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*ADMITTED IN DC ONLY

April 29, 2014

Via Electronic Mail and U.S. Mail

Catrice C. Williams
Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 820
Boston, Massachusetts 02118

**Re: D.T.C. 11-16, Petition of Recipients of Collect Calls from Prisoners at
Correctional Institutions in Massachusetts**

Dear Secretary Williams:

Global Tel*Link Corporation ("GTL"), by its attorneys, hereby respectfully submits its Responses and Objections to Petitioners' First Set of Requests for Production of Documents (and documents labeled GTL 001-0068). Three (3) copies of this submission have been mailed to the Hearing Officer, and one copy has been mailed to each Department staff member listed on the service list per the Procedural Order issued February 27, 2014.

If you have any questions concerning this matter, please contact the undersigned.

Respectfully submitted,


Chérie R. Kiser

Counsel for Global Tel*Link Corporation

Enclosures

cc: Service List

**Before 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

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D.T.C. 11-16

**GLOBAL TEL*LINK CORPORATION’S RESPONSES AND OBJECTIONS TO
PETITIONERS’ FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

Global Tel*Link Corporation (“GTL”), by and through its attorneys, hereby provides the following Responses and Objections to Petitioners’ First Set of Requests for Production of Documents (“Requests”), which counsel for GTL received via electronic mail from Prisoners’ Legal Services on March 10, 2014.

GENERAL OBJECTIONS

1. GTL objects to the Requests to the extent they seek information that is not relevant to the subject matter of this proceeding and are not reasonably calculated to lead to the discovery of admissible evidence. In its September 23, 2013 *Interlocutory Order*, the Department of Telecommunications and Cable (the “DTC”) limited the scope of this proceeding to “the per-call surcharge assessed by ICS [inmate calling service] providers; the tariffed service and other fees assessed by ICS providers; the telephone service quality provided by Respondents, including the frequency of dropped calls and line noise; and Respondents’ billing practices.”¹ The DTC specifically excluded from this proceeding issues relating to the usage rate component of the ICS rate-setting mechanism, the frequency and content of recorded warning messages, and

¹ 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 1-2 (“*Interlocutory Order*”).

the availability and upkeep of telecommunications equipment at correctional facilities. *Interlocutory Order* at 2. Therefore, any Request related to the excluded issues or outside the limited scope of this proceeding is improper.

In the *Interlocutory Order*, the DTC acknowledged the “unique additional costs associated with” inmate calling services, which are above and beyond the traditional cost recovery addressed by usage rates. *Interlocutory Order* at 19. A similar acknowledgement in 1998 led the DTC’s predecessor to adopt a per-call surcharge of \$3.00 per call.² The DTC explained that “the rate-setting mechanism adopted for ICS in the *1998 Order* is an incentive regulatory scheme. ‘Any definition of reasonable compensation under an incentive regulatory scheme 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.” *Interlocutory Order* at 23-24 (citation omitted). According to the DTC, “[w]hether an ICS provider treats those extra earnings as profit, or 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.” *Interlocutory Order* at 24.

² 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 10 (Apr. 17, 1998) (“*1998 Order*”).

In setting the surcharge, the DTC's predecessor looked to rates charged by companies in 33 states and held that it could "reasonably rely on the costs of these carriers as a proxy for the costs of inmate callings services providers in Massachusetts." *1998 Order* at 10 (finding that using rate caps "provides an administratively efficient way for the Department to ensure that these rates remain reasonable"). The DTC's use of other states as a proxy was an efficient method for the agency to determine the surcharge and was based on an implicit holding that it was unnecessary for ICS providers in Massachusetts to submit detailed ICS cost analyses in order for the DTC to set a reasonable per-call surcharge. *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"). GTL therefore objects to the Requests to the extent they request information on costs that are covered by the surcharge because the DTC has 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.

GTL also objects to all Requests relating to the amount or reasonableness of commissions as the DTC has no jurisdiction over such commissions, which are set by the Massachusetts Department of Corrections, and therefore are outside the scope of this proceeding. *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). GTL also objects to all Requests relating to the provision of interstate inmate calling services because such services are not within the jurisdiction of the DTC. *See G.L. c. 159, § 12; see also D.T.E. 03-60, 04-73, Consolidated Order Dismissing Triennial Review Order Investigation and Vacating Suspension of Tariff M.D.T.E. No. 17* (Dec. 15, 2004) (“Under Massachusetts law, the Department has the power of ‘general supervision and regulation of, and jurisdiction and control’ over the ‘transmission of intelligence within the commonwealth by electricity, by means of telephone lines or telegraph lines or any other method or system of communication.’ This jurisdiction extends to services ‘when furnished or rendered for public use within the commonwealth’ by ‘common carriers.’ The Department exercises jurisdiction over such intrastate telecommunications services, *i.e.*, furnished within the commonwealth, to the full extent not preempted by federal law.”).

In short, most of Petitioners’ Requests have little relation to the issues in this proceeding and are just impermissible fishing expeditions. *See, e.g., Alphas Co., Inc. v. Kilduff*, 888 N.E.2d 1003, 1012 (Mass Ct. App. 2008) (affirming summary judgment and noting that “[p]arties may not ‘fish’ for evidence on which to base their complaint in hopes of somehow finding something

helpful to their case in the course of the discovery procedure”) (internal quotation marks omitted).

2. GTL objects to the Requests to the extent they seek to impose a burden beyond that permitted by 220 CMR 1.00, the *Procedural Order* issued on February 27, 2014 in this proceeding (“*Procedural Order*”) or other applicable law or regulation. GTL also objects to Petitioners’ attempt to incorporate Superior Court Standing Order 1-09 in its Definitions and Instructions to the extent it conflicts with, or attempts to expand or modify, the obligations and procedures set forth in 220 CMR 1.00 or the *Procedural Order*.

3. GTL objects to the Requests on the grounds that they are vague, ambiguous, overbroad, unduly burdensome or similarly inappropriate.

4. GTL objects to Petitioners attempt to incorporate by reference the Definitions set forth in Petitioners’ First Set of Interrogatories as those definitions are vague, ambiguous, overbroad, unduly burdensome or similarly inappropriate.

5. GTL objects to the definition of “GTL” and “you” and “your” set forth in Petitioners’ First Set of Interrogatories 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.

6. GTL objects to the definition of “consumer” set forth in Petitioners’ First Set of Interrogatories 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 GTL.

7. GTL objects to the definition of “calendar year” set forth in Petitioners’ First Set of Interrogatories 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.

8. GTL objects to the Requests that do not contain a time limitation, and shall respond to all Requests for the time period January 1, 2011 to March 10, 2014.

9. GTL objects to the Requests to the extent they call for documents containing confidential information, including, but not limited to, proprietary, trade secret and/or commercially sensitive information, and objects to the production of any documents containing confidential information.

10. GTL objects to the Requests to the extent the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the proceeding, the amount in controversy, the parties’ resources, the importance of the issue or issues to which the Requests are directed and the importance of discovery in resolving such issue or issues.

11. GTL objects to the Requests to the extent that they seek production of documents that are not within GTL’s possession, custody or control.

12. GTL objects to the Requests on the ground that they seek the production of documents that are publicly available.

13. GTL objects to the Requests to the extent that they seek documents and information protected from disclosure by 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 Requests seek such privileged or protected information, GTL hereby claims such privilege(s) and invokes such protection(s). Any documents or information disclosed in response

to the Requests 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 GTL upon demand and/or upon discovery of the inadvertent production.

14. In responding to these Requests, GTL does not waive or intend to waive but rather intends to preserve and is preserving:

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

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

16. 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 Requests.

17. GTL objects to the Requests to the extent that they require that documents be produced according to the numbered Request or Interrogatory to which each responds and shall

produce documents either in response to a Request or Interrogatory or as kept in the ordinary course of business.

18. In addition to the general objections set forth above, GTL will also state specific objections to the Requests where appropriate, including objections that are not generally applicable to each of the Requests. By setting forth such specific objections, GTL does not intend to limit or restrict the General Objections set forth above. To the extent that GTL responds to specific Requests, GTL is not waiving its stated objections by providing information. GTL's General Objections are incorporated in full into the specific responses set forth below.

OFFER TO CONFER

Counsel for GTL offers to confer in good faith with counsel for Petitioners regarding the responses to Petitioners' Requests.

SPECIFIC OBJECTIONS AND RESPONSES

DOCUMENT REQUEST No. 1:

Any and all documents identified in Petitioners' First Set of Interrogatories.

GTL Response to Document Request No. 1:

GTL repeats and restates the General Objections to this Request, and specifically General Objections #1, #3, #9, #10, #11, and #12. GTL further objects to this Request on the grounds that this Request is vague, ambiguous, overly broad and unduly burdensome, and that this Request seeks information that is confidential, is not reasonably calculated to lead to the discovery of admissible evidence, and is publicly available. GTL further objects to this Request on the grounds that this Request seeks information not relevant to the subject matter of this proceeding. GTL objects to producing copies of the contracts identified in GTL Response to Interrogatory No. 1 because the contracts are not relevant to an inquiry "into the per-call surcharge assessed by ICS providers; the tariffed service and other fees assessed by ICS providers; the telephone service quality provided by ICS providers; and the billing practices of ICS providers." *Interlocutory Order* at 2; *see also* General Objection #1 above. The contracts identified in GTL Response to Interrogatory No. 1 contain no information pertaining to the four areas of inquiry identified in the *Interlocutory Order*.

Without waiving the above General Objections, its Specific Objections to this request, and the General and Specific Objections identified in GTL's response to Petitioners' Interrogatories, GTL will produce the documents, if any, it listed in its Responses and Objections to Petitioners' First Set of Interrogatories dated April 29, 2014, except where such documents are not relevant to the subject matter of this proceeding, are publicly available, or are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

Specifically, GTL provides the following documents:

- 1) Global Tel*Link Corporation Massachusetts D.T.C. Tariff No. 2 (labeled as GTL 001-0033)
- 2) DSI-ITI, LLC Massachusetts Tariff No. 1 (labeled as GTL 0034-0068)

Person who will support GTL Response to Document Request No. 1:

John Canny, Account Manager, Global Tel*Link Corporation

DOCUMENT REQUEST No. 2:

To the extent that any formal documentation was created in connection to the complaints listed in Interrogatory 16 please provide a copy of that documentation.

GTL Response to Document Request No. 2:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #10, and #11. GTL further objects to this Request because the term “formal documentation” is vague and ambiguous and because the Request seeks confidential information and improperly assumes that GTL received “complaints listed in Interrogatory 16.” GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable. Without waiving its General Objections or its Specific Objections to this Request and the General and Specific Objections identified in GTL’s response to Petitioners’ Interrogatories, GTL responds that it will produce such documents if any are located, except where such documents are publicly available, are beyond the scope of this proceeding, or are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 3:

Any and all documents that define your current corporate and security quality goals.

GTL Response to Document Request No. 3:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the terms “define” and “current corporate and security quality goals” are vague and ambiguous, and the Request is overbroad and unduly burdensome, is not reasonably calculated to lead to the discovery of admissible evidence, seeks documents that are confidential and not relevant to the subject matter of this proceeding. Documents regarding GTL’s “corporate and security quality goals” are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 4:

Any and all documents concerning policies regarding the provision of inmate calling services including issues such as quality, security, network outages, pricing, and dropped calls.

GTL Response to Document Request No. 4:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because it overly broad and unduly burdensome, seeks documents that are confidential and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request on the grounds that it seeks information that is not relevant to the subject matter of this proceeding. Documents concerning security and network outages are beyond the scope of this proceeding as “the availability and upkeep of telecommunications equipment at correctional facilities” specifically was excluded from inquiry by the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable. Without waiving its General Objections or its Specific Objections to this Request and the General and Specific Objections identified in GTL’s response to Petitioners’ Interrogatories, GTL responds that it will produce documents concerning policies regarding quality of ICS telephone service provided by GTL including dropped calls, if any are located, except where such documents are publicly available, are beyond the scope of this proceeding, or are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 5:

Any and all documents concerning the amount of revenues and expenses incurred in relation to each year of each contract identified in response to Interrogatory No. 1. Such documentation would include financial statements, budget performance reports, management report, and any documentation in relation to the payment of site commissions.

GTL Response to Document Request No. 5:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #1. GTL further objects to this Request on the grounds that this Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “financial statements, budget performance reports, management report[s], and any documentation in relation to the payment of site commissions” are not relevant to “the per-call surcharge assessed by ICS providers” or the other three areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 6:

Any document listing or describing the costs associated with providing ICS to Massachusetts consumers.

GTL Response to Document Request No. 6:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, #11, and #12. GTL further objects to this Request on the grounds that this Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 7:

Any document (a) identifying or describing fees charged by your company to consumers of inmate calling services in Massachusetts for establishing, using, maintaining or closing a pre-paid account, (b) listing amounts collected for any such fee or (c) referencing the disposition of such fees once they have been collected.

GTL Response to Document Request No. 7:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, #11, and #12. GTL further objects to this Request on the grounds that this Request is vague, ambiguous, overly broad and unduly burdensome, that is confidential and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request on the grounds it seeks information not relevant to the subject matter of this proceeding. Documents relating to amounts collected for fees and the disposition of such fees once they have been collected are not relevant to “the per-call surcharge assessed by ICS providers” or the other three areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable. GTL further objects to this Request on the grounds that it seeks information that is publicly available in GTL’s Massachusetts tariffs (Global Tel*Link Corporation Massachusetts D.T.C. Tariff No. 2 and DSI-ITI, LLC Massachusetts Tariff No. 1), on GTL’s website, in the GTL procedures and information booklets posted on the Massachusetts Department of Corrections website, via the links and information found in Massachusetts Department of Corrections Friends and Family Handbook, on the Plymouth County Sheriff’s Department and Correctional Facility website, and on the Norfolk County Sheriff’s Office website.

DOCUMENT REQUEST No. 8:

Any and all documents prepared for upper management or a member or members of the Board of Directors that discusses directly or indirectly the performance of your provision of inmate services in Massachusetts. Please include any and all reports that compare such performance with that of your company's provision of inmate services in other states.

GTL Response to Document Request No. 8:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is duplicative, vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents discussing "performance of [GTL's] provision of inmate services in Massachusetts" are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 9:

Any and all documentation that shows the overall profitability of your operations in Massachusetts for 2011, 2012, 2013 and for 2014.

GTL Response to Document Request No. 9:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding GTL's "overall profitability of [GTL's] operations in Massachusetts" are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 10:

Any and all documentation comparing the total amounts of commissions that were paid in Massachusetts in 2011, 2012, 2013 and in 2014.

GTL Response to Document Request No. 10:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “total amounts of commissions that were paid in Massachusetts” are not relevant to “the per-call surcharge assessed by ICS providers” or the other three areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 11:

Any and all documents, reports or analyses that track quality performance by facility, region or state that would cover Massachusetts for the years 2011, 2012, 2013, and 2014. These documents might track things like trouble reports, quantities of dropped calls, network outages, and other related quality assurance issues you might measure or track.

GTL Response to Document Request No. 11:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the terms “track,” “measure,” “quality performance,” “trouble reports,” and “other related quality assurance issues” are vague and ambiguous and the Request is overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 12:

If you pay sales commissions or other incentives to employees based upon getting new jails and prisons as customers or for renewing and extending existing contracts, please provide any and all documents concerning performance goals and standards that are used to define how sales commissions are earned.

GTL Response to Document Request No. 12:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “sales commissions or other incentives to employees” or “performance goals and standards that are used to define how sales commissions are earned” are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 13:

Any and all documents including cost studies, budget analysis or management reports that calculate your cost of and/or revenue derived from providing calling services in Massachusetts from 2011 to the present.

GTL Response to Document Request No. 13:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 14:

Any and all documents including cost studies, budget analysis or management reports relating to the years 2011 to the present that concern segregating your costs in Massachusetts between the call set up function that is recovered by the surcharge and the costs that are recovered by any per minute or other charges.

GTL Response to Document Request No. 14:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 15:

Any and all documents including reports that show completed and billed minutes by facility that would cover Massachusetts for the fiscal years of 2011, 2012, 2013 and 2014.

GTL Response to Document Request No. 15:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is confidential and not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “completed and billed minutes” are not relevant to “the per-call surcharge assessed by ICS providers” or the other three areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 16:

A copy of your most recent tariff filing with the Massachusetts DTC. If this is available online please provide the web address instead.

GTL Response to Document Request No. 16:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #10, #11, and #12. Without waiving its General Objections or its Specific Objections to this Request and the General and Specific Objections identified in GTL's response to Petitioners' Interrogatories, see GTL's Response to Document Request No. 1.

Person who will support GTL Response to Document Request No. 16:

John Canny, Account Manager, Global Tel*Link Corporation

DOCUMENT REQUEST No. 17:

Any and all documented communications with Massachusetts governmental agencies and/or private contractors that manage or supervise prison facilities in Massachusetts concerning the provision of inmate calling services in the Massachusetts facilities listed in response to No.1.

GTL Response to Document Request No. 17:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is publicly available or not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documented communications with Massachusetts governmental agencies and/or private contractors that manage or supervise prison facilities in Massachusetts are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 18:

Any and all documented communications concerning your lobbying activities or other governmental advocacy work related to your provision of inmate calling services for the years 2011, 2012, 2013 and 2014.

GTL Response to Document Request No. 18:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is publicly available or not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “lobbying activities or other governmental advocacy work” are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 19:

Any and all documents including contracts and addendums concerning agreements with entities that conduct billing services for your inmate calling operations in Massachusetts.

GTL Response to Document Request No. 19:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, and #11. GTL further objects to this Request because the term “conduct billing services” is vague and ambiguous and the Request is overly broad and unduly burdensome and seeks information that is confidential or not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents “with entities that conduct billing services” are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable.

DOCUMENT REQUEST No. 20:

Your promotional and marketing materials concerning any and all aspects of your provision of inmate calling services from 2011 to the present.

GTL Response to Document Request No. 20:

GTL repeats and restates its General Objections to this Request, and specifically General Objections #1, #3, #9, #10, #11, and #12. GTL further objects to this Request because the Request is vague, ambiguous, overly broad and unduly burdensome, seeks information that is publicly available or not relevant to the subject matter of this proceeding, and is not reasonably calculated to lead to the discovery of admissible evidence. Documents regarding “promotional and marketing materials” are not relevant to the four areas of inquiry identified in the *Interlocutory Order*. GTL further objects to this Request to the extent that it seeks production of documents that are protected from disclosure by the attorney-client privilege, attorney work-product doctrine or any other applicable privilege, protection or immunity that makes such information non-discoverable. GTL further objects to this Request on the grounds that it seeks information that is publicly available on GTL’s website, in the GTL procedures and information booklets posted on the Massachusetts Department of Corrections website, via the links and information found in Massachusetts Department of Corrections Friends and Family Handbook, on the Plymouth County Sheriff’s Department and Correctional Facility website, and on the Norfolk County Sheriff’s Office website.

CERTIFICATE OF SERVICE

I, Angela F. Collins, certify on this 29th day of April, 2014, that I served a copy of
Global Tel*Link Corporation's Responses and Objections to Petitioners' First Set of Requests
for Production of Documents on the following via the method indicated:

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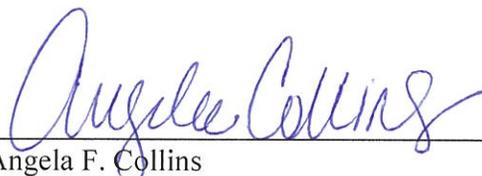
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Angela F. Collins