

December 11, 2013

VIA Hand Delivery and Electronic MAIL

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



Re: In the Matter of ATN, Inc.  
Application for Waiver of Rule T-15.1(B) (4) Related to Inmate Phone Rate Caps;  
Docket No. 15957

Dear Mr. Thomas:

Attached hereto for electronic filing with the Alabama Public Service Commission (the "Commission") is the application of ATN, Inc. ("ATN") for a temporary waiver of Commission Rules T-15.4(B)(4) to allow ATN to offer holiday promotional rates to its inmate customers that would reduce the rates applicable to collect, prepaid, and debit calls, but result in a small increase in the rate for a fifteen-minute local call.

The application requests review of ATN's Application on an expedited basis. The original and one copy of the application will be filed with the Commission on December 11, 2013.

As always, thank you in advance for your courtesies in this matter. Please direct any questions regarding this matter to Ms. Marie Kitson at (912) 580-3781 or Ms. Alex Westberry at (912) 522-2753. My direct contact number is (866) 882-2722, and my regional office is located in Cullman, AL.

Sincerely,

/S/Karen Doss-Harbison  
President  
ATN, Inc.

Enclosure  
cc: Doug Dillard

**BEFORE THE ALABAMA PUBLIC SERVICE COMMISSION**

In the Matter of ATN, Inc.	)	
Application For Waiver of Rules T-15.1(B) (4)	)	Docket No. 15957
Related to Inmate Phone Rate Caps	)	

**ATN, INC. APPLICATION FOR WAIVER**

ATN, Inc. ("ATN") respectfully requests the Alabama Public Service Commission ("Commission") to grant ATN a temporary waiver of Rule T-15.1(B) (4) to allow ATN to offer holiday promotional rates to its inmate customers that would overall reduce the rates applicable to collect and prepaid calls, but result in a small increase in the rate for a 20 minute local call. In support of its waiver request, ATN states as follows:

1. ATN is an inmate phone service provider operating under a certificate issued by the Commission on June 10, 2002.<sup>1</sup> ATN currently holds contracts with Coffee County Jail, Lowndes County Jail, Marengo County Jail and the City of Montgomery Police Department to provide services to inmates in correctional facilities.
2. ATN proposes to offer holiday promotional inmate phone rates which will generally lower the costs of inmate calling and will facilitate communications between inmates and their friends and family during the holiday season.
3. The dates the promotion is intended to run and for which a temporary waiver is requested are from the time of approval through March 31, 2014.

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<sup>1</sup> See, *ATN, INC., Certificate of Public Convenience and Necessity to Provide Customer-Owned Coin-Operated Telephone Service in the State of Alabama*, Order of Approval, issued Docket No. U-4418 on June 10, 2002.

4. The rates ATN is proposing to charge are as follows:

<b>Inmate <u>Collect</u> Calls</b>	<b>Flat Rate Per Minute</b>	<b>Inmate <u>PrePaid</u> <u>Inmate Debit</u> Calls And Inmate <u>Direct</u> <u>Billed</u> Calls</b>	<b>Flat Rate Per Minute</b>
Local	\$0.25	Local	\$0.21
IntraLata	\$0.25	IntraLata	\$0.21
IntraLata/InterState	\$0.25	IntraLata/InterState	\$0.21
InterState	\$0.25	InterState	\$0.21
International	\$0.50	International	\$0.50

ATN absorbs all Collect Call Billing Fees; Paper Bill Fees; Local and State (if applicable) taxes and fees. The Called Party and/or Inmate is also not charged for any Universal Service Fees or any other type of Administrative Fees. ATN only charges approved rates for Calls by Call Types.

5. Rules T-15.1(B)(4) caps inmate phone rates to the maximum charges allowed by Commission Order. These rates are reflected in the Commission's Order on rules governing inmate phone services issued on March 3, 2009.<sup>2</sup>
6. As is apparent from a comparison of ATN's proposed holiday promotion rates to the current rates approved by the Commission, the majority of the rates ATN proposes to charge are less than the maximum rates allowed by the Commission. However, the per minute rates ATN proposes for local calls would result in a \$1.00 increase over the maximum collect per call rate of \$2.75 for a 15 minute local call, or a \$0.40 increase over the maximum prepay and debit call rate as set forth in the Inmate Phone Service Order.

<sup>2</sup> See, *In re: Generic Proceeding Considering the Promulgation of Telephone Rules Governing Inmate Phone Services*, Order issued in Docket No. 15957 on March 3, 2009 (Appendix 2).

7. Although ATN's proposed holiday promotional rates exceed the maximum rate for a 15 minute local call, the per minute rate itself is lower than the rates allowed by the Commission and lower than the rates currently being charged at the AL Department of Corrections. ATN anticipates that the holiday promotion rates will encourage more communications between inmates and their families and that many calls will likely be of shorter duration than 15 minutes, resulting in savings for ATN's customers.
8. Rule T-15(B)(4) allows the Commission to exempt companies from its rules if unreasonable hardship to the utility or its customers results from application of the rules. Without the waiver, ATN will be unable to offer the holiday promotional rates, which overall result in a saving to customers, thus denying this benefit that will allow inmates and their friends and families to increase their communications during the holiday season.
9. Because ATN intends to implement these rates as soon as possible, to accommodate the Christmas holiday, ATN requests that the Commission consider this waiver on an expedited basis.

WHEREFORE, ATN respectfully requests an Order of the Commission granting this application for a temporary waiver of Rule T-15.1(B)(4) (and Appendix 2 of the Final Order which is incorporated by reference into the rule) and approving ATN's holiday promotional rates as set forth above.

Respectfully submitted this 10th day of December 2013.

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/S/KAREN DOSS-HARBISON

President of ATN, INC.

ADDRESS OF PRESIDENT:

Regional Office: Karen Doss-Harbison  
141 County Road 1299  
Falkville, Alabama 35622  
Phone: (866) 882-2722  
Fax: (912) 673-6004

Corporate Office: Karen Doss-Harbison  
913 Dilworth Street  
Saint Marys, GA 31558  
Phone: (866) 882-2722  
Fax: (912) 673-6004



December 11, 2013

Alabama Public Service Commission  
Attention: Mr. Doug Dillard  
North Union Street, RSA Union  
Montgomery, AL 36104

Subject: ATN, Inc. / AmTel Comments to AL PSC on Changes to Rules for Inmate Calling Services

Dear Mr. Dillard,

Please accept my apology for not having ATN, Inc.'s formal response delivered to you by December 9, 2013. There were unforeseen medical reasons (on my behalf) that delayed the final response. ATN, Inc. is a supporter of the recommended changes and believes that the benefits will positively impact the government municipalities; inmates; called parties; and inmate telephone companies. However, respectfully, we do believe that the Live Customer Service Agent Fee is in line with, or below Call Center industry standards.

Listed below is information that pertains to both AmTel (Inmate Telephones), as well as Customer Service of America, "CSA" (Call Center). Both companies are subsidiaries of ATN, Inc. and we respectfully agree with all but two of the AL PSC / FCC recommended changes to rules for Inmate Calling Services. ATN, Inc. has been keeping abreast of the Wright Petition and our companies have already been preparing for the anticipated regulatory changes. AmTel has been providing information to correctional facilities and procurement offices for several years attempting to point out hidden fees that are being charged by some of the inmate telephone companies.

ATN, Inc. is a privately held corporation that employs nearly 100 people. The corporate office is located in St. Marys, GA. My regional office is located in Cullman, AL. CSA is in the final stages of development with regards to new Call Center software and all agents will be converting to the new system before the end of the year. The project has cost CSA more than \$500k to complete and will provide multiple options for lower priced inmate telephone calling alternatives.

- Both AmTel and CSA are two separate companies with two separate tax filings. AmTel does not receive any portion of the fees generated through Call Center payments.
- AmTel DOES NOT charge called parties or inmates, any taxes or fees on any calls. The existing price of the inmate telephone calls are based solely on AT&T telecom rates, and AmTel absorbs the taxes and fees for the customers. AmTel is in the process of revising all of the tariffs before February 11<sup>th</sup>, 2014 that will include several cost saving options.
- CSA, in accordance with USAC, has recently changed in status to a Non-Interconnected VOIP.
- AmTel does not offer Text-to-Collect, Pay Now, or any other service similar to these.





- AmTel provides (1) free three-minute telephone call to all non-collect numbers and free five-minute calls in booking, as well as free inmate calls to the Consulates, PREA, State and Federal Public Defenders, and also free five-minute local calls in the facility lobbies.
- AmTel is in agreement with a flat rate of \$0.25 per talked minute for each call type (Collect, PrePaid, and Debit) for local, intra-LATA, and interstate calls. AmTel would like to begin making rate changes as soon as approval is officially granted from the PSC and FCC.
- AmTel is in agreement with a flat rate of \$0.50 per talked/video minute for each VVS session and will respectfully ask the Commission for permission to be granted additional VVS authority under our existing CPCN authority.
- CSA is in agreement with payment by money order and any refunds at no charge.
- CSA is in agreement with \$3.00 website payment via credit or debit card. CSA has recently negotiated a new credit card agreement that will justify the decrease in payment.
- CSA is in agreement with \$3.00 IVR payment via credit or debit card. CSA is in the final testing stages of new Call Center software and IVR development that will allow CSA to offer this payment option.
- CSA respectfully disagrees with \$5.95 for Live Agent Phone Payment via credit or debit card. This is because CSA is the ONLY Inmate Telephone Call Center in the industry that provides LIVE, bi-lingual, (24x7x365), customer service to inmates, called parties, and facility personnel. The majority of other Inmate Telephone Call Centers will only allow their live representatives to take payments. CSA does much more than just take payments and the representatives spend more time on the phone providing customer support on non-revenue generating calls than they do taking payments. CSA provides the no-pay option of sending in money orders, but CSA believes that called parties should have the option of speaking with live representatives for reasons other than payments. However, CSA will only be able to continue providing the below free services if allowed to charge \$10.00 per live credit or debit card payment. This fee is what subsidizes the below free services and allows CSA to maintain personnel to accommodate a less than three-minute weekly average hold time. CSA does not believe in forcing customers to automated systems and/or voice mail. The main difference between CSA and the other Inmate Telephone Call Centers is our old-school customer service approach.

CSA Non-Revenue generating calls for 2013 include the following:

- a) *Inmate Hotline In-Touch* – CSA representatives pro-actively assist Inmates by contacting their loved ones and family members. Outbound calls are placed at CSA's expense in an attempt to contact the inmate's family members or loved ones and provide them with details for receiving future calls.
- b) *Live Information Service Calls* – CSA has taken more than 10,000 free calls from the public answering routine questions about their loved ones that are incarcerated; (some ITS companies have Interactive Voice Response Systems and they in-turn charge the correctional facilities up to \$5.95 per call, per inmate, per month)
- c) *Spanish to English Translations* – At the company's expense, CSA representatives often act as a translator to the family members of Spanish Inmates and sometimes between a Spanish Inmate and a Correctional Officer.
- d) CSA, at the company's expense, handles thousands of Inmate Grievances and Sick Call reports for facilities annually.





Service brochures are attached for your review and all of the above is handled by CSA representatives at no cost to the municipality, inmate, or called party. All of these non-revenue generating calls are essentially funded by the \$10.00 payment processing charge.

A reduction to \$5.95 in the Live Agent Call Center approved fee will result in a substantial loss to CSA and could cause CSA to downsize some of its employees and would have a negative effect on the economy. CSA believes the Live Agent Call Center fees to be in line or lower than fees charged by Airlines, Utility Companies, Banks, Tax Offices, Mortgage Companies, Government Municipalities, etc. CSA respectfully requests that the AL PSC and FCC take the non-revenue generated service calls into consideration. These free calls help to save Sheriff Offices, Jails, and Detention Centers numerous man hours in answering mundane questions from the public.

- CSA is in agreement with a \$3.00 Kiosk payment via cash, credit, or debit card. CSA plans to offer Lobby Kiosk by 1<sup>st</sup> quarter 2014.
- CSA respectfully does not agree with a prohibition of the Call Center receiving a portion of a payment from Western Union and CSA does not accept payments from MoneyGram. CSA representatives frequently have to make refunds for Western Union Quick Collect payments and this portion of a processing fee helps to recover the associated refund expense. Other companies require refund requests to be mailed, emailed, or any other number of 'rules' to the extent that customers would rather let the companies keep the refund than to go through all of the mandated red tape. CSA is pro-active with non-active accounts and attempts up to three (3) times to reach the account depositor. The Western Union Quick Collect Payment is presently at \$10.00 per transaction. In order to comply with new regulatory mandates, CSA will stop receiving Quick Collect payments from Western Union.
- AmTel does allow Collect Calls and does not charge any bill processing fees; AmTel absorbs the fees from the RBOCs for the customers.
- AmTel does not charge any additional fees for Debit, PrePaid, or Direct Billed Calls. Presently, AmTel provides a 10% across the board discount from collect calls for PrePaid and Debit calls.
- AmTel does not charge a fee for transferring trust/canteen accounts.
- AmTel does not charge a Paper Bill Fee.
- CSA does charge \$30.00 for returned checks.
- CSA does not charge for account set up or refunds.
- AmTel agrees that Provider or facility-assessed penalties for violation of confinement facility policies should be prohibited. Praeses, a middle management consultant company often used by some correctional facilities, imposes several fees to Inmate Telephone Companies and it is a requirement of their bids.
- CSA does pay ADOR State Utility Gross Receipt Taxes.
- CSA does not charge any Cost Recovery Fees.
- CSA and AmTel are in the process of implementing all PSC suggestions listed in the October 11, 2013 'Monthly Customer Account Statement' section of the proposed changes. The items will be available to all customers by the end of the year via the website.
- CSA and AmTel are in agreement to providing all items listed under the Website Information.





- AmTel is in agreement with all items under the Record Retention section.
- AmTel is in agreement with the Reporting requirements and can provide you with a username and password so that you can generate an on-line revenue report at any time, for any of our AL customers.
- AmTel is in agreement with providing revised tariffs and welcomes a recommended format. All company tariffs will be revised before the end of the year.
- CSA is in agreement with the Unclaimed Funds and is pro-active in contacting inactive depositors.

In closing, AmTel and CSA are definitely in agreement with the proposed inmate telephone rate reductions. Our Board of Directors does feel that the rate changes can be easily accomplished by companies that haven't predicated their business models and overhead/expenses on inflated non-commissionable fees. However, we do feel that correctional facilities should receive a modest commission because all of the money is re-used to help the inmates via the Inmate Welfare Trust Fund Accounts. As citizens, and taxpayers, we further believe that the recommended rates and fees are justified, in order to provide the security features and investigative tools that are necessary to keeping the society safe. We believe that AmTel and CSA business models can be a win-win for all involved parties.

ATN

Please feel free to contact me at (866) 882-2722 should you require clarification, or need additional information.

Respectfully,

/S/Karen Doss-Harbison  
President  
ATN, Inc.

Enclosures



# Total Customer Care: It's all about respect



CSA's friendly and knowledgeable representatives are dedicated to providing the highest quality in customer care.

We offer operator assistance to residents of confinement facilities and to the customers they call.

It does not matter what type of phone you have. You can receive calls on any phone, with any service provider.

Nuestros amables representantes estan capacitados para proveerle la más alta calidad de servicio al cliente.

Ofrecemos asistencia a personas en centros de detención y a los clientes que ellos llaman.

No importa el tipo de teléfono que usted tenga. Puede recibir llamadas en cualquier telefono, de cualquier compañía telefónica.

## Three easy ways to send payment

First-time customers must call (800) 849-6081 to establish an account

### Credit Card Payment

*Pagos con VISA/Mastercard/Discovery*

**Convenience Fee: \$5.95**

**Costo de conveniencia: \$5.95**

Pay using your VISA, Mastercard or Discover by calling Customer Service of America at (800) 849-6081.

*Utilice su VISA, Mastercard o Discover para agregar fondos as su cuenta. Comuníquese a Customer Service of America al teléfono (800) 849-6081.*

### Money Order

*Giro Postal*

**Processing Fee: \$0.00**

**Costo: \$0.00**

Send your money order to:  
*Envie su giro postal a:*

**Customer Service of America  
P.O. Box 5700  
St. Marys, GA 31558**

Please include your telephone number and name of facility.  
*Por favor incluya su número de teléfono y el nombre del centro de detención*

**[www.myphoneaccount.com](http://www.myphoneaccount.com)**

### Western Union Quick Collect

**Processing Fee: \$9.95**

**Costo para procesar: \$9.95**

Pay to: CSA

Code City: CL567

Account Number w/Company

1. Phone Number

2. Name of Facility

Pagadero a: CSA

Código de Ciudad: CL567

Número de Cuenta:

1. Su numero telefónico y

2. El nombre del centro de detención

**Establish service today**

***Establece una cuenta hoy***

Our state-of-the-art equipment was designed with you in mind. Any problems can be quickly resolved with a call to one of our customer service agents.

*Nuestros equipos telefónicos fueron diseñados pensando en usted. Cualquier problema puede ser resuelto con rapidez al llamar a nuestros agentes de servicio al cliente.*



**WebPay**  
**at**  
**myphoneaccount.com**

When a friend or family member is incarcerated, the need to stay connected becomes more important. Customer Service of America (CSA) makes the connection between families and those they love. It's as simple as establishing an account.

AmTel customers can now apply funds to a prepaid inmate telephone account by using a VISA, Mastercard, or Discover at

[www.myphoneaccount.com](http://www.myphoneaccount.com)

Cost is \$3.00 with a \$25.00 Minimum/ \$100.00 Maximum and a (\$250.00 Maximum daily limit).

*Cuando un amigo o miembro de su familia está encarcelado, la necesidad de estar comunicado se hace más importante. Customer Service de America (CSA) hace la conexión entre las familias y sus seres queridos.*

*Clientes de AmTel ahora pueden agregar fondos a una cuenta telefonica usando VISA , Mastercard o Discover Card en*

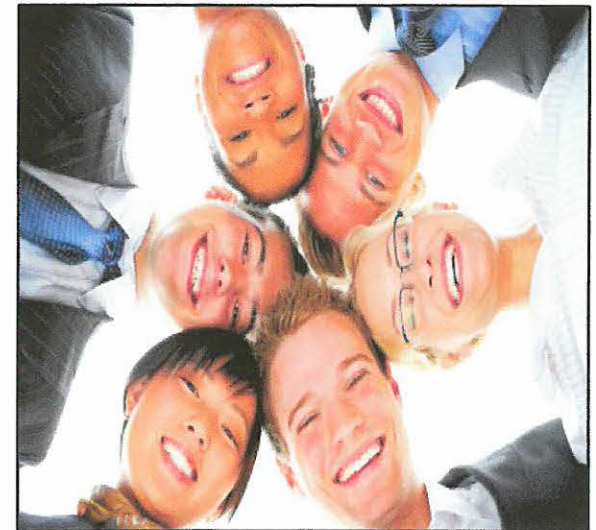
[www.myphoneaccount.com](http://www.myphoneaccount.com)

*Costo es \$3.00 con un minimo de \$25.00/Maximo de \$100.00 (maximo de \$250.00 en 7 días).*



P.O. Box 5700  
St. Marys, GA 31558

**(800) 849-6081**



We know that in the real world,  
courtesy still counts

**(800) 849-6081**

Payment Options  
Opciones de Pago



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*Por favor incluya su número de teléfono y el nombre de la cárcel.*

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Pay to: CSA

Code City: CL567

Account Number w/Company

1. Phone Number
2. Name of Facility

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1. Su número telefónico y
2. El nombre del centro de detención

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Maximo de \$100.00 y un (maximo de  
\$250.00 en 7 dias).*



P.O. Box 5700  
St. Marys, GA 31558

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