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32789

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32790-0200

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November 30, 2006  
**Via Overnight Delivery**

**RECEIVED**

DEC 04 2006

**SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION**

Ms. Patricia Van Gerpen  
Executive Director  
South Dakota Public Utilities Commission  
Capitol Building, 1<sup>st</sup> Floor  
500 East Capitol  
Pierre, South Dakota 57501-5070

**Re:** Registration and Proposed Tariff - ITI Inmate Telephone, Inc.

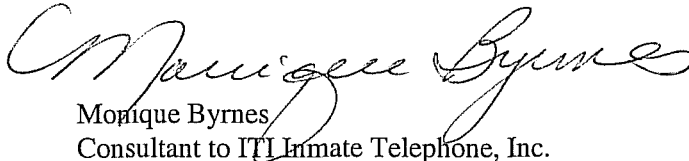
Dear Ms. Van Gerpen:

Enclosed are the original and ten (10) copies of the registration and proposed tariff of ITI Inmate Telephone, Inc. A check in the amount of \$250.00 is attached for payment of the filing fee.

Please acknowledge receipt of this filing by returning, date-stamped, the extra copy of this cover letter in the stamped self-addressed envelope which is provided for that purpose.

Questions regarding this filing may be directed to me at (407) 740-8575. Thank you for your assistance in this matter.

Sincerely,



Monique Byrnes  
Consultant to ITI Inmate Telephone, Inc.

Enclosures

cc: M. Boland, ITI Inmate  
file: ITI Inmate - SD  
tms: SDn0600

## BEFORE THE SOUTH DAKOTA PUBLIC SERVICE COMMISSION

## REGISTRATION OF ITI INMATE TELEPHONE, INC.

SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

Pursuant to Rule 20:10:24:02 of the Commission's Telecommunications Services Rules, ITI Inmate Telephone,

Inc. ("ITT") submits the following registration information:

**1. The name, address and telephone number of the Applicant:**

ITI Inmate Telephone, Inc.  
 4200 Industrial Park Drive  
 Altoona, PA 16602  
 Telephone: 814-949-3303  
 Facsimile: 814-949-3307  
 Toll Free: 888-949-3303

**2. The name under which the Applicant will provide these services if different than in subdivision (1) of this section:**

The Applicant will provide services under the name as shown in Question 1.

**3. If the Applicant is a corporation:****(a) The state in which it is incorporated, the date of incorporation and a copy of its certificate of incorporation or, if it is an out-of-state corporation, a copy of its certificate of authority to transact business in South Dakota from the Secretary of State:**

- (i) ITI Inmate Telephone, Inc. was incorporated on July 1, 1994 under the laws of the State of Pennsylvania.
- (ii) A copy of the Applicant's certificate of authority to transact business in South Dakota from the Secretary of State is included as **Attachment I** to the application.

**(b) The location of its principal office, if any, in this state and the name and address of its current registered agent:**

- (i) ITI Inmate Telephone, Inc. has no principal office in South Dakota.
- (ii) The name and address of Applicant's current registered agent is:

CT Corporation System  
 319 S. Coteau Street  
 Pierre, SD 57501  
 Telephone: 605-224-5826

**3. If the Applicant is a corporation, (Cont'd.)**

**(c) The name and address of each corporation, association, partnership, cooperative, or individual holding a 20 percent or greater ownership or management interest in the Applicant corporation and the amount and character of the ownership or management interest:**

Anthony R. Bambocci, President  
4200 Industrial Park Drive  
Altoona, PA 16602

James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

Ownership: 32.5%

Ownership 32.5%

**4. If the Applicant is a partnership, the name, title and business address of each partner, both general and limited:**

Not applicable.

**5. A specific description of the telecommunications services the Applicant intends to offer:**

ITI Inmate Telephone, Inc. proposes to offer automated collect calling services to inmates of confinement facilities within the State of South Dakota. All network services are provided by Applicant's underlying carrier.

Services are provided to residential customers. Applicant proposes to offer Intrastate long distance in conjunction with the Company's interstate service. Service is provided twenty-four (24) hours per day, 7 days a week.

**6. A detailed statement of the means by which the Applicant will provide its services, including the type and quantity of equipment to be used in the operation, the capacity, and the expected used of the equipment.**

ITI Inmate Telephone, Inc. ("ITI") proposes to provide automated collect calling services to inmates of confinement institutions throughout the State of South Dakota. All services will be offered twenty-four (24) hours per day, seven (7) days a week. ITI will provide correctional and confinement institutions with sophisticated premises equipment that permits inmates to make outgoing, collect-only calls without the assistance of a live operator. ITI's systems provide a number of controls and restrictions that serve to reduce or eliminate fraudulent use of telephone systems. These restrictions also provide the correctional institution with increased control over the use of the telecommunications services by inmates confined within. ITI's telephone instruments are placed in detention areas such as cell blocks or day rooms. Each instrument is connected to a central control unit which restricts and controls calls placed by inmates. ITI's system and services allow inmates to remain in contact with family, friends and other associates while still providing facility administrators with the necessary control over inmate communications.

Automated collect-only calls may be placed by inmates within the confinement facility. These calls are routed over the facilities of the local exchange carrier serving the confinement facility and ITI's underlying carrier. ITI's system is designed so that calls are completed only to those called parties who specifically accept the charges for a call. Equipment utilized by ITI requires a positive response from the called party before the connection is established and billing can begin.

In addition to call processing, ITI's systems offer restrictive call blocking and screening. These features provide the correctional facility with the maximum degree of control over telecommunications services and help to minimize fraud. Call blocking prevents calls to directory assistance, "0-", 800 numbers, pay-per-call services, and emergency numbers (including 911) in order to reduce prank calls and fraudulent use of long distance services. Access to other interexchange carriers is also denied. Call screening serves to eliminate harassing or threatening calls to individuals such as judges, sheriffs, witnesses or jury members. These two features also allow the institution to enforce telephone curfews (without manual intervention) by pre-setting the hours during which the system will process calls from a given telephone instrument.

**7. The geographic areas in which the services are, or will be, offered, including a map describing the service boundaries.**

ITI Inmate Telephone, Inc. intends to offer its services statewide in the State of South Dakota.

**8. Current financial statements including a balance sheet, income statement, and cash flow statements; a copy of the Applicant's latest annual report; a copy of the Applicant's report to stockholders; and a copy of the Applicant's tariff with the terms and conditions of service.**

- (i) In support of its financial ability to provide service, a copy of the Company's most recent financial statement is provided as Attachment II to this application.
- (ii) The Company does not prepare an Annual Report.
- (iii) The Company does not prepare a report to stockholders.
- (iv) The Company is providing its proposed tariff, containing the terms and conditions of service, as Attachment III to this application.

**9. The names, addresses, telephone number, fax number, Email address and toll free number of the Applicant's representatives to whom all inquiries must be made regarding complaints and regulatory matters and a description of how the Applicant handles customer billings and customer service matters.**

(i) For complaints and on-going regulatory issues:

**For regulatory matters:**

James Faith, Vice President  
ITI Inmate Telephone, Inc.  
4200 Industrial Park Drive  
Altoona, PF 16602  
Telephone: 814-944-0405  
Facsimile: 814-944-7853  
Email Address – regulatory matters: [jfaith@dsicdi.com](mailto:jfaith@dsicdi.com)

**For complaint matters:**

James Faith, Vice President  
ITI Inmate Telephone, Inc.  
4200 Industrial Park Drive  
Altoona, PF 16602  
Telephone: 814-944-0405  
Facsimile: 814-944-7853  
Email Address – regulatory matters: [jfaith@dsicdi.com](mailto:jfaith@dsicdi.com)

(ii) ITI's system collects and stores call detail information for each call. These call records are retrieved by ITI and are either billed through the called party's local exchange carrier under billing and collection agreements maintained by ITI, or submitted for billing to the called party's local exchange carrier through ITI's billing agent.

Customers are charged individually for each call placed through the Company's network. Charges may vary by service offering, and/or call duration. Customers are billed based on their use of ITI's services and network. ITI will bill customers on the LEC bill through the billing clearinghouse Billing Concepts. The Company's toll free customer service number will appear on the customer bill. ITI's toll-free number is 888-949-3303.

**10. A list of states in which the Applicant is registered or certificated to provide telecommunications services, whether the Applicant has ever been denied registration or certification in any state and the reasons for any such denial, a statement as to whether or not the Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified, and a detailed explanation of why the Applicant is not in good standing in a given state, if applicable.**

- (i) The Company is authorized as a telecommunications provider in Alabama, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, Tennessee, Texas, Vermont, West Virginia, Wisconsin and Wyoming.
- (ii) The Applicant has not been denied registration or certification in any state,
- (iii) The Applicant is in good standing with the appropriate regulatory agency in the states where it is registered or certified.

**11. A description of how the Applicant intends to market its services, its target market, whether the Applicant engages in any multilevel marketing, and copies of any Company brochures used to assist in the sale of services.**

- (i) The Company proposes to market via outbound telemarketing calls.
- (ii) The Applicant does not engage in any multilevel marketing.
- (iii) The Company does not use brochures to assist in the sale of services.

**12. Cost Support for rates shown in the Company's tariff for all noncompetitive or emerging competitive services.**

Cost Support for rates are included in Attachment IV to this Application.

**13. Federal Tax Identification Number.**

The Applicant's Federal Tax Identification number is 25-1757776.

14. **The number and nature of complaints filed against the applicant with any state or federal regulatory commission regarding the unauthorized switching of a telecommunications provider and the act of charging customers for services that have not been ordered.**

ITI Inmate Telephone, Inc. has never received a complaint in any state or at federal regulatory commission for the unauthorized switching of a telecommunications provider and the act of charging customers for services that have not been ordered.

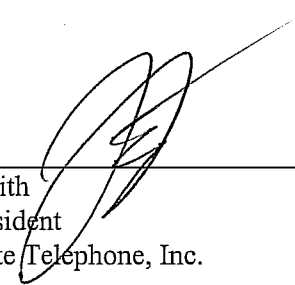
15. **A written request for waiver of those rules the Applicant believes to be inapplicable.**

The Company is not requesting any waiver.

16. **Other information requested by the commission needed to demonstrate that the Applicant has sufficient technical and managerial capabilities to provide the interexchange services it intends to offer consistent with the requirements of this chapter and other applicable rules and laws.**

ITI Inmate Telephone, Inc. possesses the technical and managerial ability to provide service within the State of South Dakota. As a reseller, the Applicant relies on the technical reputation and support of its underlying carriers. Additionally, ITI Inmate Telephone, Inc.'s in-house management team is well-qualified to oversee the operations of a telecommunications carrier. Resumes of key personnel are included in Attachment V to the application.

By

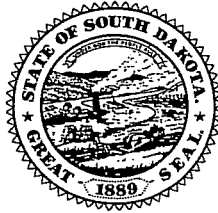
  
\_\_\_\_\_  
James Faith  
Vice President  
ITI Inmate Telephone, Inc.



**ATTACHMENT I**

**CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN  
SOUTH DAKOTA FROM SECRETARY OF STATE**

# State of South Dakota



## OFFICE OF THE SECRETARY OF STATE

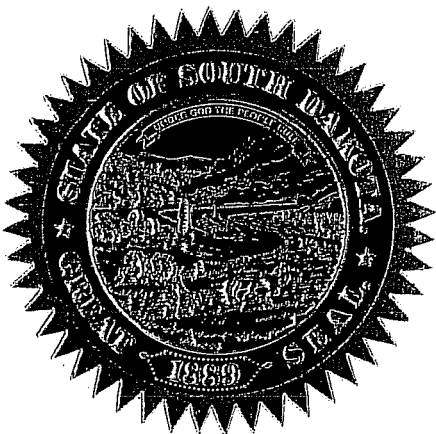
### Certificate of Authority

ORGANIZATIONAL ID #: FB030906

I, **Chris Nelson**, Secretary of State of the State of South Dakota, hereby certify that the Application for a Certificate of Authority of **ITI INMATE TELEPHONE, INC. (PA)** to transact business in this state duly signed and verified pursuant to the provisions of the South Dakota Corporation Acts, have been received in this office and are found to conform to law.

**ACCORDINGLY** and by virtue of the authority vested in me by law, I hereby issue this Certificate of Authority and attach hereto a duplicate of the application to transact business in this state.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the Great Seal of the State of South Dakota, at Pierre, the Capital, this August 28, 2006.



*Chris Nelson*

**Chris Nelson**  
Secretary of State

290

THE PLANKENBORN CO. WILKESBORO, PA

Microfilm Number \_\_\_\_\_

Filed with the Department of State on JUN 27 1994

Entity Number 2587424

ACTING Secretary of the Commonwealth

ARTICLES OF INCORPORATION

DSCB:15-1306 (Rev 05)

Indicate type of domestic corporation (check one):

- Business stock (15 Pa. C.S. § 1306)      \_\_\_\_\_ Professional (15 Pa. C.S. § 2903)
- \_\_\_\_\_ Business nonstock (15 Pa. C.S. § 2102)      \_\_\_\_\_ Management (15 Pa. C.S. § 2701)
- \_\_\_\_\_ Business statutory close (15 Pa. C.S. § 2304a is applicable)      \_\_\_\_\_ Cooperative (15 Pa. C.S. § 7701)

1. The name of the corporation is: ITI Inmate Telephone, Inc.

This corporation is incorporated under the provisions of the Business Corporation Law of 1988.

2. The address of this corporation's initial (a) registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is:

(a) 1101 13th Avenue, Altoona PA 16601 Blair  
Number and Street      City      State      Zip      County

(b) \_\_\_\_\_  
Name of Commercial Registered Office Provider      County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The aggregate number of shares authorized is: See Attached Sheet (other provisions, if any, attach 8 1/2 x 11 sheet)

4. The name and address, including street and number, if any, of each incorporator is:

Name	Address	Signature	Date
John E. Eberhardt, Jr.	414 N. Logan Blvd. Altoona, PA 16602	<i>John E. Eberhardt, Jr.</i>	6/20/94

5. The specified effective date, if any, is: July 1, 1994  
month      day      year      hour, if any.

6. Any additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

7. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "Public Offering" within the meaning of the Securities Act of 1933 (15U.S.C. § 77A et seq.).

8. Business cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: \_\_\_\_\_

PAWSLEY STATE

JUN 27 1994

9563-291

EXHIBIT "A"

<u>Class</u>	<u>Number of Shares</u>	<u>Par Value Per Share</u>
Class A Common	100,000	\$1.00
Class B Common	100,000	\$1.00

The designations, preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class shall be the same in all respects with the exception that the Class B Common Stock shall have no voting rights.

**ATTACHMENT II**

**FINANCIAL STATEMENTS**

CONFIDENTIAL

# [ ]

**ATTACHMENT III**

**TARIFF**

**TARIFF APPLICABLE TO  
ALTERNATE OPERATOR SERVICES  
WITHIN THE STATE OF SOUTH DAKOTA  
PROVIDED BY  
ITI INMATE TELEPHONE, INC.**

This tariff contains the descriptions, regulations, and rates applicable to the furnishing of service or facilities for Telecommunications Services furnished by ITI Inmate Telephone, Inc. ("ITI"), with principal offices at 4200 Industrial Park Drive, Altoona, PA 16602. This tariff applies for services furnished within the State of South Dakota. This tariff is on file with the South Dakota Public Utilities Commission, and copies may be inspected, during normal business hours, at the company's principal place of business.

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Issued: December 1, 2006  
By:

James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

Effective:

SDn0600



**CHECK SHEET**

The Sheets of this tariff are effective as of the date shown at the bottom of the respective sheet(s). Original and revised sheets as named below comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this sheet.

<b>PAGE</b>	<b>REVISION</b>		<b>PAGE</b>	<b>REVISION</b>
1	Original	*		
2	Original	*		
3	Original	*		
4	Original	*		
5	Original	*		
6	Original	*		
7	Original	*		
8	Original	*		
9	Original	*		
10	Original	*		
11	Original	*		
12	Original	*		
13	Original	*		
14	Original	*		
15	Original	*		
16	Original	*		
17	Original	*		
18	Original	*		
19	Original	*		

\* - indicates those pages included with this filing.

Issued: December 1, 2006  
By:

James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

Effective:

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Issued: December 1, 2006

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Altoona, PA 16602

Effective:

SDn0600

**SYMBOLS**

The following are the only symbols used for the purposes indicated below:

- D - Delete or Discontinue
- I - Change Resulting In An Increase to A Customer's Bill
- M - Moved from Another Tariff Location
- N - New
- R - Change Resulting In A Reduction to A Customer's Bill
- T - Change in Text or Regulation But No Change In Rate or Charge

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**TARIFF FORMAT**

- A. Page Numbering** - Page numbers appear in the upper right corner of the page. Pages are numbered sequentially, however, when a new page is added between sheets already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- B. Page Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4<sup>th</sup> Revised Page 14 cancels the 3<sup>rd</sup> Revised Page 14. Consult the Check Sheet for the sheet currently in effect.
- C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:
- 2.
  - 2.1.
  - 2.1.1.
  - 2.1.1.A.
  - 2.1.1.A.1.
  - 2.1.1.A.1.(a).
  - 2.1.1.A.1.(a).I.
- D. Check Sheets** - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the sheets contained in the tariff, with a cross reference to the current revision number. When new sheets are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this sheet if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some sheets.)

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Issued: December 1, 2006

By:

James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

Effective:

SDn0600

**APPLICATION OF TARIFF**

This tariff contains the regulations and rates applicable to the provision of intrastate resale common carrier communications service by ITI Inmate Telephone, Inc. within the State of South Dakota.

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Issued: December 1, 2006  
By:

James C. Faith, Vice President  
4200 Industrial Park Drive  
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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS**

**Automated Collect Calls** - Calls billed to the called party and completed through an automated call processing system that prompts the call originator and the called party such that the call is completed without live operator assistance.

**Collect Billing** - A billing arrangement whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

**Commission** - South Dakota Public Utilities Commission

**Company** - Used throughout this tariff to refer to ITI Inmate Telephone, Inc., unless otherwise clearly indicated by the context.

**Correctional Institutions** - Used throughout this tariff to refer to prisons, jails, penal facilities or other institutions used for penalty purposes which contract with the Company for the provision of service for use by their inmate population.

**Customer** - A person, firm, partnership, corporation or other entity which arranges for the Company to provide, discontinue or rearrange telecommunications services on behalf of itself or others; uses the Company's telecommunications services; and is responsible for payment of charges, all under the provisions and terms of this tariff. In the case of collect-only calling services provided to inmates of correctional Institutions, the called party is the Customer and is responsible for payment of charges.

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Issued: December 1, 2006

Effective:

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James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

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**SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)**

**Inmate(s)** - The jailed population of correctional institutions who are authorized by the Institution to use such service. Responsibility for payment of Inmate charges requires positive acceptance by a Customer (i.e., billed to a third party) or prepayment by the Inmate.

**Institution** - Used throughout this tariff to refer to correctional institutions.

**Institutional Telephone** - A coinless telephone instrument that allows Inmates to place collect and prepaid calls at the instrument.

**ITI** - Used throughout this tariff to mean IIT Inmate Telephone, Inc.

**LATA** - Local access and transport area. A geographic area established by the US District Court for the District of Columbia in Civil Action No. 82-0192.

**Pay Telephone** - A telephone instrument equipped with a credit card reader, coin box, or similar device that allows charges to be collected for each call at the instrument.

**Person to Person Call** - A service whereby the person originating the call specifies a particular person to be reached, or a particular station, room number, department, or office to be reached through a PBX attendant.

**Premises** - The physical space designated by the Customer for the termination of the Company's service.

**Station to Station Call** - A service whereby the Customer places a non-Person to Person call with the assistance of an operator (live or automated).

**Terminal Equipment** - Telecommunications devices, apparatus and associated wiring on the Premises of the Customer.

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Issued: December 1, 2006

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4200 Industrial Park Drive  
Altoona, PA 16602

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**SECTION 2 - RULES AND REGULATIONS****2.1 Undertaking of the Company**

The Company's services and facilities are furnished to correctional institutions in South Dakota for communications originated by inmates of the institutions. The Company, through its call processing equipment, only provides automated collect, prepaid and debit inmate calling services. This tariff encompasses only those services provided between locations within the state of South Dakota. The Company's services and facilities are available twenty-four (24) hours per day, seven (7) days per week, subject to restrictions and limitations of service imposed by the correctional institution.

The Company installs, operates, and maintains the communications services provided here in under for Inmate in accordance with the terms and conditions set forth under this tariff and through contract with the institution. The Company may act as the correctional institution's agent for ordering access connection facilities provided by other carriers or entities, when authorized by the institution, to allow connection of an institution's location to the Company's network. The institution shall be responsible for all charges due for such service arrangement.

**2.2 Limitations**

- 2.2.1** Service is offered subject to the availability of the necessary facilities and equipment and subject to the provisions of this tariff.
- 2.2.2** The Company reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Customer or Institution is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3** All facilities provided under this tariff are directly or indirectly controlled by the Company and neither the Customer nor Institution may transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.4** Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.3 Use**

Services are provided under this tariff to correctional institutions and may be used by authorized inmates of institutions for any lawful purpose for which the service is technically suited, subject to such limitations or restrictions established by the Institution.

**2.4 Liabilities of the Company**

- 2.4.1** The Company's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the Customer or Inmate for the period during which the faults in transmission occur.
- 2.4.2** The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3** The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer and Inmate against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, trade name or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer or Inmate; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.4.4** The Company shall not be liable for any defacement of or damages to the premises of a Customer and/or Institution resulting from the furnishing of service which is not the direct result of the Company's negligence.

---

Issued: December 1, 2006

Effective:

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James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.5 Taxes**

All state and local taxes (i.e., gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

**2.6 Terminal Equipment**

The Company's facilities and service may be used with or terminated in Institution-provided, Company-provided or Customer-provided terminal equipment or communications systems, such as a telephone set, PBX or key system. Such terminal equipment shall be furnished and maintained at the expense of the Institution or Customer, except as otherwise provided by contract. The Institution or Customer is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service, unless otherwise provided by contract. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

**2.7 Installation and Termination**

Service is installed upon mutual agreement between the Institution and the Company. The service agreement does not alter rates specified in this tariff.

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By:

James C. Faith, Vice President  
4200 Industrial Park Drive  
Altoona, PA 16602

Effective:

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.8 Billing and Payment For Service**

**2.8.1 Payment for Service**

The Customer is responsible for payment of all charges for services and equipment furnished to the Customer or Inmate by the Company. All charges due by the Customer are payable to the Company or to any agency duly authorized to receive such payments (such as a local exchange company).

**2.8.2 Disputed Charges**

For charges billed through the Customer's local exchange carrier, notice from the Customer of disputed charges must be received in writing by the Company within 180 days after the date of the bill is issued. Otherwise, all charges will be considered correct and binding on the Customer.

The Company will promptly investigate and advise all billed parties as to its findings concerning disputed charges. Adjustments to Customer's bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. Customers may contact the South Dakota Public Utilities Commission in the event of an unresolved dispute at 500 East Capitol, Pierre, SD 57501-5070, (605) 773-3201, (800) 332-1782, TTY through Relay Service South Dakota (800) 877-1113.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.8 Billing and Payment For Service, (Cont'd.)****2.8.3 Validation of Credit**

The Company reserves the right to validate the creditworthiness of Customers and billed parties through available verification procedures and to establish a maximum predetermined credit amount. Where a requested billing method cannot be validated or maximum credit amount established, the Company may refuse to provide service.

Services provided by the Company are available to inmates of confinement facilities in accordance with facility-authorized programs. The Company may request that the confinement facility adopt, as part of its program, terms that enable the Company to collect the charges for all inmate calls, including without limitation, the blocking of calls by the Company to certain telephone numbers when the amount charged to such a telephone number exceeds a predetermined amount or becomes past due.

**2.8.4 Return Check Charge**

Any applicable return check charges will be assessed according to the terms and conditions of the Company's billing agent and pursuant to South Dakota law.

**2.8.5 Late Payment Fee**

Late payment fees, if collected by the Company's billing agent (i.e. the local exchange company), will be assessed in accordance with South Dakota Public Utilities Commission rules.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)****2.9 Deposits and Advance Payments****2.9.1 Deposits**

The Company does not normally require deposits. However the company reserves the right to collect a deposit from customers whose credit history is unacceptable or unknown to the Company. Deposits, if collected, will be collected and maintained in accordance with Commission rules.

For services provided to inmates of confinement facilities, the Company may require a deposit from billed parties for charges which exceed a maximum credit amount predetermined by the Company based on the Customer's credit worthiness. The Customer may exceed this predetermined credit amount by first paying a deposit to the Company in an amount equal to the amount of additional credit authorization requested by the Customer.

**2.9.2 Advance Payments**

The Company does not normally require advance payments for service. However, for Customers whom the Company determines an advance payment is necessary, the Company reserves the right to collect an amount not to exceed one (1) month's estimated charges as an advance payment for service. This will be applied against the next month's charges and a new advance payment may be collected for the next month, if necessary.

**2.10 Interconnection**

Service furnished by the Company may be connected with the services or facilities of other carriers. Such service or facilities, if used, are provided under the terms, rates and conditions of the other carrier.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.11 Refusal or Discontinuance by Company**

The Company may refuse or discontinue service under the following conditions:

- 2.11.1 For non-compliance with and/or violation of any State or municipal law, ordinance or regulation pertaining to telephone service.
- 2.11.2 For the use of telephone service for any other property or purpose other than that described in the application.
- 2.11.3 For neglect or refusal to provide reasonable access to the Company for the purpose of inspection and maintenance of equipment owned by the Company.
- 2.11.4 For non-compliance with and/or violation of the Commission's regulations or the Company's rules and regulations on file with the Commission.
- 2.11.5 For non-payment of charges for telephone service.
- 2.11.6 In the event of Customer or Institution use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- 2.11.7 In the event of tampering with the equipment furnished and owned by the Company.
- 2.11.8 In the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Institution or Customer to make, at its own expense, all changes in facilities or equipment necessary to eliminate illegal use and to pay an amount reasonably estimated as the loss in revenues resulting from such fraudulent use.
- 2.11.9 For Institution's breach of the contract for service between the Company and the Institution.
- 2.11.10 When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.

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**SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

**2.12 Inspection, Testing and Adjustment**

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

**2.13 Interruption of Service**

Credit allowances for interruptions of service are limited to the initial minute minimum call charges for re-establishing the interrupted call.

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES****3.1 General**

The Company provides automated operator assisted collect-only calling services for use by inmates of prisons, jails or other Correctional Institutions for communications originating and terminating within the State of South Dakota. The Company's services are available twenty-four hours per day, seven days a week. Intrastate service is offered in conjunction with interstate service. Inmate access to the Company's services may be restricted by the administration of the Institution served.

Customers are charged individually for each call placed through the Company's network. Charges may vary by service offering, mileage band, class of call, time of day, day of week and/or call duration. Customers are billed based on their use of the Company's services and network. No installation charges apply.

**3.2 Timing of Calls**

Billing for calls placed over the Company network is based in part on the duration of the call as follows, unless otherwise specified in this tariff:

**3.2.1** Timing of each call begins when the called station is answered (i.e. when two way communications are established.) Answer detection is based on standard industry answer detection methods, including hardware and software answer detection. For Collect Calls, charges apply only if the called party accepts the responsibility for payment. For Person-to-Person Calls, charges apply only if the calling party is connected with the designated called party or an agreed upon substitute.

**3.2.2** Chargeable time for calls ends when one of the parties disconnects from the call.

**3.2.3** Unless otherwise specified in this tariff, the minimum initial period for billing purposes is one (1) minute.

**3.2.4** Unless otherwise specified in this tariff, billing for usage after the initial period is in full one (1) minute increments.

**3.2.5** The Company will not knowingly bill for unanswered calls. When a Customer indicates that he/she was billed for an incomplete call, the Company will reasonably issue credit for the call.

**3.3 Time of Day Rate Periods**

Rates for service are not time of day sensitive.

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (CONT'D.)****3.4 Institutional Operator Assisted Calling**

Institutional operator assisted service allows Inmates to place Collect Calls through an automated call processing system. The call processing system prompts the Inmate and the called party such that the call is completed without live operator assistance. Calls are placed on a collect-only basis to the called party.

A number of special blocking and screening capabilities are available with institutional operator services provided by ITI. These capabilities allow Institutions to control Inmate access to telecommunications services, reduce fraudulent use of the Company's services, and eliminate harassing calls to persons outside the Institution.

**3.4.1** For services provided to Inmates of Institutions, the following special conditions apply:

- A.** Calls to "900", "976" or other pay-per-call services are blocked by ITI.
- B.** At the request of the Institution, ITI may block inmate access to toll-free numbers (e.g., 800, 888) and dialing sequences used to access other carriers or operator service providers (e.g., 950-XXXX, 10XXXX).
- C.** At the request of the Institution, ITI may block Inmate access to "911", "411", or local operators reached through "0-" dialing.
- D.** At the request of the Institution, ITI may block Inmate access to specific telephone numbers.
- E.** Availability of ITI's services may be restricted by the Institution to certain hours and/or days of the week.
- F.** At the request of the Institution, no notices or signage concerning the Company's services will be posted with its instruments. Information concerning CTI's services is provided to the administration of each Institution where the Company's services are offered. Inmates may obtain information regarding rates and charges by requesting such information from the Institution's administration.

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**SECTION 3 - DESCRIPTION OF SERVICE AND RATES, (CONT'D.)****3.4 Institutional Operator Assisted Calling, (Cont'd.)**

- G.** At the request of the Institution, CTI may impose time limits on local and long distance calls placed using its services.
- H.** At the request of the Institution, equipment may be provided which permits monitoring of inmate calls by legally authorized government officials.

**3.4.2 Rates**

Per minute rate:	\$0.69
Operator Service Rate, per call:	\$3.95

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**ATTACHMENT IV**

**COST SUPPORT**

No cost support data is provided because all of the Company's services are competitive.

**ATTACHMENT V**

**RESUMES OF MANAGEMENT PERSONNEL**

## **ITI INMATE TELEPHONE, INC.**

### **RESUMES OF MANAGEMENT PERSONNEL**

#### **Anthony R. Bambocci President**

Mr. Bambocci is President of Digital Solutions Incorporated since June 1984. Mr. Bambocci performs executive duties for the operation of a six million dollar software company with a staff of fifty-seven employees that is focused on the corrections industry. Mr. Bambocci is also functions as sales a manager to build a national presence, in addition to working with large accounts on a personal level. He set the company direction for all design enhancements on all software products. Mr. Bambocci developed a partnership with industry-related corporations such as KMPM and Accenture.

Mr. Bambocci worked as an Applications Developer for Fluor Engineering in Pennsylvania from September 1982 to June 1984 where he developed and documented accounting software on DEC VAX equipment. He also designed and developed various monitoring software for micro and mini computers to perform data analysis and process control to measure gold content, coal waste and lead decay.

Mr. Bambocci received a B.S. degree in Mathematics from Saint Francis University, Pennsylvania.

#### **James C. Faith Vice President of Digital Solutions and ITI Inmate Telephone, Inc.**

Mr. Faith is Vice President of Digital Solutions, Inc. and ITI Inmate Telephone, Inc. since 1984. Mr. Faith is responsible for all aspects of daily functions for both Digital Solutions and ITI Inmate Telephone. Mr. Faith coordinates all departments with all managers, to help implement new programs within the organizations. Mr. Faith is responsible for the original design of the Inmate Telephone System and keeping it up to date with new technologies.

Mr. Faith founded East Coast Electronics in 1979 where he designed and manufactured computer video games for arcades and gaming routes until 1984. Mr. Faith sold games nationwide to over 500 customers and imported products from various countries.

Mr. Faith also founded Faith Vending Company in 1975 where owned and operated a vending company while operating East Coast Electronics until 1984. Mr. Faith was responsible for completes operation of the vending company including financing, inventory control, route maintenance and the coordination of five routes consisting of over 300 customers.

Mr. Faith received a degree in Electrical Engineering from Penn State University, Pennsylvania.