COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

No. D.T.C. 11-16

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

REPLY IN SUPPORT OF PETITIONERS' MOTION TO COMPEL GLOBAL TEL*LINK AND SECURUS

I. Petitioners Motion is Procedurally Proper and Legally Compliant

A. Certification of Discovery Conferences

GTL and Securus place form over substance in claiming that Petitioners' Motion to Compel is procedurally improper.[1] Counsel for Petitioners in no way ignored the *Procedural Order's* requirement to certify that discovery conferences were held with opposing counsel. In the Petitioners' signed briefs attached to their Motions to Compel Securus, ICSolutions, and GTL, Petitioners clearly state that discovery conferences were held and provide the dates that each of the conferences were held.[2] Although it is true that Petitioners did not state the specific time of day those discovery conferences were held, this cannot be construed as a failure to comply with the *Procedural Order*. Nevertheless, in an effort to make abundantly clear that Petitioners are, in no way, circumventing the *Procedural Order*, a separate certification including the dates and times of each of those conferences is attached.

[1] *See* GTL Opposition to Petitioners' Motion to Compel ("GTL Br.") at 2 and Securus Opposition to Petitioners' Motion to Compel ("Securus Br.") at 3.
[2] *See* Petitioners' Motion to Compel GTL and Securus at 9; *See also* Petitioners' Proposed Motion to Compel Inmate Calling Solutions Responses to Petitioners' Interrogatories and Request for Production of Documents at 2.

B. Discovery Responses

GTL and Securus are again mistaken that Petitioners are somehow in violation of the *Procedural Order* due to the mere fact that Petitioners did not recite word for word each and every answer to Petitioners' Information Requests provided by Respondents.[3] The Procedural Rule does not require Petitioners to recite the complete text of the response. The rule states in relevant part, "With respect to each request for proprietary treatment or other information/record request at issue, the brief shall set forth separately and in the following order: (1) the *text* of the request; (2) the opponent's response; and (3) a specific legal and factual argument."[4]

If the Department had intended to require the parties to recite the response to each information request word for word, the rule would state "text of opponent's response" as it does for the "text of the request." However, this is clearly not the case. Recognizing that the parties' information requests and responses were filed with the Department (which is not usually the case in civil litigation), and recognizing tenets of judicial economy, Petitioners provided a reasonable summary of the Respondents' responses. Moreover, to list each lengthy response in its totality would have been unreasonable, unduly burdensome, and wasteful, as demonstrated by Respondent GTL in reproducing its response to Petitioners' Information Request #13. This response alone consists of 5 single spaced pages.

[3] Respondents cite an inapt case to support this conclusion. *See* GTL Br. at 9 and Securus Br. at **5, N.** 14, citing *Howard ex rel Atena Design Systems, Inc. v. Brynwood Partners II, L.P.,* No. 952078,1996 WL 1186931 (Mass Super. (1996) * 1**.** The court's decision in *Howard* was based on the fact that the Plaintiff did not specify any of the answers he wished the court to compel, did not specify the deficiency of each answer, and did not provide an argument as to why the answers were insufficient. *See* Id. at *1. This is not at all comparable to Petitioners' detailed and lengthy Motion to Compel. Furthermore, the Plaintiff's Motion to Compel in *Howard* was not denied due to the Plaintiff's failure to recite the opponent's exact response.

[4] *Procedural Order* at II.D.3(emphasis supplied).

II. GTL and Securus Ignore the Broad Discovery Permitted Under the Department's Rules and Massachusetts Law.

GTL and Securus object to providing information not directly included in the ordering clause of the Hearing Officer's Interlocutory Ruling, both in their general argument[5] and in their specific responses to interrogatories 1-8, 10-13, 15, 16, and 19-25, and document requests 1-11, 13-15, 17, 19, and 20. This extremely cramped notion of relevance flies in the face of the Department's rules and Massachusetts law. The Department's procedural rules make clear that the purpose of discovery is to facilitate the hearing process to allow the parties and the Department to gain access to all relevant information in an efficient and timely manner. Discovery is intended to reduce hearing time, narrow the scope of the issues, protect the rights of the parties, and ensure that a complete and accurate record is compiled.[6]

The Department's procedural rules further state that the presiding officer shall be guided by the principles and procedures underlying the Massachusetts Rules of Civil Procedure, Rule 26 *et. Seq.*[7] Massachusetts law provides for broad discovery, including "any matter that bears on, or that reasonably could lead to other matter that could bear on, any issue that is or may be in the case. …Discovery is not limited to issues raised by the pleadings, for discovery itself is designed to help define and clarify the issues. Nor is discovery limited to the merits of a case, for a variety of fact-oriented issues may arise during litigation that are not related to the merits."[8] Further, "Discovery should ordinarily be allowed under the concept of relevance unless it is clear that the information sought can have no possible bearing upon the subject matter of the action."[9]

---

[5] *See* Securus Opposition to Motion to Compel Br. at 7. GTL Opposition to Motion to Compel Br. at 10.
[6] 220 CMR 1.06(c)(1).
[7] 220 CMR 1.06(c)(2).
[8] *G & F Industries, Inc. v. Jeffco, Inc.,* No. 04-0581A, 20 Mass. L. Rptr. 479, 2006 WL 306893 (Mass.Super. 2006) at * 1citing *Cronin v. Strayer*, 392 Mass. 525, 534, 467 N.E.2d 143 (1984), *quoting Oppenheimter Fund, Inc. v. Sanders*, 437 U.S. 340, *(*1978).
[9] *Meyer v. King,* 1995 WL 1312543 (Mass. Super. 1995) at *2, *quoting Miller v. Doctor's Gen. Hosp.,* 76 F.R.D. 136, 138 (D.Okla.1977).

Under these broad discovery rules, the relevance objections made by GTL and Securus to virtually all of Petitioner's interrogatories and document requests are without justification and must be disregarded.

III. Costs, Revenues, Call Volume and Other Data Related to Profitability Is Discoverable and Indispensable to the Department's Investigation.

The Petitioners directly seek information on ICS rates and fees charged, overall revenues, expenses, and profitability in interrogatories 1, 2, 4, 5, 6, 7, 10, 11, 13, 14, 21, 22, 24 and document requests 1, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14. Information bearing on costs and revenues is sought in Interrogatories 3, 8, 9, 18 and 25 and document requests 3 and 15.[10] The argument below supplements previous discussion of all of these requests.

A. Both Rate of Return and Incentive-Based Ratesetting Require Consideration of Costs.

Contrary to the assertions of Securus and GTL, the Petitioners do not insist on "rate of return" regulation. The Petitioners insist that whatever methodology is employed, the investigation of the surcharge must include consideration of costs and revenues if it is to yield a

[10] Interrogatory 3 and document request 15 seek information on call volume, which is an obvious factor affecting revenues and profitability. Furthermore, data on the number and duration of calls will clarify the effect of the surcharge on consumers and the price-sensitivity of ICS consumption. Respondents already track this information as evidenced by the bills that Petitioners have submitted in response to GTL's Information Requests and by the call volume data included in some of the RFR's that Petitioner obtained through public information requests and have previously produced.

Interrogatories 8, 9, 18 and 25 request information regarding equipment u Furthermore, if the Department were to determine, based on the information presented, that the current surcharge is not just and reasonable or altogether unnecessary, that determination will arguably have bearing on the reasonableness of the tariffed service and other fees under investigation as well. sed, the use of live operators, system upgrades, and the service and replacement of telephones, which are all clearly cost factors. Document request 3 seeks corporate and security quality goals. Corporate goals may include goals related to costs, pricing and profitability. Security goals may reflect decisions regarding investment in security systems, clearly a cost factor. Both corporate and security goals are likely to indicate how ICS providers are incentivized by the current regulatory regime and suggest how future regulation would affect the providers' investments and pricing.

Information on costs and revenues are relevant to the Department's investigation of tariffed service and other fees, as well as its investigation of the per-call surcharge. Whether these fees are just and reasonable of necessity depends on the overall costs incurred and revenues received by ICS providers.

just and reasonable rate.[11] "It is a well-established principle that just and reasonable ratemaking involves balancing the consumer interest and the interest of the utility investor in a fair return."[12]

Rate of return regulation is employed in monopoly industries to set rates "no higher than necessary to obtain 'sufficient revenue to cover their costs and achieve a fair return on equity,'" while price cap regulation sets a price ceiling and provides an incentive for cost reduction by allowing firms to reap the benefits. [13] But this formulation "somewhat overstates the differences," since, in rate of return regulation, the time lag between resetting periods permits firms to benefit from cost savings while, inversely, with an incentive rate cap "ultimately the [regulator] must check to see whether the cap has gotten out of line with reality."[14] In an incentive cap system, just as in a rate of return system, the initial rate cap must be just and reasonable, and over time the regulator must ensure it has not "gotten out of line."

Accordingly, the FCC's move from rate of return to rate cap methodology in its regulation of dominant telephone carriers does not, as GTL states, "disfavor[ ] the collection of individual company data."[15] The incentive price cap set by the FCC when it made this shift was based on existing rates that had been determined through rate of return analysis, i.e. based on cost data, with adjustments for future inflation and expected savings.[16] As discussed below in section III: B, the FCC's rulemaking with regard to ICS has relied on cost data.

The Hearing Officer's Interlocutory Ruling anticipates just such an examination: "It is important for the Department to review periodically its rate-setting mechanism to determine if

---

[11] *See* Petitioners' Br. at 8 ("Current ICS costs and revenue are indispensable to the Department's investigation, regardless of the rate-setting methodology it chooses.").
[12] *Id*. at 24-25, citing *Federal Power Comm'n v. Hope Natural Gas*, 320 U.S. 591, 603 (1944) and other cases.
[13] *National Rural Telecom Ass'n v. FCC*, 988 F.2d 174, 177-78 (D.C. Cir. 1993).
[14] *Id*. at 178.
[15] GTL Br. at 15. While GTL references the FCC's move from rate of return to rate cap regulation of dominant telephone carriers, the FCC has not signaled such an approach in its ongoing rulemaking regarding ICS.
[16] *National Rural Telecom Ass'n*, 988 F.2d 174, 178.

rates continue to be just and reasonable for both the service provider and the consumer."[17] As noted in the Petitioners' principal brief, the Department has expressed a preference for basing telephone rate caps on cost data, but it has used a proxy where such data was not available and where the proxy was found to be just and reasonable.[18] Thus in 1998, lacking cost data, the Department of Public Utilities determined that ICS companies' use of a $3.00 surcharge in 33 states was a reasonable proxy for costs in Massachusetts.[19] It is not clear that in 1998 this proxy adequately reflected costs, since the prevalence of the $3.00 surcharge in other states resulted from the practices of a monopolistic inmate calling service (ICS) industry rather than any scrutiny of actual costs.

Regardless, it is clear that today no such proxy is available.[20] GTL suggests that the Department could use as a proxy for costs "prevailing current rates for dominant [ICS[21]] carriers in other jurisdictions."[22] This implicit acknowledgement that ICS costs are uniform across jurisdictions is welcome. However, despite the uniformity in costs,[23] rates charged by ICS providers vary widely. As telecommunications expert Coleman Bazelon has attested in the FCC proceeding, "prisons in most states charge significantly more to prisoners to make phone calls

[17] Hearing Officer Interlocutory Ruling, Sept. 23, 2013, at 24.
[18] *See* Pl. Br. at 7 and n. 38, discussing *Petition of Verizon New England, Inc. et al for Investigation under Chapter 159, Sec. 14, of the Intrastate Access Rates of Competitive Local Exchange Carriers*, D.T.C. 07-9, Final Order (June 22, 2009) ("Access Charge Order"); *Re Int'l Telecharge, Inc.*, D.P.U. 87-72, 88-72 97 P.U.R. 4th 349, 354 (Oct. 11, 1988); and *Re Value-Added Communications, Inc.*, D.P.U. 91-19, 126 P.U.R. 4th 209, 217 (1991).
[19] *Investigation by the Dept. 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 BARIERS TO ENTRY AND EXIT, AND OSP RATE CAP*, D.P.U./D.T.E. 97-88/97-18 (Phase II) (April 17, 1998) ("1998 order") at 9-10.
[20] *See* Petitioners Memorandum in Opposition to Dismissal at 7-8, noting that while the record in 1998 showed that providers in 33 states imposed a $3.00 surcharge, this is no longer the case, and that Massachusetts rates and surcharges run counter to the national trend of reducing rates.
[21] While GTL refers to rates for "dominant carriers," this appears to refer to dominant ICS carriers since GTL suggests that this be a proxy for assessing the ICS surcharge.
[22] GTL's Opposition to Petitioners' Motion to Compel ("GTL Opp.") at 17.
[23] *See* Amended Affidavit of Douglas A. Dawson ¶ 20.

than the underlying costs of those calls."[24] While in many cases site commissions account for inflated rates, Bazelon's data shows that even when commissions are deducted rates vary tremendously.[25] The 2013 FCC Order regarding ICS declares, "Evidence in our record demonstrates that inmate phone rates today vary widely, and in many cases greatly exceed the reasonable costs of providing the service."[26] The FCC examined the rates of states that have eliminated commissions in setting its interim rates, but noted the difference in rates even there, and concluded, "Given that evidence in the record does not suggest a dramatic difference in costs among states…the states with higher rates are likely to include non-ICS costs" other than commissions.[27] While the FCC used existing rates as the basis for its calculation of interim rate caps "in the interest of being conservative,"[28] its Order anticipates final ratesetting based on cost data.[29]

Thus existing rates are not a reasonable proxy for ICS-related costs, even if the rates were adjusted by backing out site commissions to provide a better approximation. Whether seeking to conduct rate of return regulation or establishing a rate cap for purposes of incentive regulation, the Department will need cost and revenue data to complete its investigation into the surcharge.

B. Cost Data Has Been Central to Other ICS Ratesetting Proceedings.

1. The Federal Communications Commission

The FCC's interim rate caps rely not only on existing rates without site commissions, as discussed above, but also on the limited cost data available, including a 2008 ICS Provider Data

[24] *See* Declaration of Coleman Bazelon ("Bazelon Declaration") ¶ 42, attached as Appendix A to the Second Affidavit of Douglas A. Dawson, Petitioners' Appeal Ex. 2..
[25] Bazelon Declaration 16,Table 1, and p. 21, table 2 (21),
[26] *In re the Matter of Rates for Interstate Inmate Calling Services*, Federal Communications Commission No. 12-375, Report and Order and Further Notice of Proposed Rulemaking, August 9, 2013 ("FCC Order") (attached as Exh. 1 to Petitioners' Appeal), ¶ 3.
[27] Id., ¶ 63 n. 235.
[28] *Id*. *See also id*., at ¶71 n. 266. As discussed below, this analysis remains valid despite the stay of some provisions of the FCC Order.
[29] *Id*. at ¶ 125.

Submission and a recent cost study submitted by Pay Tel.[30] It's mandatory data collection provisions for further rulemaking are designed to "ensure that rates, charges and ancillary charges are cost-based."[31]

GTL and Securus attempt to make much of the Court of Appeals' stay of three provisions of the FCC's Order,[32] despite its provisional nature. However, the Court of Appeals stayed only the provision stating that rates and ancillary services must be cost based, 47 C.F.R. § 64.6010, along with the safe harbor rates of $0.12 and $0.14 per minute, 47 C.F.R. § 64.6020, and the annual reporting requirement, 47 C.F.R. § 64.6060. It did not stay the rate caps of $0.21 and $0.25 per minute, which were set based on conservative cost estimates,[33] nor did it stay the extensive data collection requirements. Indeed, as can be ascertained on the FCC's website,[34] the ICS providers have been providing the required data. Following the stay, the FCC's Wireline Competition Bureau sated in a Public Notice that "any interstate ICS rates that are found to exceed the recovery of costs reasonably related to the provision of ICS may be found unjust and unreasonable under section 201 of [the Communications Act of 1934]," whether due to the inclusion of site commissions or other reasons.[35]

2. The New Mexico Public Regulation Commission

ICS rate caps established by the New Mexico Public Regulation Commission (PRC) in November, 2012[36] were based directly on cost data. This rulemaking followed an adjudicatory proceeding before the PRC in which arguments such as those made by Securus and GTL in this

[30] *Id*. at ¶ 75.
[31] *Id*. at ¶ 124.
[32] *See Securus Technologies Inc. v. FCC*, No. 13-1280 Slip Op. (D.C. Cir. Jan. 13 2014), attached as Ex. 1
[33] FCC Order ¶ 74.
[34] http://apps.fcc.gov/ecfs/
[35] *See* Public Notice, WC Docket No. 12-374, August 20, 2014, attached as Exh. 2, at 2 and n. 12.
[36] *See* Ex. 3, Petition to Commence Rulemaking Proceeding for Institutional Operator Service Providers, New Mexico Public Regulations Commission, No. 10-00198-UT, Final Order and Final Rule (November 8, 2012), attached as Ex. 3.

case were rejected. Securus' subsidiaries Evercom and T-Netix (referred to as "E & T") provided "detailed cost information on a facility-by-facility basis for each of their facilities in New Mexico,"[37] and the Hearing Examiner determined that ICS providers in New Mexico should have an opportunity to earn a ten percent return on equity.[38] The Commission adopted rate of return as "the appropriate rate-making methodology to employ," [39] but remanded to the Hearing Examiner for consideration of the percentage return E & T should be permitted.[40] On remand, E & T argued that rate of return ratesetting should not apply to ICS,[41] but was soundly rebuked by the Hearing Examiner, who noted that this methodology is traditional in New Mexico and elsewhere and still applies to smaller telecommunication companies, as well as observing that E & T had previously argued in favor of rate of return.[42]

3. The Alabama Public Service Commission

Most recently, the Alabama Public Service Commission recently set interim ICS rates based on the FCC's interim rates.[43] The Commission stated its intention to "analyze costs supporting future intrastate ICS rates, provider ancillary charges, and confinement facility cost reimbursement," establishing a working group to develop cost study procedures."[44] "Rates and

[37] *See* Ex. 2 to Memorandum of Petitioners Opposing dismissal, *In the Matter of a Commission Inquiry into the Rates and Charges of Institutional Operator Service Providers*, *RECOMMNENDED DECISION OF THE HEARING EXAMINER* ("New Mexico Rate Inquiry") New Mexico Public Regulation Commission No. 07-00316-UT, November 4, 2010, at 67, *adopted by the Commission in ORDER REMANDING CASE ON THE ISSUE OF RATE-0F-RETURN*, December 22, 2010, at p.71.
[38] *Id*. at 85.
[39] *See* New Mexico Rate Inquiry, *ORDER REMANDING CASE ON THE ISSUE OF RATE-0F-RETURN*, December 22, 2010, attached as Ex. 4, at 4
[40] *Id*. at 9.
[41] *See* Ex. 5, New Mexico Rate Inquiry, *AMENDED RECOMMENDED DECISION OF THE HEARING EXAMINER ON REMAND*, March 18, 2-11, at 5.
[42] *Id*. at 7-9.
[43] *See* Ex. 6, *Generic Proceeding Considering the Promulgation of Telephone Rules Governing Inmate Phone Service*, Alabama Public Service Commission No. 15957, FURTHER ORDER ADOPTING REVISED INMATE PHONE SERVICE RULES, July 17, 2014, at § 6.23. In order to allow policymakers to address shortfalls resulting from the loss of commissions, the rates are phased in over three years, and rats are set higher for jails (with presumably lower call volume) than prisons. The Further Order also limits ancillary fees, *id*. at § 8.01, and established basic service requirements. *Id*. at §§ 5.09-5.28.
[44] *Id*. at § 14.02.

fees adopted from the cost study analysis shall apply to all providers in Alabama regardless of participation in the study process."[45]

C. Discovery should be provided with regard to all costs, revenues and related call data.

GTL and Securus continue to maintain that discovery should exclude costs related to the per-minute usage rate, which is not under investigation. However, in order to determine what surcharge, if any, is just and reasonable, the Department must determine the amount necessary to cover costs plus a reasonable rate of return, and therefore must know globally what the providers' costs and revenues are. Therefore, while the per-minute charge is not under investigation, the amount of profit generated by the per-minute charge is relevant to the reasonableness of the surcharge. Indeed, expert testimony[46] suggests that costs have declined such that the per-minute fee is sufficient to cover both traditional costs and those unique to ICS provision, including a reasonable rate of return, which would make any surcharge unreasonable.

Furthermore, regardless of which particular costs the Department ultimately chooses to examine, all costs are discoverable under Massachusetts' broad discovery principles, as adopted by the Department. "Discovery is not limited to issues raised by the pleadings, for discovery itself is designed to help define and clarify the issues."[47] "Discovery should ordinarily be allowed under the concept of relevance unless it is clear that the information sought can have no possible bearing upon the subject matter of the action."[48]

By the same token, while the Department does not have jurisdiction over interstate rates, discovery related to call costs and revenue, including that related to interstate calls, is entirely

---

[45] *Id*.
[46] *See* Second Affidavit of Douglas A. Dawson ("Dawson II"), attached as Ex. 2 to Petitioners Appeal, and Bazelon Declaration, attached to Dawson II as Exh. A. ICS is offered in some jurisdictions as cheaply as $0.04 and $0.05, absent commissions. *See* Bazelon p. 16, Table I.
[47] *G & F Industries, Inc.,* 2006 WL 306893 at *1.
[48] *Meyer v. King*, WL 1312543 at * 2.

appropriate. Just and reasonable intrastate rates must take account of providers' costs and profits overall. Indeed, it is not clear that the companies could disaggregate the costs of providing intra- and interstate service, since all calls use many of the same cables, switches, automatic operators, monitoring technology, etc.[49] "Today there is very little capital investment made by prison telephone providers at each prison. All of the brains of the prison calling network are housed now at large centralized locations."[50] Nor is it possible to attribute many of the revenues, such as revenues from ancillary fees, to intra- or interstate service. Complete cost and revenue data will "help define and clarify the issues." Securus and GTL have not shown that this data "can have no possible bearing upon the subject matter of the action."

IV. Information Regarding Site Commissions is Relevant and Discoverable.

The respondents argue that discovery related to the payment of commissions is not relevant because commissions are outside the department's jurisdiction. The Petitioners have previously addressed this by noting that the Department is not asked to regulate commissions but merely to determine that commissions are not a cost that may be passed on to consumers through ICS rates, as the FCC and telecommunications regulators in Alaska and Georgia have done, [51] followed now by Alabama.[52] In any event, dispute over the Department's jurisdiction is no reason to deny discovery, which need not be admissible but merely necessary to help clarify and define the issues.[53]

[49] *See* Amended Affidavit of Douglas A. Dawson ¶¶ 21-24.
[50] *Id*. ¶ 24.
[51] *See* Memorandum of Petitioners Opposing Dismissal at 10-11, 15-17; Petitioners' Motion to Compel Responses of Securus and GTL to Interrogatories And Requests for Production at 9.
[52] *See* Exh. 6 at § § 4.09-12.
[53] *G & F Industries, Inc.,* 2006 WL 306893 **at 1.**

V. The Parties Disagree Over the Designation of Protected Material.

As is evident from the parties' briefing on confidential treatment, they disagree over whether the Department should permit the parties to designate materials as protected on an interim bases, as the Petitioners have requested, or make ultimate determinations now, as Securus and GTL have requested. Securus represents that the Petitioners "have not acceded or even commented on a draft Non-Disclosure Agreement circulated by GTL counsel."[54] However, after receiving GTL's Motion for Confidential Treatment and proposed non-disclosure agreement on April 29, 2014, the Petitioners on May 8, 2014 emailed Securus and GTL with a proposed joint motion requesting that the Department permit the parties to designate materials as confidential while reserving the right to challenge the confidentiality designation in the future, to which GTL did not assent.[55] As is clear from GTL's subsequent filing,[56] it will not agree to an interim designation of confidentiality. Until the Department determines whether it will make interim or permanent designations of protected status, the Petitioners cannot agree to any Non-Disclosure Agreement which requires them to permanently waive their right to challenge the confidentiality of documents designated as protected by the Respondents.

CONCLUSION

For the reasons stated above and in the Memorandum in Support of the Petitioners' Motion to Compel, the Petitioners Motion should be granted and GTL and Securus should be ordered to provide the requested information.

[54] Securus Br. at 15.
[55] *See* Exh. 7, attached.
[56] *See* GTL's Opposition to Motion for Leave to Late File (more properly, Reply in Support of GTL's Motion for Confidential Treatment), May 13, 2014.

Date:

Respectfully submitted:

_____

Bonita Tenneriello, Esq.
Elizabeth Matos, Esq.
James Pingeon, Esq.
10 Winthrop Square, 3rd Floor
Boston, Massachusetts 02110
(617) 482-2773 (telephone)
(617) 451-6383 (facsimile)
btenneriello@plsma.org
ematos@plsma.org
jpingeon@plsma.org