use, the inmates use, connected  
10 by wire to the blocks that are connected to our -- the  
11 P-III?  
12 Q. Okay.  
13 A. Okay. We did not manage or maintain anything  
14 from those blocks to the phone.  
15 Q. Okay.  
16 A. We had our -- so you had the blocks. Then we  
17 had the outbound blocks, which we didn't do anything on  
18 the out -- from the -- those outside blocks out. We  
19 were just responsible from this side of the block and  
20 this side of the block with our equipment in the middle.  
21 Q. Okay. So the P-III platform sits in the middle  
22 in between these blocks you're referring to?  
23 A. Correct.  
24 Q. Where was the -- so I understand the block on  
25 the side with the inmate telephones. And where is the

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1 basically asking T-Netix to identify all services  
2 provided by T-Netix at the prisons we're talking about.  
3 Is that a fair summary?  
4 A. Yes.  
5 Q. Okay. And I'd like you to turn the page to  
6 T-Netix's second supplemental response to this data  
7 request. And it's -- it says, "Generally, T-Netix  
8 provided services to AT&T for," and then it lists  
9 several different types of services. I'm going to ask  
10 you about a couple of these. If you look at "C," the  
11 letter "C," it says, "Managing facility-specific rules  
12 for call time and call number limits applicable, as  
13 directed by AT&T and/or correctional officials, to each  
14 inmate."  
15 A. Okay.  
16 Q. Can you explain what that service entails?  
17 A. Yes. The -- where it's asking for call time  
18 and call number limits, is the hours that the offenders  
19 are allowed to make phone calls, the time frame. And  
20 then the limits is the number of calls that they're  
21 allowed to make.  
22 Q. Okay. And then when it says  
23 "facility-specific," each prison has different rules for  
24 that type of thing?  
25 A. Yes.

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1 Q. All right. And it says, "T-Netix manages these  
2 facility-specific rules." What does that mean?  
3 A. If the facility requests a change than what is  
4 the normal, then one of the technicians would have to  
5 dial into the system and manually make those changes in  
6 the system for that site specific.  
7 Q. Okay. That's where they have to go in and do  
8 something specific with the P-III?  
9 A. They'd have to probably dial in -- into the  
10 admin and say, okay, on/off limits, you know, instead of  
11 turning on at 7:00 o'clock in the morning, you go in the  
12 field and change it to 10:00 o'clock in the morning.  
13 Q. I see. Do you know whether there were  
14 differences like that at these four prisons?  
15 A. Don't know.  
16 Q. Okay. Would the field technicians probably  
17 know, the people who handled these prisons?  
18 A. Probably not.  
19 Q. If you'll look at the letter E. Another  
20 service T-Netix provided was system upgrades,  
21 maintenance, and improvements. And we talked a little  
22 bit about maintenance. What other kind of upgrades,  
23 maintenance, and improvements did T-Netix provide at  
24 Washington DOC facilities, let's say?  
25 A. I -- I can't -- I mean, I -- I have no

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1 knowledge before, you know, I started in 2001.  
2 Q. Okay. And then after you started, and we've  
3 talked about some of them, but are there other types of  
4 upgrades, maintenance, improvements?  
5 A. Upgrades where we change out the system, which  
6 is not -- you know, that's replacing the P-III.  
7 Q. Yeah.  
8 A. Any other upgrades or improvements, I'm not  
9 aware of any.  
10 Q. Okay. All right. The next letter "F" says  
11 "Network operation, status monitoring and trouble  
12 shooting, including for local access lines supplied by  
13 the appropriate LEC." Do you -- what does that mean?  
14 A. The -- remember we've mentioned on the other --  
15 that other Exhibit 10 where you had the circuit ID, the  
16 56K circuit, --  
17 Q. Uh-huh.  
18 A. -- that's our -- the network monitoring. That  
19 allows us to monitor the systems remotely.  
20 Q. That let's T-Netix to monitor the systems --  
21 A. Systems remotely.  
22 Q. Okay.  
23 A. And that's -- so that's for the status. That's  
24 for monitoring of it. And then troubleshooting, they  
25 can dial in to see if there's any issues, what

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1 specifically is with it remotely.  
2 Then for the local access lines, that's --  
3 we'd actually have to dispatch a technician out to the  
4 site to, you know, actually put a telephone or a butt  
5 set on that line to see if we have dial tone or not.  
6 Q. Okay. Can you just describe a little more  
7 what -- what type of monitoring is done remotely by  
8 T-Netix?  
9 A. Well, every night the system calls in to --  
10 Q. And I just want it in the context of P-III.  
11 A. Right. In the P-III. Every night the billing  
12 system has a cron that will run a -- a -- it requests  
13 information, so it calls into every single P-III site.  
14 And specifically the Washington ones, it will go there,  
15 download all the call detail records from that day.  
16 Q. Okay.  
17 A. And then store them, you know, take a copy of  
18 them, and store them in our billing data center.  
19 Q. Okay. Where? Is that in Denver or Texas?  
20 A. Well, time, it was probably Denver.  
21 Q. Okay. Anything else that's done for the  
22 monitoring, the remote monitoring?  
23 A. That -- more of it -- it makes a point to talk  
24 to the machine everyday to make sure everything is in  
25 place and what's going on. And if we don't get a