

CAHILL GORDON & REINDEL LLP
32 OLD SLIP
NEW YORK, NY 10005

DANIEL R. ANDERSON
PETER J. ARMENIO
HELENE R. BANKS
ANIRUDH BANSAL
LANDIS C. BEST
CHRISTOPHER BEVAN
BROCKTON B. BOSSON
JONATHAN BROWNSON *
DONNA M. BRYAN
EMEKA C. CHINWUBA
JOYDEEP CHOUDHURI *
JAMES J. CLARK
CHRISTOPHER W. CLEMENT
AYANO K. CREED
PRUE CRIDDLE ‡
SEAN M. DAVIS
STUART G. DOWNING
ADAM M. DWORKIN
ANASTASIA EFIMOVA
SAMSON A. ENZER
JAMES Z. FANG
GERALD J. FLATTMANN JR.

HELENA S. FRANCESCHI
JOAN MURTAGH FRANKEL
JONATHAN J. FRANKEL
SESI GARIMELLA
ARIEL GOLDMAN
PATRICK GORDON
JASON M. HALL
STEPHEN HARPER
CRAIG M. HOROWITZ
TIMOTHY B. HOWELL
COLLEEN TRACY JAMES
DAVID G. JANUSZEWSKI
JAKE KEAVENY
BRIAN S. KELLEHER
RICHARD KELLY
CHÉRIE R. KISER ‡
JOEL KURTZBERG
TED B. LACEY
ANDREW E. LEE
ALIZA R. LEVINE
JOEL H. LEVITIN
MARK LOFTUS

TELEPHONE: (212) 701-3000
WWW.CAHILL.COM

1990 K STREET, N.W.
WASHINGTON, DC 20006-1181
(202) 862-8900

CAHILL GORDON & REINDEL (UK) LLP
20 FENCHURCH STREET
LONDON EC3M 3BY
+44 (0) 20 7920 9800

WRITER'S DIRECT NUMBER
202-862-8950
ckiser@cahill.com

JOHN MacGREGOR
TRISTAN E. MANLEY
BRIAN T. MARKLEY
MEGHAN N. McDERMOTT
WILLIAM J. MILLER
EDWARD N. MOSS
JOEL MOSS
NOAH B. NEWITZ
WARREN NEWTON §
JULIANA OREGON
JAVIER ORTIZ
DAVID R. OWEN
JOHN PAPACHRISTOS
LUIS R. PENALVER
SHEILA C. RAMESH
MICHAEL W. REDDY
OLEG REZZY
THOMAS ROCHER *
PETER J. ROONEY
MATTHEW E. ROSENTHAL
THORN ROSENTHAL
TAMMY L. ROY

ANDREW SCHWARTZ
DARREN SILVER
JOSIAH M. SLOTNICK
RICHARD A. STIEGLITZ, JR.
SUSANNA M. SUH
SEAN R. TIERNEY
JOHN A. TRIPODORO
HERBERT S. WASHER
FRANK WEIGAND
MICHAEL B. WEISS
MILES C. WILEY
DAVID WISHENGRAD
C. ANTHONY WOLFE
ELIZABETH M. YAHL

* ADMITTED AS A SOLICITOR IN
ENGLAND AND WALES ONLY
‡ ADMITTED AS A SOLICITOR IN
WESTERN AUSTRALIA ONLY
§ ADMITTED IN DC ONLY
§ ADMITTED AS AN ATTORNEY
IN THE REPUBLIC OF SOUTH AFRICA
ONLY

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Via Electronic Filing (dtc.efiling@mass.gov)

Shonda D. Green
Secretary of the Department
Massachusetts Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118

**Re: D.T.C. 11-16
Response of Global Tel*Link Corporation d/b/a ViaPath Technologies**

Dear Secretary Green:

Global Tel*Link Corporation d/b/a ViaPath Technologies (“ViaPath”), by its attorneys, respectfully submits this response to the Notice of Case Status Conference issued by Alan Gill, Hearing Officer, in the above-referenced matter on January 26, 2024 (“Notice”). The Notice states that the Department of Telecommunications and Cable (the “Department”) seeks to schedule a status conference for this proceeding in light of recent changes in both federal and state law affecting the provision of incarcerated people’s communications services (“IPCS”) in Massachusetts.¹ The Notice also lists several topics to be addressed during the status conference,

¹ Consistent with changes in federal law, ViaPath uses the term IPCS herein and continues to use the term inmate calling service or “ICS” when referring to historic actions or quoted materials. See WC Docket Nos. 23-62, 12-375, *Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, Notice of Proposed Rulemaking and Order, FCC 23-19, ¶ 80 (rel. Mar. 17, 2023) (“Our rules currently use ‘inmate calling services’ or ‘ICS’ to refer to ‘a service that allows Inmates to make calls to individuals outside the Correctional Facility where the Inmate is being held, regardless of the technology used to deliver the service.’ With the Martha Wright-Reed Act’s expansion of the [Federal Communications Commission]’s authority beyond calling services to include all audio and video communications services used by incarcerated people, the [Federal Communications

and asks the parties to provide three dates on which they could participate in a case status video teleconference.

As directed in the Notice, ViaPath has conferred with the other named parties to this proceeding regarding proposed dates for the status conference. ViaPath, Securus Technologies, Inmate Calling Solutions, and Prisoners' Legal Services have indicated that they are available on March 4, 2024 for the status conference. The National Consumer Law Center has stated that it will not participate in the status conference. ViaPath also proposed March 25 or 26, 2024 for the status conference; however, not all of the parties were available for either of those dates.

ViaPath independently suggests an alternative to the video status conference. It may be more administratively efficient and beneficial to the Department and the parties to request written submissions in response to the topics listed in the Notice in lieu of or prior to conducting a status conference. The written submissions may eliminate the need for the status conference entirely, and at a minimum, prior written submissions would allow for a more productive status conference because both the Department and the parties could understand each party's position prior to the status conference. Prior written submissions also would allow all affected parties to participate. ViaPath notes there is at least one IPCS provider operating in Massachusetts that is not on the service list for this proceeding, and it may not have received the Notice.²

Accordingly, ViaPath recommends the Department issue a broader request for comment on the topics listed in the Notice, with submissions to be filed by March 29, 2024. The status conference (if necessary) could then be scheduled in April or May 2024. However, to the extent the Department seeks to move forward with the status conference, ViaPath proposes the status conference be held on March 4, which the majority of the parties to the proceeding have indicated they can attend.

If you have any questions regarding this filing, please contact the undersigned.

Respectfully submitted,

/s/ Angela F. Collins

Chérie R. Kiser
Angela F. Collins

Counsel to Global Tel*Link Corporation
d/b/a ViaPath Technologies

cc: Service List for D.T.C. 11-16 (via electronic mail)

Commission] uses today and will use going forward the term 'incarcerated people's communications services' or 'IPCS' to refer to these broader service offerings.”).

² According to filings with the Federal Communications Commission, NCIC Inmate Communications serves Massachusetts correctional institutions, which also is reflected on the NCIC website. There may be others.