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2600 Maitland Center Pkwy.
Suite 300
Maitland, FL 32751
P.O. Drawer 200
Winter Park, FL
32790-0200
Tel: 407-740-8575
Fax: 407-740-0613
www.tminc.com

Mr. Walter L. Thomas, Jr., Secretary
Alabama Public Service Commission
RSA Building
100 N. Union Street, Suite 850
Montgomery, AL 36104



**Re: Generic Proceeding Considering the Promulgation of Telephone Service Rules
Governing Inmate Phone Service, Docket 15957
Comments of Global Tel*Link Corporation**

Dear Mr. Thomas:

Enclosed for filing are one (1) original and one (1) copy of the Comments of Global Tel*Link Corporation for filing in the above referenced docket.

Please date stamp and return to me the additional copy of this cover letter in the enclosed, self-addressed, stamped envelope that has been provided for this purpose.

Any questions you may have regarding this filing may be directed to me at 407-740-3004 or via email rnorton@tminc.com. Thank you for your assistance.

Sincerely,

Robin Norton,
Consultant to Global Tel*Link Corporation

RN/lm
Enclosures

cc: Dorothy Cukier – Global Tel*Link
file: Global Tel*Link - AL
tms: ALx0801

**BEFORE THE
ALABAMA PUBLIC SERVICE COMMISSION**

GENERIC PROCEEDING CONSIDERING THE)
PROMULGATION OF TELEPHONE RULES) DOCKET 15957
GOVERNING INMATE PHONE SERVICE)

COMMENTS OF GLOBAL TEL*LINK CORPORATION

Global Tel*Link Corporation (“GTL”) hereby submits the following comments in response to the Alabama Public Service Commission’s Order issued June 10, 2008 in this proceeding, concerning Proposed Rule T-15.1 governing Inmate Phone Service (IPS) providers.

GTL is an Inmate Phone Service (“IPS”) provider currently certificated, registered, or otherwise authorized to provide service almost nationwide. GTL holds COCOT and limited toll resale authority in Alabama. GTL’s tariff was withdrawn pursuant to Commission directive by letter dated May 31, 2007.

Establishing inmate call durations of twenty minutes

The Commission’s order states that “staff proposes that an allowance of twenty (20) minutes duration per call be established prior to any systematic intervention by the IPS provider to terminate the inmate call.” GTL recommends that the Commission not adopt any rules regarding minimum (or maximum) call durations.

In a correctional facility environment, use of the phone is considered a privilege. In some cases, withholding or restricting inmate calling privileges is often used as a disciplinary measure to reward or punish particular inmate behavior. In other instances, call duration is structured to accommodate the number of inmates requiring access to phones or the number of personnel, if any, required to monitor phone call activity. As such, call durations vary between and within facilities, and are typically set at fifteen (15) minutes. As a routine matter, call duration is a mandatory term of providing inmate phone service that is set by the facility and presented to IPS providers through an RFP or during contract negotiations. To impose a rule requiring a longer call duration would, in effect, be overriding facility management’s authority. GTL respectfully suggests that this is an action that falls outside the scope of the Commission’s authority.

The language in the order setting forth the required call duration contains the qualifier “prior to any systematic intervention by the IPS provider to terminate the inmate call.” This language would appear to allow for modification of call durations by facility management. Even with this qualifying language, such a rule could result in numerous complaints by inmates and called parties to the correctional facility, to GTL, and to the Commission. If an allegation of a rule violation is made because a call is ended prior to twenty minutes, it will take time and resources to investigate and resolve each circumstance surrounding the shortened call, why it was terminated and who initiated the termination. Interrupted calls are already a source of many complaints in Alabama and all jurisdictions. Calls can be interrupted or disconnected for a variety of reasons including three-way call and call forwarding attempts. The complaints generated as a result of these call interruptions are already time consuming to resolve. Imposing a call duration requirement would in all likelihood lead to additional complaint resolution requirements simply because of the existence of the new rule. To GTL’s knowledge, no other state utility regulatory agency attempts to regulate this aspect of inmate operations, leaving such matters to the discretion of and under the management of correctional facility personnel.

GTL recommends that the Commission NOT establish rules regarding call duration, thereby acknowledging the authority of the correctional facilities to set their own inmate phone use policies, including call duration, in the manner best suited to the circumstances of the particular facility and inmate.

Proposed Rules (A)(2) and (A)(3) regarding certification requirements

The Commission currently requires standard COCOT authority in order to install both public payphones and highly specialized coinless phones for inmates in correctional facilities. In addition, the Commission has granted both long distance resale authority and limited toll resale authority to carriers in order to handle the operator assistance and call completion functions needed for inmate calling services. Under the proposed rules, the Commission would add what appears to be a third authority - IPS authority - which would include its own tariff requirement, and would be an add-on to the current COCOT authority. GTL respectfully suggests that it would be more manageable and efficient from both regulatory and company perspective to require a single authority to provide inmate calling services. This single certification would grant authority to provide both the equipment and resale services that IPS providers need to offer service. A tariff would be filed as part of obtaining that authority, and would include all rates, terms and conditions of service.

Proposed Rule (B)(3) regarding refunds of prepaid account balances

This proposed rule sets forth refund requirements for unused balances in prepaid accounts. GTL's prepaid services are not sold as "packages of minutes." Rather a certain dollar amount is prepaid into an account and call costs are deducted on a real time basis. Therefore the number of minutes varies depending on call frequency and duration.

With respect to refunds, GTL would note that certain prepaid accounts can only be closed upon request of the account holder. Since GTL does not routinely collect or validate address information, the account holder must contact GTL to close the account, provide address information, and request a refund of any remaining balance. GTL therefore recommends that the rule language be clarified so that there can be no misunderstanding regarding the way refunds are to be processed. GTL recommends the rule be worded as follows:

- (B)(3) IPS providers that offer prepaid services must provide adequate notice to the customer that the customer is entitled to a refund for any remaining account balance at the time the account is closed. The IPS provider shall issue such refund within sixty (60) days of request by the customer to close the account and the IPS provider's receipt of correct address information for mailing of the refund.

Proposed Rule (C)(12) regarding random and periodic inspections of inmate phones

This rule would require that phones used by inmates be made available for "random and periodic inspections to assure compliance with Commission requirements." Attempts to enforce such a rule would cause a number of practical and legal problems, and GTL respectfully suggests that such a rule is neither desirable nor necessary.

First, in all but the very smallest of correctional facilities, access to the areas where inmates are located is rigidly controlled. The security concerns and procedures of correctional facilities are paramount in every aspect of the provision of IPS, and deference must be given to the security procedures implemented by those facilities. GTL's own employees must make appointments and be accompanied by facility personnel to gain access to their own phone equipment. Therefore, it is not within GTL's power to grant access to controlled areas by Commission employees as the language in the proposed rule would require. Such access can only be authorized by facility management personnel.

Second, granting access to Commission employees for any reason would be a violation of the terms of many contracts, and would create an unacceptable liability on the part of the facility's governing agency should a Commission employee be injured or endangered. Facilities require GTL and its subcontractors, where applicable, to provide proof of insurance coverage for their personnel that service the facilities, and this coverage is exclusive to GTL and its subcontractors. In addition, many facilities have limited staff, and diverting guards or other personnel from their duties to accompany a staff member into the controlled area to conduct a random inspection could be problematic.

Third, some of the larger facilities require security clearances be obtained by anyone who seeks access to the premises, to the phones, and even to the call data. The Commission may wish to consider whether security clearances for Commission staff constitute an expense to be reasonably undertaken in order to perform the same types of inspections normally performed only on public payphones.

Fourth, inmate phones, unlike public payphones, typically have very high call volumes. Problems with transmission or other service issues are reported by the facility to GTL immediately. Contracts require certain levels of service quality and specify timeframes for repair. In addition, GTL monitors its phones remotely on a 24x7x365 basis. Maintaining inmate phones in good working order is in the interest of both GTL and facility management.

Finally, no other state regulatory agency those whose procedures include random inspections of public payphones, requires application of those rules to inmate phones. In general, test calls are deemed sufficient to evaluate transmission quality and assess compliance with rules.

For these reasons, GTL recommends that proposed rule (C)(12) not be incorporated into the final rules.

Proposed Rule (D)(1) regarding reporting frequency

The Commission currently requires all payphone providers to submit quarterly reports providing phone numbers and other information. Because IPS providers provide service pursuant to multi-year contracts, the data provided does not change every quarter.

Only three other state regulatory agencies require that payphone locations and phone numbers be reported. Of the three, two do not require this information from IPS providers. All three require this information to be submitted annually. Georgia requires that certificated Institutional Telecommunications Service providers submit a list identifying the correctional facilities they serve. That Commission recently reduced the reporting frequency for this report from semi-annual to annual.

GTL respectfully suggests that annual updates on facilities served and their locations would keep the Commission sufficiently apprised of IPS industry activities in Alabama. GTL believes that the current quarterly reporting requirement is unnecessary and burdensome for IPS providers, and recommends that such reporting frequency be changed to annually. In addition, GTL recommends that the IPS provider report form be modified to provide facility-specific information more relevant and useful to the Commission.

Proposed Rate Caps

The proposed rate caps are the same as the rates approved for AT&T's Prison Collect with Controls. GTL assumed all AT&T's IPS contracts in 2005, and AT&T no longer provides inmate calling services. Prior to the 2005 Communications Reform Act, inmate rates in Alabama were capped at levels which were higher than the rates proposed in this rule.

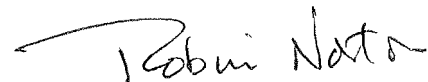
GTL submits that the rates within the State are well-regulated by virtue of the competition that exists for inmate telephone service contracts, and by the need to be responsive to the desires of inmates and their called parties. IPS providers bidding for the award of a facility contract seek to provide the highest quality service possible at the most reasonable rates for the inmates and their called parties. In many instances, the ability to offer the lowest practical rates to the called parties is a factor on which IPS contract bidders are scored. IPS providers also know that charging rates that are out-of-line with the service being provided will generate complaints directly from the IPS account holders paying the bills, so the predominant share of IPS providers adopt rates that are fair and reasonable so that inmates, their called parties, and the facilities with which they contract are satisfied.

It is imperative that if new rate caps are implemented, they are implemented with a sensitivity to existing contracts and obligations that are being exercised pursuant to rates that were factored into meeting the requirements of both the IPS providers and the correctional facilities they serve. The current rates that are being charged pursuant to existing contracts must be grandfathered and allowed to remain in place for the life of the contract to allow both correctional facilities and IPS providers to adjust budgets and plans accordingly. Some contracts require a minimum annual guaranteed level of commissions be paid to the correctional facility by the IPS provider. In those situations, if rates are mandated to be reduced, the minimum annual guaranteed amounts do not change. Some contracts permit the IPS provider to terminate the contract if a government action (such as a mandated rate reduction) renders the provision of service no longer compensatory. In that event, an IPS provider might choose to stop serving

that facility, and the facility would have to either seek a new provider or leave inmates without phone service.

GTL respectfully suggests that the Commission should continue to permit the industry to regulate the rates charged for IPS. In the alternative, and in the absence of compelling evidence of cost reductions, the starting point for rate caps under a new regulatory regime should be the rates currently in place.

Respectfully submitted,

A handwritten signature in black ink that reads "Robin Norton". The signature is fluid and cursive, with a long horizontal stroke extending to the left of the name.

Robin Norton, Consultant
Technologies Management Inc.
on behalf of
Global Tel*Link Corporation

Dated: July 30, 2008

CERTIFICATE OF SERVICE

I, KEITH RICE do hereby certify that on this 30th day of July 2008, I did serve or cause to be served, by first class U.S. mail, postage prepaid, the foregoing "Comments of Global Tel*Link Corporation" on the following individuals:

Curtis L. Hopfinger
Director – Government and Regulatory Affairs
Evercom Systems, Inc. and T-NETIX
Telecommunications Services, Inc.
14651 Dallas Parkway, 6th Floor
Dallas, TX 75254
972-277-0319
chopfinger@securustech.net

David Cotton
President and Chairman
Alliance of Specialized Communications
Providers (Formerly, Southern Public
Communications Association)
2315 Queens Road
Many, LA 71499



Technologies Management Inc. 7-30-08
Date