

**STATE OF NORTH CAROLINA  
UTILITIES COMMISSION  
RALEIGH**

DOCKET NO. P-100, SUB 84c

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of		
Pay Tel Communications, Inc. Evercom	)	ORDER SEEKING
Systems, Inc. and T-NETIX Telecommunications	)	COMMENTS
Services, inc. Request for Waiver of Rule 13-9(d)	)	
Of the Rules of the North Carolina Utilities	)	
Commission	)	

BY THE CHAIRMAN: On December 27, 2007, Pay Tel Communications, Inc. (Pay Tel), Evercom Systems (Evercom) Inc. and T-NETIX Telecommunications Services, Inc. (TTS) (Petitioners) filed a Petition for Waiver of Rule R13-9(d).<sup>1</sup> This rule provides that the "recipient of a local automated collect station-to-station call may not be charged more for the call than would have been charged by the local exchange company for a local collect station-to-station call."

The Petitioners stated that they are the predominant provider of inmate calling services (ICS), which consist exclusively of automated collect phone calls. The Petitioners represented that the operation of the rate caps for ICS calls subject to Rule R13-9(d) varied widely. That for Concord Telephone Company, (Concord) was \$1.71, the highest of those listed by Petitioners. The Petitioners have also noted that the Commission has recently approved a statewide rate of \$1.71 for operator-assisted local collect calls, which mirrors the charges imposed by Concord for such local calls in its territory.

Petitioners therefore requested that the Commission (1) grant their request for a waiver of Rule R13-9(d) and (2) apply a minimum statewide rate for local collect calls interested from confinement facilities.

WHEREFORE, the Chairman concludes that good causes exists for the following:

1. That the Chief Clerk send a copy of this Order to certificated payphone providers, those with pending applications to provide payphone service, and all other persons on the mailing list of Docket No. P-100, Sub 84. These persons shall be considered parties to this docket.

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<sup>1</sup> Evercom and TTS are owned by Securus Technologies, Inc.

2. That interested parties be asked to comment on the Petition filed in this docket pursuant to the following schedule:

a. By the Public Staff, Attorney General, and all interested parties other than Petitioners, by no later than February 15, 2008.

b. By Petitioners in reply, by no later than February 29, 2008.

3. That commenters comment collectively to the extent practicable.

IT IS, THEREFORE, SO ORDERED.

ISSUED BY ORDER OF THE COMMISSION.

This the 2<sup>nd</sup> day of January, 2008.

NORTH CAROLINA UTILITIES COMMISSION

*Gail L. Mount*

Gail L. Mount, Deputy Clerk