

April 29, 2014

Paul C. Besozzi  
202-457-5292  
pbsozzi@pattonboggs.com

**BY ELECTRONIC FILING AND FEDERAL EXPRESS**

Ms. Catrice C. Williams  
Secretary  
Department of Telecommunications and Cable  
1000 Washington Street, 8<sup>th</sup> Floor, Suite 820  
Boston, MA 02118

**Re: Petition of Recipients of Collect Calls from Prisoners at Correctional Institutions in Massachusetts Seeking Relief from the Unjust and Unreasonable Cost of such Calls – D.T.C. 11-16 – Responses And Objections Of Securus Technologies, Inc. To Petitioners’ First Set Of Interrogatories**

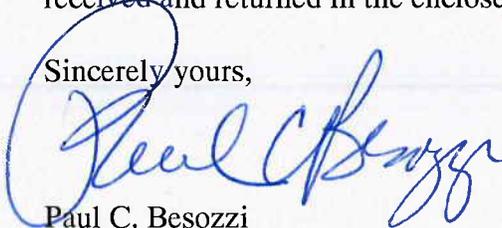
Dear Ms. Williams:

In accordance with the Procedural Order, dated February 27, 2014 as amended by the Order On Motion For Extension Of Time, dated April 18, 2014 (collectively “Order”), enclosed for filing is an original of the Responses And Objections Of Securus Technologies, Inc. To Petitioner’s First Set Of Interrogatories (“Interrogatory Response”).

Per Section II.A. of the Order, the Interrogatory Response is being electronically filed with the original and requisite copies prescribed by Section II.A.3. of the Order being sent by overnight delivery.

An extra copy of this transmittal letter is enclosed to be stamped-in or otherwise marked as received and returned in the enclosed envelope.

Sincerely yours,



Paul C. Besozzi

cc: Service List for D.T.C. 11-16

**Before The  
THE COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE**

\_\_\_\_\_)  
Petition of Recipients of Collect Calls  
from Prisoners at Correctional Institutions  
in Massachusetts Seeking Relief from the Unjust  
and Unreasonable Cost of such Calls  
\_\_\_\_\_)

D.T.C. 11-16

**RESPONSES AND OBJECTIONS OF SECURUS TECHNOLOGIES, INC. TO  
PETITIONERS' FIRST SET OF INTERROGATORIES**

In accordance with the Procedural Order, dated February 27, 2014, as amended by the Order On Motion For Extension Of Time, dated April 18, 2014,<sup>1</sup> Securus Technologies, Inc. ("Securus" or "Company"), acting through undersigned counsel, does hereby provide the Company's responses and objections to the Petitioners' First Set Of Interrogatories, dated March 10, 2014.

Respectfully submitted,

**SECURUS TECHNOLOGIES, INC.**

By

  
Paul C. Besozzi

Patton Boggs LLP

2550 M Street NW

Washington DC 20037

202-457-5292

Dated: April 29, 2014

<sup>1</sup> 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*, Procedural Order, February 27, 2014, as amended by the Order On Motion For Extension Of Time, dated April 18, 2014 (collectively, *Procedural Order*).

## GENERAL OBJECTIONS

Securus raises the following general objections to the Petitioners' First Set of Interrogatories ("Interrogatories") and incorporates such general objections into each specific response provided by Securus.

1. Securus objects to the Interrogatories to the extent they seek information that is not relevant to the subject matter of this investigation or is not reasonably calculated to lead to the discovery of admissible evidence. The Department of Telecommunications and Cable ("Department" or "DTC") expressly and exclusively limited the issues in this investigation to (a) the per-call surcharge, (b) tariffed services and other fees of ICS providers, (c) the frequency of dropped calls, (d) the quality of connected ICS calls, and (e) the billing practices of GTL and Securus.<sup>2</sup> The *Interlocutory Order* specifically dismissed (and thereby expressly excluded from this investigation) the Petitioners' requests to investigate the usage rate component of the rate-setting mechanism for ICS, the frequency and content of recorded warning messages, and the availability and upkeep of telecommunications equipment at correctional facilities.<sup>3</sup> Therefore, any request for information related to the excluded issues or otherwise outside the limited scope of this investigation is inappropriate. In this regard, Securus includes in this category information relating to Securus's activities outside the Commonwealth of Massachusetts or relating to interstate ICS.

2. Securus objects to the Interrogatories to the extent they request information on costs that are covered by the per-call surcharge because the Department in the *Interlocutory*

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<sup>2</sup> 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*, Hearing Officer Interlocutory Ruling (Sept. 23, 2013), *aff'd by*, Order on Appeal of Hearing Officer's Ruling (Feb. 26, 2014) at p. 33. ("*Interlocutory Order*").

<sup>3</sup> *Id.*

*Order*, and previously in the *1998 Order* establishing the per-call surcharge,<sup>4</sup> acknowledged (1) that the surcharge is not directly related to such costs and (2) that ICS providers are not required to itemize their costs in order for the DTC to set a reasonable surcharge.

The *Interlocutory Order* acknowledges the “unique additional costs associated with” ICS, which are above and beyond the “traditional cost recovery” addressed by usage rates. Recognition of these “unique’ additional costs was the basis for establishing the current, approved per-call surcharge.<sup>5</sup>

Further, the *Interlocutory Order* rejects the Petitioner’s arguments that the per-call surcharge should be determined under “rate of return regulation” concepts because “the rate-setting mechanism adopted for ICS in the *1998 Order* is an *incentive regulatory scheme*.”<sup>6</sup> Under such a scheme, “‘any definition of reasonable compensation ... must be broad enough to allow a utility that is achieving above-average efficiencies to earn more than has been defined as a ‘fair return’ under [rate of return] regulation.’...The Department designed the surcharge to allow ICS providers recovery of legitimate additional costs associated with ICS and to encourage ICS providers to improve productivity and reduce costs through advances in technology similar to the benefit a service provider may receive in a competitive marketplace.”<sup>7</sup> Thus, the *Interlocutory Order* states “[w]hether an ICS provider treats those extra earnings as profit, or

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<sup>4</sup>D.P.U./D.T.E. 97-88/97-18 (Phase II), *Investigation by the Department of Telecommunications and Energy on Its Own Motion regarding (1) Implementation of Section 276 of the Telecommunications Act of 1996 relative to Public Interest Payphones, (2) Entry and Exit Barriers for the Payphone Marketplace, (3) New England Telephone and Telegraph Company d/b/a NYNEX’s Public Access Smart-Pay Line Service, and (4) the Rate Policy for Operator Services Providers*, Order on Payphone Barriers to Entry and Exit, and OSP Rate Cap, at p. 10 (Apr. 17, 1998) (“*1998 Order*”).

<sup>5</sup> *1998 Order*, at p. 9.

<sup>6</sup> *Interlocutory Order*, at p. 23.

<sup>7</sup> *Id.*, at pp. 23-24.

utilizes them to improve its bidding position to provide ICS through offering lower rates or more generous commissions to a correctional facility, is at the discretion of the provider.”<sup>8</sup>

In setting the surcharge in the *1998 Order*, the DTC’s predecessor held that it could “reasonably rely on the costs of these carriers [in 33 other states] as a proxy for the costs of inmate callings services providers in Massachusetts.”<sup>9</sup> As part of the incentive regulatory scheme there was no requirement for ICS providers in Massachusetts to submit detailed ICS cost analyses in order for the DTC to set a reasonable per-call surcharge.<sup>10</sup> In this regard the Department was consistent with the application of an alternative to “traditional cost of service ratemaking standards [that] would require the Department to review the reasonableness of expenses, rate base and rate of return.”<sup>11</sup>

3. Securus also objects to all Interrogatories relating to the amount or reasonableness of site commissions that might be paid to the organizations or agencies administering the confinement facilities because the DTC has no jurisdiction over such commissions, which are set

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<sup>8</sup> *Id.*, at p. 24.

<sup>9</sup> *1998 Order*, at pp. 9-10.

<sup>10</sup> See, e.g., D.P.U. 94-50, *NYNEX Price Cap* (May 12, 1995) (finding “one of the primary benefits of price cap regulation is that it renders unnecessary certain regulatory reviews, such as cost allocation and prudence inquiries, that have been fundamental to [rate of return] regulation”); D.P.U. 93-98, *Regulatory Treatment of Telecommunications Common Carriers* (May 11, 1994) (“current market forces, statutory requirements, and the Department’s tariff regulations, notice requirements, and consumer complaint resolution process, are sufficient to ensure not only that rates are just and reasonable but that there is adequate consumer protection for interexchange, competitive access, and [alternative operator services], absent the regulation of entry into these markets”); D.P.U. 94-184, *IntraLATA and Local Exchange Competition* (Aug. 29, 1996) (stating that competitors “may file tariff revisions for existing and new service offerings with minimal cost-support documentation”).

<sup>11</sup> *International Telecharge, Inc.*, D.P.U. 97-72/88-72, 97 PUR4th 349, 356 (1988).

by those facilities or as otherwise authorized by laws, regulations, or governmental agencies other than the Department, and therefore are outside the scope of this investigation.<sup>12</sup>

4. Securus objects to the Interrogatories to the extent they seek to apply discovery requirements and burdens beyond those prescribed by the applicable Department Rules (i.e., 220 CMR 1.00), the *Procedural Order* issued in this investigation or other applicable law or regulation. Specifically, Securus in this regard objects to Petitioners' attempt to incorporate Superior Court Standing Order 1-09 in its Definitions and Instructions to the extent such incorporation conflicts with, or attempts to expand or modify, the obligations and procedures set forth in 220 CMR 1.00 or the *Procedural Order*.

5. Securus objects to the Interrogatories on the grounds that they are vague, ambiguous, overbroad, unduly burdensome, or similarly inappropriate.

6. Securus objects to the definition of "Securus" and "you" and "your" as vague, ambiguous, overbroad and unduly burdensome and specifically objects to the definition to the extent it attempts to include insurers, assigns, successors, executors, firms, trustees, receivers, custodians, contractors, subcontractors, and shareholders.

7. Securus objects to the definition of "consumer" as vague, ambiguous, overbroad, and unduly burdensome, and specifically objects to the definition to the extent it purports to include any individual or entity that does not have a contractual relationship with Securus.

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<sup>12</sup>See *Breest v. Dubois*, No. 94-1665H, 1997 WL 449898 (Mass. Super. 1997) (holding that the Department of Corrections has the authority to enter into contracts requiring commissions on inmate calls because the DOC is responsible for making and entering into any contracts and agreements necessary for the performance of its duties, which includes maintaining security, safety and order at all state correctional facilities).

8. Securus objects to the definition of “calendar year” as vague, ambiguous, overbroad, and unduly burdensome and when referring to 2014, shall respond as if that term were defined as January 1, 2014 to March 10, 2014.

9. Securus objects to the Interrogatories that do not contain a time limitation, and unless otherwise indicated shall respond to all Interrogatories for the time period January 1, 2011 to March 10, 2014.

10. Securus objects to the Interrogatories to the extent they call for documents containing confidential information, including, but not limited to, proprietary, trade secret and/or commercially and competitively sensitive business information, including, but not limited to, non-public financial and internal corporate communications.

11. Securus objects to the Interrogatories to the extent that the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the investigation, the amount in controversy, the parties’ resources, the importance of the issue or issues to which the Interrogatories are directed and the importance of discovery in resolving such issue or issues.

12. Securus objects to the Interrogatories to the extent that they seek information that is not within Securus’s possession, custody, or control.

13. Securus objects to the Interrogatories on the ground that they seek information that is publicly available or seek information that is presently known or equally accessible to Petitioners.

14. Securus objects to the Interrogatories to the extent that they seek documents and information protected from disclosure by any applicable privilege, including the attorney-client privilege, the common interest privilege or joint defense privilege, the attorney work-product doctrine or any other applicable privilege, protection, or immunity that makes such information

non-discoverable. To the extent that the Interrogatories seek such privileged or protected information, Securus hereby claims such privilege(s) and invokes such protection(s). Any documents or information disclosed in response to the Interrogatories shall be disclosed without waiving, but on the contrary, preserving and intending to preserve, each of these privileges and protections. Any inadvertent disclosure of privileged or protected information or documents shall not be deemed a waiver of the applicable privilege(s) or protection(s), and any such document and all copies and images thereof shall be returned to Securus upon demand and/or upon discovery of the inadvertent production, whichever comes first.

15. Securus objects to the Interrogatories to the extent that they require that documents be identified or described and reserves the right instead to produce such documents, if any, either in response to an Interrogatory or as kept in the ordinary course of its business.

16. In responding to these Interrogatories, Securus neither waives, nor intends to waive, but rather preserves and intends to preserve:

- a. All objections as to the relevancy, materiality, admissibility, vagueness, ambiguity, or other infirmity in the form of the Interrogatories and any objections based on the undue burden imposed by any of the Interrogatories;
- b. All rights to object on any ground to the use of the answers, or their subject matter, in this investigation or any other action;
- c. All rights to object on any ground to any further Interrogatories or other discovery requests involving or related to the subject matter of the Interrogatories; and;
- d. Any and all privileges and rights under any applicable law.

17. These responses are based upon information now known to Securus. Securus reserves the right to amend and/or supplement these Responses and Objections at any time.

18. Nothing in these responses shall be construed as constituting or implying an admission of any allegation or agreement with any assertion or characterization in the Interrogatories.

19. In addition to the foregoing general objections, Securus sets forth specific objections to the individual Interrogatories where appropriate, including objections that are not generally applicable to each of the Interrogatories. By setting forth such specific objections, Securus does not intend to limit or restrict the General Objections set forth above. To the extent that Securus responds to specific Interrogatories, Securus is not waiving its stated objections by providing such response. As previously noted, the foregoing General Objections are incorporated in full into each of the specific responses set forth below.

**PREPARED TO CONFER**

Counsel for Securus is prepared to confer in good faith with counsel for Petitioners regarding Securus responses to Petitioners' Interrogatories.

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

**D.T.C. 11-16**

**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 1** - Please identify all contracts for inmate calling service (hereinafter ICS) calls in Massachusetts to which you have been a party since January 2011, naming the government authority with whom you contracted and including any modifications or amendments. For each calendar year of each contract, please provide the following information. You are not restricted to using this identical format as long as you can provide all of the requested responses.

	<b><u>Fixed</u></b>	<b><u>Rate Per</u></b>	<b><u>Site Commission</u></b>	
	<b><u>Rate</u></b>	<b><u>Surcharge</u></b>	<b><u>Minute</u></b>	<b><u>Percentage</u></b>
<b><u>Collect Calling</u></b>				
Local Calling				
State IntraLATA Calling				
State InterLATA Calling				
Interstate				
<b><u>Debit Calling</u></b>				
Local Calling				
State IntraLATA Calling				
State InterLATA Calling				
<b><u>Advance payment calling</u></b>				
Local Calling				
State IntraLATA Calling				
State InterLATA Calling				
<b><u>Total</u></b>				

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

**D.T.C. 11-16**

**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger**

**Title: Director – Government and Regulatory Affairs**

**REPLY** – Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 3, 5, 13, and 15. More specifically, Securus objects to the foregoing interrogatory on the grounds that is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, including (a) interstate calling (b) the usage rate per minute, and (c) site commission payments, which payments are not within the jurisdiction of the Department. Finally, Securus objects on the grounds that the information is publicly-available.

Without waiving any of the foregoing objections, Securus attaches a list of the facilities that it currently serves in Massachusetts, with reference to the relevant intrastate rate tables for each facility taken from Securus's Department-approved tariff.

In January 2011 Securus also was serving Plymouth County Correctional and Hampden County Correctional (2 sites). It no longer serves those facilities.

The Barnstable County Correctional Facility contract was amended effective November 22, 2011 to add \$0.30 per call for Continuous Voice Verification where permitted under Massachusetts rate caps.

The Franklin County Jail contract was amended July 11, 2011 to change collect rate to Contract Location 7 from Contract Location 1 under the Department-approved tariff.

Securus changed its Massachusetts tariff effective June 29, 2012 to make debit rates same as collect rates.

Securus Technologies, Inc.  
 Massachusetts Department of Telecommunications and Cable  
 D.T.C. 11-16 – Petitioners Interrogatory No. 1

Massachusetts Tariff References To Sites				
No.	Site Name	Collect Calling – Contract Location #	Debit/Prepaid Calling Card Rate Option #	Advance Payment- Contract Location #
1	ASH STREET JAIL & REGIONAL LOCK UP	7	4	7
2	BARNSTABLE COUNTY CORRECTIONS FACILITY	8	-	8
3	BERKSHIRE COUNTY HOUSE OF CORRECTIONS	1	4	1
4	BRISTOL COUNTY FAUNCE CORNER	7	4	7
5	DUKES COUNTY JAIL	5	1	5
6	ESSEX COUNTY (3 locations) ◊	4	4	4
7	FRANKLIN COUNTY JAIL	7	1	7
8	MIDDLESEX COUNTY (2 locations) •	4	1	4
9	SUFFOLK COUNTY (2 locations) ■	6	4	6
10	WORCESTER COUNTY JAIL	7	-	7

- ◊ Essex County Lawrence Correctional Alternative Center
- ◊ Essex County Middleton Jail & HOC
- ◊ Essex County Women in Transit Facility
- Middlesex – Middlesex County Cambridge Jail
- Middlesex – Billerica HOC
- Suffolk – Suffolk County Jail
- Suffolk – Suffolk County House of Correctional

**5. PAYMENTS AND CHARGES (Continued)****5.6 Deposits**

No advance deposits are required; provided, however, that in the event that any Customer wishes to exceed any maximum credit amount that may be predetermined by the Company that Customer may do so by first posting a deposit with the Company in an amount such that the level of credit sought is equal to ninety percent of the deposit amount. The Company shall pay simple interest on an annual basis at a rate that might be required under the regulations applicable to local exchange telephone companies under Section 5.1.2.

**5.7 Taxes**

All federal, commonwealth and local taxes (e.g. excise tax, gross receipts tax, sales tax, municipal utilities tax) for calls provided pursuant to this tariff are billed as separate line items and are not included in the rates set forth herein.

**6. RATES AND CHARGES – The charges for a particular call shall be the total of the measured usage charge and the operator surcharge.****6.1 Local, IntraLATA and InterLATA Rates and Charges**

Collect call surcharge: \$3.00  
Per minute usage charge: \$0.10

**6.1.1 Contract Location 1****LOCAL SURCHARGE: \$ 3.00**

RATE	DAY		EVENING		NIGHT/WEEKEND	
	EACH	EACH ADD'L	EACH	EACH ADD'L	EACH	EACH ADD'L
MILEAGE	CALL	PERIOD	CALL	PERIOD	CALL	PERIOD
0-9999	0.5000	0.0000	0.5000	0.0000	0.5000	0.0000

**INTRALATA SURCHARGE: \$3.00**

RATE	DAY		EVENING		NIGHT/WEEKEND	
	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.0550	0.0550	0.0360	0.0360	0.0360	0.0360

**INTERLATA SURCHARGE: \$3.00**

RATE	DAY		EVENING		NIGHT/WEEKEND	
	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-10	0.1000	0.0600	0.0740	0.0550	0.0460	0.0360
11-14	0.1000	0.0900	0.1000	0.0550	0.0540	0.0360
15-9999	0.1000	0.1000	0.1000	0.0610	0.0780	0.0360

Issued: October 22, 2010

Effective: November 21, 2010

Issued by: Curtis L. Hopfinger, Director – Regulatory & Government Affairs  
14651 Dallas Parkway, Suite 600  
Dallas, Texas 75254

## 6. RATES AND CHARGES (Continued)

## 6.1.2 Contract Location 2

LOCAL		SURCHARGE: \$ 2.00				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	EACH	EACH ADD'L	EACH	EACH ADD'L	EACH	EACH ADD'L
MILEAGE	CALL	PERIOD	CALL	PERIOD	CALL	PERIOD
0-9999	0.5000	0.0000	0.5000	0.0000	0.5000	0.0000

INTRALATA		SURCHARGE: \$2.00				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.0400	0.0400	0.0360	0.0360	0.0360	0.0360

INTERLATA		SURCHARGE: \$2.00				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-10	0.0780	0.0360	0.0740	0.0360	0.0460	0.0360
11-14	0.0780	0.0360	0.0780	0.0360	0.0540	0.0360
15-9999	0.0780	0.0360	0.0780	0.0360	0.0780	0.0360

## 6.1.3 Contract Location 3

LOCAL		SURCHARGE: \$ 3.00				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000

INTRALATA		SURCHARGE: \$3.00				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000

INTERLATA		SURCHARGE: \$2.50				
	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000

Issued: October 22, 2010

Effective: November 21, 2010

Issued by: Curtis L. Hopfinger, Director – Regulatory & Government Affairs  
14651 Dallas Parkway, Suite 600  
Dallas, Texas 75254

## 6. RATES AND CHARGES (Continued)

## 6.1.4 Contract Location 4

LOCAL						SURCHARGE: \$ 2.50	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTRALATA						SURCHARGE: \$ 2.50	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTERLATA						SURCHARGE: \$ 2.50	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

## 6.1.5 Contract Location 5

LOCAL						SURCHARGE: \$ 3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTRALATA						SURCHARGE: \$ 3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-10	0.1000	0.0600	0.0740	0.0550	0.0460	0.0360	
11-14	0.1000	0.0900	0.1000	0.0550	0.0540	0.0360	
15-9999	0.1000	0.1000	0.1000	0.0610	0.0780	0.0360	

INTERLATA						SURCHARGE: \$ 3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-10	0.1000	0.0600	0.0740	0.0550	0.0460	0.0360	
11-14	0.1000	0.0900	0.1000	0.0550	0.0540	0.0360	
15-9999	0.1000	0.1000	0.1000	0.0610	0.0780	0.0360	

Issued: October 22, 2010

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14651 Dallas Parkway, Suite 600  
Dallas, Texas 75254

## 6. RATES AND CHARGES (Continued)

## 6.1.6 Contract Location 6

LOCAL						SURCHARGE: \$ 2.85	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTRALATA						SURCHARGE: \$2.85	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTERLATA						SURCHARGE: \$2.50	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

## 6.1.7 Contract Location 7

LOCAL						SURCHARGE: \$3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTRALATA						SURCHARGE: \$3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

INTERLATA						SURCHARGE: \$3.00	
	DAY		EVENING		NIGHT/WEEKEND		
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000	

Issued: October 22, 2010

Effective: November 21, 2010

Issued by: Curtis L. Hopfinger, Director -- Regulatory & Government Affairs  
14651 Dallas Parkway, Suite 600  
Dallas, Texas 75254

6. RATES AND CHARGES (Continued)

6.1.8 Contract Location 8

(N)

**LOCAL** **SURCHARGE: \$3.80**

	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

**INTRALATA** **SURCHARGE: \$3.00**

	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000

**INTERLATA** **SURCHARGE: \$3.00**

	DAY		EVENING		NIGHT/WEEKEND	
RATE	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L	INITIAL	EACH ADD'L
MILEAGE	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD	PERIOD
0-9999	0.1000	0.1000	0.1000	0.1000	0.1000	0.1000

(N)

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**6.2 Prepaid Service (Continued)****6.2.5 Prepaid Services Rates** (T)

The rates listed below are applicable to the Company's Prepaid Services. For billing purposes, call timing is rounded up to the next full minute increment after a minimum initial period of one (1) minute. No time of day, holiday or volume discounts apply.

**Prepaid Calling Cards and Debit Accounts****Option 1**

PER MINUTE USAGE CHARGE \$0.50

An additional per call service charge of \$1.00 will apply to all completed prepaid calling card IntraLATA and InterLATA telephone calls.

**Option 2**

Rates and charges for prepaid calling services are provided at a ten percent discount off standard operator assisted collect call rates.

**Option 3**

PER MINUTE USAGE CHARGE \$0.60

**Option 4**

Rates and charges for prepaid calling services are provided at the standard contracted collect call rates applicable to the facility requesting prepaid services. Contracted rates will be filed with the Massachusetts Department of Communications and Cable for tariff approval and will be in compliance with existing policy.

**6.2.6 AdvanceConnect Accounts** (T)

The rates for AdvanceConnect Accounts are the same as those for automated Collect Call service.

**6.3 Voice Biometrics (f/k/a SECUREvoice)**

This charge may apply to automated calls place by inmates of confinement facilities when such calls are provided through Securus Technologies, Inc.'s own processing equipment. Voice Biometrics provides validation of inmate personal identification numbers (PINs) through voice verification technology for purposes of improved security and reduced potential of fraud and consumer harassment by inmates. Where installation of Voice Biometrics is requested by confinement facilities, a per call service charge of up to \$0.30 applies in addition to all applicable message charges, operator assistance service charges and other miscellaneous service charges.

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Title: Director – Government and Regulatory Affairs

REQUESTER: Petitioners

DATED: March 10, 2014

ITEM: PETITIONERS INTERROGATORY NO. 2 - For each year of each contract identified in response to Interrogatory Number 1, above, (hereinafter No. 1) please provide the following information. You are not restricted to using this identical format as long as you can provide all of the requested responses.

Gross receipts	Commissions Paid
-------------------	---------------------

Collect Calling  
Local Calls  
State IntraLATA Calls  
State InterLATA Calls  
Interstate

Debit Calling  
Local Calling  
State IntraLATA Calling  
State InterLATA Calling

Advance payment calling  
Local Calling  
State IntraLATA Calling  
State InterLATA Calling

Total

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 3, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in

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this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, including (a) interstate calling and (b) site commissions payments, neither of which is within the Department's jurisdiction. Finally, Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**Respondent: Curtis J. Hopfinger**  
**Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 3 -** For each year of each contract identified in response to No. 1, please provide the following information. You are not restricted to using this identical format as long as you can provide all of the requested responses.

	<b>No. of Calls Completed</b>	<b>Average Call Length</b>	<b>Total No. of Minutes Used</b>
<b><u>Collect Calling</u></b>			
<b><u>Local Calls</u></b>			
<b><u>State IntraLATA Calls</u></b>			
<b><u>State InterLATA Calls</u></b>			
<b><u>Interstate</u></b>			
<b><u>Debit Calling</u></b>			
<b><u>Local Calling</u></b>			
<b><u>State IntraLATA Calling</u></b>			
<b><u>State InterLATA Calling</u></b>			
<b><u>Advance payment calling</u></b>			
<b><u>Local Calling</u></b>			
<b><u>State IntraLATA Calling</u></b>			
<b><u>State InterLATA Calling</u></b>			
<b><u>Total</u></b>			

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the

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scope of the limited issues involved in this investigation, including (a) interstate calling and (b) usage-related information. The *Interlocutory Order* expressly excluded from this investigation issues relating to per-minute usage rates. Finally, Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 4** - For each year of each contract identified in response to No. 1, please list any minimum commission guaranteed by the contract and state the amount paid, if any, to satisfy this guarantee.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, and 3. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope the limited issues involved in this investigation, specifically information related to detailed costs and site commission payments, which payments are not within the Department's jurisdiction.

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**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 5** - Please identify any documents demonstrating revenue that you received and commission payments made under each of the contracts identified in response to No. 1.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 3, 5, 10 and 15. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically detailed costs and site commission payments, which payments are not within the Department's jurisdiction. Finally, Securus further objects on the grounds that it seeks it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 6** - Please list all categories of costs associated with providing ICS in Massachusetts, including but not limited to the following potential costs. For each cost, please indicate how much you spent during each calendar year of each contract identified in No. 1. To the extent that you allocate shared costs between facilities, or between Massachusetts and other jurisdictions, please so indicate and state the basis for your calculation of pro-rated costs.

- a. Call processing systems
- b. Automated operators
- c. Live operators
- d. Call recording and monitoring equipment
- e. Fraud control programs
- f. Financial processing
- g. Lobbying and other government advocacy
- h. Back office administrative costs
- i. Call centers
- j. Database checks
- k. Voice overlays
- l. Customized call detail reports
- m. Research and Development
- n. Call control systems
- o. Other personnel costs
- p. Other costs not referenced in a. through o.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in

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this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically because it seeks detailed cost information. Finally, Securus further objects on the grounds that the interrogatory it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

Without waiving any of the foregoing objections, in its January 20, 2012 “Response of Securus Technologies, Inc.” (pp. 14-25) and its October 24, 2012 “Response Of Securus Technologies, Inc. To Public Comments” (pp. 9-14), Securus addressed the issue of cost categories relevant to its provision of ICS in Massachusetts. Securus incorporates by reference those materials here.

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**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 7** – For each type of call described in No.1 (Collect, Debit and Advance Pay Calling), please provide an itemization of your expenses associated with the cost to complete such a call. To the extent that it is not possible to itemize your expenses, please describe in detail each component of the aggregate costs to you of completing such calls.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically because it seeks detailed expenses and cost information. Finally, Securus further objects on the grounds that the interrogatory seeks it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**ITEM: PETITIONERS INTERROGATORY NO. 8** – Please describe what equipment is used to store, record and monitor inmate telephone calls in each of the Massachusetts correctional facilities listed in response to No. 1.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1 and 5. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically because it seeks information related to the “availability and upkeep of telecommunications equipment at correctional facilities,” which was explicitly excluded from the scope of this investigation by the Department’s *Interlocutory Order*.

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Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 9** – If you currently use live operators in the provision of inmate calling services in Massachusetts, how many and in what capacity are they used at each facility for which you provide ICS?

**REPLY:** Securus has never used live operators in connection with the origination or completion of ICS calls in Massachusetts.

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Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 10** - With respect to each year, each contract and each type of call (collect, debit and advanced payment) identified in No. 1,

- a) what dollar amount of receivables were not collectable?
- b) what dollar amount of lost revenue did this amount to?

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the issues involved in this investigation, specifically because it seeks detailed cost information about uncollectibles and related revenues, which are not issues in this investigation. Finally, Securus further objects on the grounds that the interrogatory seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 11** - For each contract identified in No. 1, please describe:

- a) The number of pre-paid or “debit” accounts for each year from January 2011 to present;
- b) the process used to deposit funds into a pre-paid account. If the process used is different depending on the source of the funds (cash, credit card, western union, check) please explain the process for each separately;
- c) the costs attributable to processing deposits to pre-paid accounts;
- d) the costs attributable to processing refunds from pre-paid accounts;
- e) the dollar amount that was actually refunded to Massachusetts consumers for each calendar year from January 2011 to the present.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 5, 10, and 13. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is unduly burdensome and overly broad. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation specifically because it seeks detailed cost and revenue information. Securus further objects on the grounds that the interrogatory seeks confidential, competitively sensitive, proprietary financial or other internal business information. Finally, Securus objects to the extent that this information is publicly available.

Without waiving any of the foregoing objections, Securus responds to No. 11(b) that standard methods for receiving payments or funding for a prepaid collect account or a debit account in Massachusetts are check, money order, or online banking. Securus also offers the option of making such payments by credit or debit card via its Website, interactive voice response system (“IVR”), or by contacting a Securus customer service representative. Payments may also be made by using outside, third-party financial processors, such as money order providers, Western Union, or MoneyGram.

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**ITEM: PETITIONERS INTERROGATORY NO. 12** - Please describe the process used to refund unused funds from pre-paid accounts to consumers. If the refunds are unclaimed or otherwise not processed, please describe how these funds are accounted for (e.g., retained as income, transferred to the State's unclaimed funds program) and whether or not commissions are paid on income generated from the unclaimed funds.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 3, and 13. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, including site commissions, and does not relate to "tariffed service and other fees of ICS providers." Securus further objects on the grounds that the information is publicly available.

Without waiving any of the foregoing objections, Securus provides information regarding a customer with an AdvanceConnect Account for pre-paid collect calls. Such a customer can request and receive a refund, without any charge. If such an Account remains dormant for a period of six months (i.e., not a single call is received on the account for a six month period) without a request for a refund, then and only then does the Account expire and any funds in the account are forfeit by the customer. This forfeiture policy only applies in the case of AdvanceConnect accounts. This policy is specifically authorized in Securus's Department-approved tariff at Section 6.2.3.

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**ITEM: PETITIONERS INTERROGATORY NO. 13** - For each contract identified in No. 1, please identify and describe any and all fees charged by your company to consumers of inmate calling services in Massachusetts for establishing, using, maintaining or closing a pre-paid account, including but not limited to fees for opening an account; depositing funds to an account by cash, check, western union, moneygram, or credit card; obtaining a refund from an account; and maintaining an inactive account, stating the percentage or amount any site commission paid from these fees.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 3, and 13. Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically site commission payments, which payments are outside the jurisdiction of the Department, as are Western Union and MoneyGram charges. Securus further objects to the extent that the information requested is publicly available.

Without waving any of the foregoing objections, Securus does not charge any fee to establish or set up a prepaid account. The end-user customer may fund that account by check, money order or on-line banking and Securus will not apply any fee. Securus does not charge any fee to close an account or to issue refunds. The description, applicability, and fee amounts for (a) credit card/check-by-phone payment processing fee (b) return check charge, and (c) wireless administration fee that Securus is authorized to charge in Massachusetts are contained in Sections 5 and 6 of Securus' Department-approved tariff.

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**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 14** - Please identify and describe all taxes and regulatory and other surcharges charged by your company to consumers of inmate calling services in Massachusetts.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1 and 13. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation. Specifically taxes that might be passed on are not an issue in this investigation. Securus also objects to the foregoing interrogatory to the extent that the information requested is publicly available.

Without waiving any of the foregoing objections, as specified in Securus's Department-approved tariff at Section 5, all federal, commonwealth and local taxes (e.g., excise tax, gross receipts tax, sales tax, municipal utilities tax) for calls provided under the tariff are billed as separate line items. Other regulatory fees or surcharges are as specified in Securus's Department-approved tariff at Sections 5 and 6.

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Title: Director – Government and Regulatory Affairs**

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**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 15** - Please describe the process used for receiving, processing and closing a complaint regarding the provision of inmate calling services for each facility currently under contract with you in Massachusetts.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, and 5. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically because it does not relate to the specific quality of service issues in this investigation. Those issues are limited by the *Interlocutory Order* to “frequency of dropped calls, the quality of connected calls and the billing practices of GTL and Securus.”

Without waiving any of the foregoing objections, Securus describes the general process whereby it addresses complaints. It receives complaints from its Massachusetts customers, directly through its customer service center. These are resolved by telephone without written response with Securus’s Corporate Escalations Department. Securus also receives Massachusetts-related complaints through the Better Business Bureau (“BBB”), the Federal Communications Commission (“FCC”), the Department, the Massachusetts Attorney General’s Office (“AGO”) and the Office of Consumer Affairs (“OCA”). Securus investigates and provides a thorough and timely written response to each such complaint in accordance with the agency, state, and federal regulatory requirements to satisfactorily resolve the matter.

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Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

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**ITEM: PETITIONERS INTERROGATORY NO. 16** - For each year of each contract identified in No. 1, please state the number of complaints in each of the following categories. If it is not possible to break down complaints by category, please so state and give the most detailed breakdown that your records permit.

- a) Static, line noise and other problems with audibility
- b) Dropped calls
- c) Broken telephone sets
- d) Billing concerns, including but not limited to charges for dropped calls, problems with refunds, and contested fees and surcharges

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, and 5. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically as it relates to broken telephone sets and matters unrelated to "billing practices." Securus further objects on the grounds that the request is overly broad and unduly burdensome.

Without waiving any of the foregoing objections, Securus includes a list of 2011-2014 Massachusetts Complaints made with the organizations and agencies referred to in its response to Interrogatory No. 15.

Securus 2011-2014 Massachusetts Complaints

Complaint Type	Agency or Other Source	Month/Year	Resolution/How the complaint was handled
Customer Not Getting Calls	AGO	Jan-11	Resolution/How the complaint was handled Customer filed a complaint advising he remitted funds associated with telephone number (774)360-6895 and was unable to receive calls to the number question. An investigation revealed that Securus did not have records that an account was established for the number in question, therefore, the customer was asked to send redacted copies of the payment transaction he referenced in his complaint associated with the number in question.
High Rates	AGO	Jun-11	Customer filed a complaint indicating he was charged excessive rates and fees even though he was provided with a quote of \$2.50 per call. An investigation revealed that the customer was provided with a rate quote as Securus informs customers that additional taxes may apply in each rate quote. Further, consumers are provided with the option to hear a rate quote for every call received by Securus. In conclusion, Securus finds that the customer was accurately billed by his Local Exchange Carrier.
High Rates	FCC	Apr-11	Inmate filed a complaint questioning the cost to accept collect calls from the Franklin County Corrections Facility. The inmate was provided with an explanation regarding why rates are higher when local and long distance calls are made from a correctional facility. The inmate was also advised that customers are provided with a rate quote, so they have the option to accept or decline the call.
Billing Dispute	AGO	Jun-12	Customer filed a complaint advising he was charged for collect calls; however, he has denied all knowledge of acceptance. An investigation revealed that 21 calls were accepted from the Worcester County Jail and positive acceptance was made to the customer's telephone number in question. The customer was advised that prior to the charges being removed a fraud form would need to be completed for the calls in question, in addition, to a police report being filed. Further, the customer was informed once Securus received the information requested, a continued investigation will be conducted and Securus would update the customer's account with the appropriate information.
Account Inquiry	FCC	Aug-12	Customer filed a complaint advising she wants her collect calls billed through her Local Exchange Carrier ("LEC") and believes Securus will not allow her to be billed through her LEC so she would establish a prepaid account. An investigation revealed that the phone number in question is not in the name of the individual filing the complaint. Therefore, the complainant was advised to provide Securus proof of ownership from her LEC indicating that the phone number in question belonged to her and the date of installation.
Billing Dispute	AGO	Jun-12	Customer filed a complaint as she believes she is charged excess rates/fees. The customer states she was charged for fees/taxes that were not disclosed to her at the time she accepted the call. An investigation revealed that the customer was provided with a rate quote as Securus informs all customers that additional taxes may apply in each rate quote. Further, consumers are provided with the option to hear a rate quote for every call received by Securus. An analysis of the customer's call detail records indicates the customer has been billed correctly.
High Rates	FCC	Oct-13	Customer filed a complaint regarding the cost of the rates to accept calls to telephone number (781) 854-6351 from the Dimmit County Jail. Further, consumers are provided with the option to hear a rate quote for every call received by Securus. In conclusion, Securus finds that the customer was accurately billed for the calls accepted from the aforementioned facility.
Customer Not Getting Calls	PSC	May-13	Customer filed a complaint advising that Securus temporarily blocked LEC billing from the Barnstable County Corrections Customer filed a complaint advising that Securus temporarily blocked LEC billing from the Barnstable County Corrections Facility. An investigation revealed on May 15, 2013, the aforementioned facility no longer allowed LEC billing as a billing method. Further, the customer had the options of being direct-billed or established a prepaid account.

AGO=Attorney General  
 FCC=Federal Communication Commission  
 PSC=Public Service Commission. The term "PSC" is used generically in the complaint log. In MA this is the "DTC"  
 F and F = Friend or Family  
 BBB=Better Business Bureau

Securus 2011-2014 Massachusetts Complaints

Complaint Type	Agency or Other Source	Month/Year	Resolution/How the complaint was handled
Call Quality	PSC	May-13	Customer filed a complaint advising he was accepting calls from the Bristol County House of Corrections and he began experiencing poor quality of service when attempting to accept a call. The customer indicated his calls were terminating due to 3-way call deflections. An investigation revealed the calls were not being routed correctly, as a result, Securus changed the way the customers' calls were being routed, which corrected the problem.
High Rates	FCC	Jan-14	Customer filed a complaint regarding the cost to accept calls to telephone number (215) 272-7713 from the Bristol County Faunce Corner Facility. The customer is also questioning why the new FCC rates have not been implemented according to the FCC's recent ruling in WC in Docket No. 12-375 involving interstate rates for inmate calling services. The customer was advised at the time his complaint was filed, the new FCC interstate rates would not go into effect until February 11, 2014. However, the customer was informed once the rates went into effect, his rates would change at that time.
Complaints - Allegations of CBS Non Satisfied Inmate Complaint	F&F BBB	Mar-11	Heather was trying to put money on her account to receive calls. While her card was processed multiple times; however, it's locked. Someone told her it will be 24 hours before she could use her card again, but she needs the money on her account today. Customer really just wanted to express her concerns with a representative. Inmate wants to know his rates, the associated fees, and declares calls are cut off prematurely. No call-to number was provided. Explanations of varying rates were provided. Also provided the option to accept the call through the auto attendant on the inmates call.
Provider Transition	F&F	Oct-11	Customer use to have cable phone so she was on a pre-pay plan. Now she has a Verizon phone and wants to be billed for the calls and not set up for pre-pay. Can someone contact her and explain her options to her and if she can't be billed explain why. This customer wanted to be billed through her provider. Since the customer kept accepting calls after directed not to accept any for 24 hours, this turned into a billing issue. The customer accepted a call and it kept re-opening the advance connect account and causing a overage. Finally, the customer waited the 24 hours before accepting a collect call on 10/29/2011 at 11:08 am; which is currently billed through her phone provider.
Denies All Knowledge	F&F	Dec-11	Customer says she did not accept the two short calls in question. Issued credit, explained policy and advised to call me if she feels she has other calls that were billed but not accepted.
Cut Off Calls (COC)	BBB	Feb-11	Customer indicates she has experienced cut off calls. At this time, she would like this matter investigated and she would like credit for her cut off calls. *As a onetime courtesy, the customer will be issued a credit for the \$2.50 surcharge for each of the two calls, which were terminated for third party calling. The customer currently has \$6.89 in funds to receive collect calls from Essex County Middleton Jail and House of Corrections.*
Refund: 180 Day Policy	BBB	Jun-12	In October 2010, I opened a Securus account so that a friend could call me from jail. I paid \$25.00. My friend was unable to use the account my telephone numbers were apparently blocked. My friend was released from jail this year and only then did I find he had been unable rather than unwilling to call me. Upon finding this I called Securus for a refund of my \$25.00, which they refused saying it had been a long time since I contacted them. Despite the six month (180-day) policy, Securus Correctional Billing Services issued the customer a check in the amount of \$25.00. It will be mailed to the address associated with his account.
Cut Off Calls	BBB	Jul-12	Customer indicates she has been charged for called that do not connect. At this time, she would like this matter investigated and would like a credit for the charges. As a onetime courtesy Securus is crediting the customer for the four (4) short calls in the amount of \$13.21.
Cut Off Calls	BBB	Jul-12	Customer filed a complaint regarding cut off calls. The customer was advised additional information was needed as the number provided was not listed in Securus' database.
Cut Off Calls	BBB	Jun-12	Customer indicates she experienced two cutoff calls on June 19, 2012. At this time, she would like this matter investigated and would like credit for these calls. Provided courtesy credit for the two cut off calls.

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Securus 2011-2014 Massachusetts Complaints

Complaint Type	Agency or Other Source	Month/Year	Resolution/How the complaint was handled
Payment Issue	BBB	Dec-12	Customer claims she's been informed she cannot make a credit card payment for a month. Two transactions were declined in the same day. Business Rule. Also CPNI as the account is under Teresa Walsh. Customer was not the account owner. Could not help due to CPNI.
Unwanted Dialer Calls Instant Pay	F&F	Dec-12	Customer keeps receiving automated phone calls saying I need to add more money to my account but I've never made an account with this service. I was hoping you could give me some information as to why I get these calls. *We did find an account for this customer, however, we don't see that she should be receiving any dialer calls. To ensure this does not happen going forward, we have closed the account. Angela looked into it and she did not get automated calls. Looks like she was getting calls from Essex.*
Refund Not Received	F&F	Apr-13	Customer thought she had made a payment but was confused. Customer gave a confirmation number which started with another date. Customer Service rep misinformed customer that the payment confirmation number would not be of any use.
180-Day Policy	F&F	Jun-13	Customer is requesting a refund to create another account. Requested refund was granted.
Fraud	F&F	Jul-13	Customer wanted information regarding an unauthorized use of his credit card. He provided police report. We were unable to provide him the information due to CPNI. The request needed to come from the police. The refund was denied. He dropped the issue not wanting to get the person in legal trouble.
DAK: Answering Machine/VM	F&F	Sep-13	Customer found multiple 1 and 2 minute calls on his Verizon phone bill and wanted credits for them. Found that site is set for Passive Acceptance and his voicemail was receiving most of the calls. Provided credits back to the LEC acct.
Customer Not Getting Calls	F&F	Oct-13	Customer added \$15 to her account but is not receiving calls. Payment was misapplied to another account; however, the account was corrected and the payment was properly applied.

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 FCC = Federal Communication Commission  
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**Before The  
COMMONWEALTH OF MASSACHUSETTS  
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**D.T.C. 11-16**

**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 17** - For each complaint received and listed in Interrogatory 16, please describe any action, if any, you took to address the complaint and how and if the complaint was resolved.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objection No. 1. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically as it relates to broken telephone sets and matters unrelated to “billing practices.”

Without waiving any of the foregoing objections, Securus refers to its response to Interrogatory No. 16.

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**D.T.C. 11-16**

**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 18** - Please describe any upgrades you made to the telephone systems in any of the facilities listed in No. 1 since 2011.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1 and 5. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is ambiguous in that it does not define “upgrades” or “telephone systems.” Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, specifically because it seeks information related to the “availability and upkeep of telecommunications equipment at correctional facilities,” which was explicitly excluded by the Department’s *Interlocutory Order*.

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**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 19** - Please describe systems that you use to track or manage complaints about billing issues and identify any documents describing these systems.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1 and 15. More specifically, Securus objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation in that complaint tracking systems are not part of the narrow issues in this investigation. Securus further objects on the grounds that the interrogatory is ambiguous in that it does not define “systems” or “billing issues.”

Without waving any of the foregoing objections, Securus refers to its response to Interrogatory No. 15.

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**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 20** - Please describe systems or processes that you use to track performance by facility, state and by region, in the following categories, and identify any documents describing these systems:

- a) financial and/or margin performance (i.e. the revenue, expenses and margin you received);
- b) quality performance (i.e. how you did on completing calls);
- c) technical and network performance (i.e. how the network, equipment and software performed).

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 2, 5, 10, and 15. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is ambiguous, overly broad, and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, including seeking information not related to the provision of inmate calling service in the Commonwealth of Massachusetts and outside the scope of the quality of service issues (i.e., dropped calls, quality of connected calls, and billing practices) that are included in this investigation. Finally, Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

Without waiving any of the foregoing objections, Securus refers to its January 12, 2012 “Response of Securus Technologies, Inc.” (“Response”) (see pp. 31-33) in this proceeding which reports that Securus contracts with its confinement facilities customers include quality of service requirements. Securus provides annual surveys to its facility customers nationwide to obtain their important feedback about the company’s performance. The facilities are asked to rank their satisfaction with Securus’s quality of service (customer satisfaction “CSAT” scores). In Massachusetts, Securus has not been called to task by its facility customers for failing to meet its quality-of-service obligations. Securus has been and is providing highly rated service. As noted in Exhibit 7 to the Response, Securus also conducts customer service

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**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 21** - Describe your budgetary process including how you set financial goals for the year, and how you compare actual results to what was budgeted.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections No. 1, 5 and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is vague and ambiguous. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this proceeding, especially to the extent that it is not limited in any way to the Commonwealth of Massachusetts and relates to internal company processes that are not among the issues approved as part of this investigation. Finally Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 22** - Please identify and describe any reports, analysis or other documentation that is created to report profitability to management.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 5, 10, and 15. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation, none of which relate to Securus profitability. Finally, Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger  
Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 23** - Please list any and all enforcement actions or investigations against you by other public utility commissions from 2009 to the present.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections Nos. 1, 5, and 6. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this this investigation, specifically because it seeks information unrelated to Securus provision of ICS in the Commonwealth of Massachusetts.

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**D.T.C. 11-16**

**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger**

**Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 24** - Please state both your gross and net earnings derived from the provision of inmate calling services to the facilities in Massachusetts listed in Response to No. 1 from 2008 to the present, including a comparison of your gross and net earnings derived from your provision of inmate calling services in other states.

**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objections No. 1, 2, 5, and 10. More specifically, Securus objects to the foregoing interrogatory on the grounds that it is overly broad and unduly burdensome. Securus further objects on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this proceeding, especially to the extent to that it seeks information relating to states other than the Commonwealth of Massachusetts. Securus also objects on the grounds that it is ambiguous in that there is no definition of “gross and net earnings” provided. Finally, Securus further objects on the grounds that it seeks confidential, competitively sensitive, proprietary financial or other internal business information.

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**Responses And Objections Of Securus Technologies, Inc.: Petitioners' First Set Of Interrogatories**

**Respondent: Curtis J. Hopfinger**  
**Title: Director – Government and Regulatory Affairs**

**REQUESTER:** Petitioners

**DATED:** March 10, 2014

**ITEM: PETITIONERS INTERROGATORY NO. 25** - Please state how many telephones for incarcerated ICS consumers are currently installed in each Massachusetts facility to which you provide services and how many service calls you made to each facility for each calendar year from 2011 to the present. If any telephone units were replaced in any of the facilities, please state how many, when they were replaced and why.

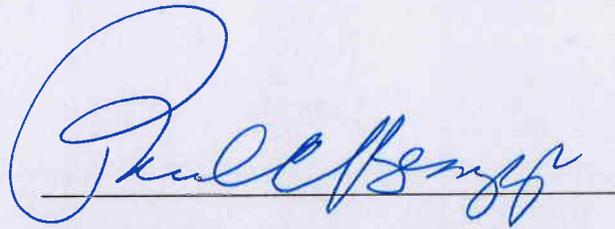
**REPLY:** Securus repeats and incorporates its General Objections, and specifically General Objection No. 1. More specifically, Securus objects to the foregoing interrogatory on the grounds that it seeks information neither relevant to the limited issues involved in this investigation nor reasonably calculated to lead to the discovery of admissible evidence because it is outside the scope of the limited issues involved in this investigation specifically because it seeks information related to the “availability and upkeep of telecommunications equipment at correctional facilities,” which subject was explicitly excluded by the Department’s *Interlocutory Order*.

**CERTIFICATE OF SERVICE**

I, Paul C. Besozzi, hereby certify that on this 29th day of April, 2014, I did serve, by Federal Express or first class mail, postage prepaid or by electronic mail a copy of the foregoing “Responses And Objections Of Securus Technologies, Inc. To Petitioners’ First Set Of Interrogatories” on the parties listed on the Service List below issued by the Department:

<p>Kalun Lee Hearing Officer Department of Telecommunications and Cable 1000 Washington Street, 8th Floor, Suite 820 Boston MA 02118-6500 <a href="mailto:kalun.lee@state.ma.us">kalun.lee@state.ma.us</a> Via Federal Express and Electronic Mail</p>	<p>Karlen Reed Director, Competition Division Department of Telecommunications and Cable 1000 Washington Street, 8th Floor, Suite 820 Boston MA 02118-6500 <a href="mailto:karlen.reed@state.ma.us">karlen.reed@state.ma.us</a> Via Federal Express and Electronic Mail</p>
<p>Paul Abbott General Counsel Department of Telecommunications and Cable 1000 Washington Street, 8th Floor, Suite 820 Boston MA 02118-6500 <a href="mailto:paul.abbott@state.ma.us">paul.abbott@state.ma.us</a> Via Federal Express and Electronic Mail</p>	<p>Joseph Tiernan Competition Division Department of Telecommunications and Cable 1000 Washington Street, 8th Floor, Suite 820 Boston MA 02118-6500 <a href="mailto:joseph.tiernan@state.ma.us">joseph.tiernan@state.ma.us</a> Via Federal Express and Electronic Mail</p>
<p>James Pingeon, Esq. Bonita Tenneriello, Esq. Elizabeth Matos, Esq. Alphonse Kamanzi Prisoners’ Legal Services, Inc. 10 Winthrop Square, 3rd Floor Boston, MA 02110 <a href="mailto:jpingeon@plsma.org">jpingeon@plsma.org</a> <a href="mailto:btenneriello@plsma.org">btenneriello@plsma.org</a> <a href="mailto:lmatos@plsma.org">lmatos@plsma.org</a> <a href="mailto:akamanzi@plsma.org">akamanzi@plsma.org</a> Via Electronic and U.S. Mail</p>	<p>Patricia Garin, Esq. Stern, Shapiro, Weisberg &amp; Garin 90 Canal St., 5th Floor Boston, MA 02114 <a href="mailto:pgarin@sswg.com">pgarin@sswg.com</a> Via Electronic and U.S. Mail</p>

<p>Catrice C. Williams Secretary Department of Telecommunications and Cable 1000 Washington Street, 8th Floor, Suite 820 Boston MA 02118-6500 <a href="mailto:catrice.williams@state.ma.us">catrice.williams@state.ma.us</a> <a href="mailto:dte.efiling@state.ma.us">dte.efiling@state.ma.us</a> Via Federal Express and Electronic Mail</p>	<p>Ken Dawson VP Contracts &amp; Regulatory Inmate Calling Solutions, LLC d/b/a ICSolutions 2200 Danbury St. San Antonio, TX 78217 <a href="mailto:kdawson@icsolutions.com">kdawson@icsolutions.com</a> Via Electronic and U.S. Mail</p>
<p>Curtis Hopfinger Director, Regulatory and Government Affairs Securus Technologies, Inc. 14651 Dallas Parkway, Ste. 600 Dallas, TX 75254 <a href="mailto:chopfinger@csecurstech.net">chopfinger@csecurstech.net</a> Via Electronic and U.S. Mail</p>	<p>Chèrie Kiser Angela F. Collins Cahill Gordon &amp; Reindel LLP 1990 K Street NW Suite 950 Washington DC 20006 <a href="mailto:ckiser@cgrdc.com">ckiser@cgrdc.com</a> <a href="mailto:acollins@cgrdc.com">acollins@cgrdc.com</a> Via Electronic and U.S. Mail</p>



Paul C. Besozzi