

[Service date: *October 9, 2009*]

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 RESPONSE TO
BENCH REQUEST NO. 1**

Respondent T-Netix, Inc. ("T-Netix"), through counsel, submits this Response to Bench Request No. 1. As requested in Bench Request No. 1, T-Netix attaches hereto as Exhibit No. 1 a "list clarifying the exhibits that should be attached to the Initial T-Netix Motion." More specifically, this is a list of Exhibits that T-Netix provided, or intended to provide, with its initial Motion for Summary Determination filed in the above-captioned primary jurisdiction proceeding on July 28, 2005. T-Netix, Inc. adopted and incorporated the Initial T-Netix Motion as part of its Amended Motion filed on August 27, 2009. When it filed the Amended Motion, T-Netix also provided a courtesy copy of the Initial T-Netix Motion to the ALJ and to all parties. Exhibit No. 5 to the Initial T-Netix Motion should be Complainants' Response to T-Netix's April 21, 2005, Motion for Summary Determination. As Bench Request No. 1 noted, T-Netix mistakenly

provided a different document as Exhibit 5. Attached hereto as Exhibit 2 is a copy of the proper Exhibit 5 to the Initial T-Netix Motion.

DATED this 9th day of October, 2009.

T-NETIX, INC.

By: 

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CERTIFICATE OF SERVICE

I hereby certify that I have this 9th day of October, 2009, served via e-filing a true and correct copy of the foregoing, with the WUTC Records Center. The original, along with the correct number of copies (4), of the foregoing document will be delivered to the WUTC, via the method(s) noted below, properly addressed as follows:

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Olympia, WA 98504-7250	<u> x </u>	Email (records@wutc.wa.gov)

I hereby certify that I have this 9th day of October 2009, 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 Communications

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Confidentiality Status: Highly Confidential

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Susan Arellano

Exhibit 1

**Exhibits to T-Netix, Inc.'s Initial Motion
for Summary Determination, filed June 28, 2005**

1. Supplemental Affidavit of Alan K. Schott in Support of T-Netix, Inc.'s Motion for Summary Determination (July 27, 2005)
2. T-Netix, Inc. Contract with AT&T Corp. (June 4, 1997) (TNXWA00741-772)
3. Transcript of Prehearing Conference (June 28, 2005)
4. T-Netix, Inc.'s Motion for Summary Determination (April 21, 2005)
5. Complainants' Response to T-Netix, Inc.'s April 21, 2005, Motion for Summary Determination (May 6, 2005)
6. Amendment 3 to Agreement between the Washington Department of Corrections and AT&T (February 1997)
7. Amendment to T-Netix, Inc. Contract with AT&T Corp. (effective January 1, 2001) (TNXWA00773-787)
8. Letter from John Giannaula, T-Netix, to Sandi Hornung, AT&T (March 10, 1998)
9. T-Netix, Inc.'s Response to Complainants' Data Request No. 41 (April 18, 2005)
10. T-Netix, Inc.'s Response to Formal Complaint (December 15, 2004)
11. T-Netix, Inc.'s Response to Complainants' Data Request No. 11 (April 18, 2005)
12. AT&T's Response to Complainant's Data Request No. 14 (April 4, 2005)
13. Petitions to and Orders of WUTC in Docket Nos. UT-900870, UT-920485, and UT-010027 (TNXWA01240-294)
14. Supplemental Affidavit of Nancy Lee in Support of T-Netix Inc.'s Motion for Summary Determination (July 28, 2005)
15. Order Denying T-Netix, Inc.'s Motions for Summary Determination and to Stay Discovery (Order No. 5) (July 18, 2005)
16. Agreement between the Washington Department of Corrections and AT&T (March 16, 1992)

Exhibit 2

This Document is Confidential Under the
Protective Order in
UT-042022