



## PRISONERS' LEGAL SERVICES OF MASSACHUSETTS

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February 3, 2016

**Via electronic mail and surface mail**

Ms. Sara Clark  
Department Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, Suite 820  
Boston, MA 02118-6500

Re: D.T.C. 11-16

Dear Ms. Clark:

Enclosed please find an original and seven copies of the parties' Joint Response to Official Notice of January 22, 2016.

Many thanks for your attention to this matter.

Sincerely,

Bonita Tenneriello  
Staff Attorney

cc: Parties of Record

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

**No. D.T.C. 11-16**

**PETITION OF RECIPIENTS OF COLLECT CALLS FROM  
PRISONERS AT CORRECTIONAL INSTITUTIONS IN MASSACHUSETTS  
SEEKING RELIEF FROM  
THE UNJUST AND UNREASONABLE COST OF SUCH CALLS**

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**JOINT RESPONSE TO OFFICIAL NOTICE OF JANUARY 22, 2016**

As directed by the Hearing Officer in the Official Notice and Case Status Conference of January 22, 2016 (“Notice”), the parties have conferred and propose the following three dates when all are available for a telephonic status conference: February 23, February 29, or March 1, 2016. The parties further agree that it would be advisable to postpone a hearing on pending motions to compel discovery until after issues raised in the status conference are resolved.

Furthermore, the parties hereby inform the Department of a development in the Federal Communications Commission proceeding, *In the Matter of: Rates for Inmate Calling Services*, WC Docket No. 12-375, concerning the Second Order and Third Further Notice of Proposed Rulemaking issued November 5, 2015 (“Order”), which establishes, among other things, limits on intrastate and interstate Inmate Calling Service (ICS ) rates and ancillary fees. On January 22, 2016 the FCC denied a petition for a stay of portions of that Order which had been filed jointly by Global Tel\*Link Corporation (GTL), Securus Technologies, Inc. (Securus), and a third Inmate Calling Service provider, Telmate, LLC. *See* Order Denying Stay Petitions, DA-16-83, released January 22, 2016. The ICS providers have filed motions for a partial stay of the Order pending judicial review by the United States Court of Appeals for the District of Columbia

Circuit, *see GTL et al. v. FCC*, no. 15-1461 (and consolidated cases) (D.C. Cir.), and Securus has requested that the Court resolve the stay request by February 26, 2016 or as soon after as practicable, given that the rates established by the Order become effective, in part, on March 17, 2016. Given the relevance of the outcome of the D.C. Circuit stay requests in particular to moving forward with the instant proceeding before the Department, the parties wanted the Hearing Officer to be aware of this development in selecting a date for the status conference.

Date: February 3, 2016

Respectfully submitted:



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/s/

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