

EXHIBIT 3

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

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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.