


PENNSYLVANIA PUBLIC UTILITY COMMISSION
Uniform Cover and Calendar Sheet

1. REPORT DATE: August 2, 2005	2. BUREAU AGENDA NO. AUG-2005-L-0083*
3. BUREAU: Law	
4. SECTION(S):	5. PUBLIC MEETING DATE:
6. APPROVED BY: Director: Mgr/Spvr: Wilmarth 2-8841  Legal Review:	August 11, 2005
7. PERSONS IN CHARGE: Daviston 7-6166 <i>RD</i>	9. EFFECTIVE DATE OF FILING:
8. DOCKET NO.: C-20044049, A-310499	

10. (a) **CAPTION** (abbreviate if more than 4 lines)
 (b) **Short summary of history & facts, documents & briefs**
 (c) **Recommendation**

(a) LBPS v. Inmate Communications, Corp. (2004.0267)

(b) Before the Commission is a request to rescind the Default Order that was entered on July 20, 2005 against Inmate Communications, Corp.(Respondent). On December 14, 2004, the Law Bureau Prosecutory Staff filed a Formal Complaint against Respondent for failure to file its 2003 Annual Report. Subsequently, on July 20, 2005, the Commission entered a Default Order canceling Respondent's certificate. Respondent has now filed its 2003 Annual Report and paid the \$250 late-filing fee.

(c) The Law Bureau recommends that the Commission adopt the proposed Order that rescinds the Default Order.

DOCKETED
AUG 23 2005

**DOCUMENT
FOLDER**

11. **MOTION BY:** Commissioner Chm. Holland

SECONDED: Commissioner Cawley

Commissioner Shane - Yes
Commissioner Pizzigrilli - Yes
Commissioner Fitzpatrick - Yes

CONTENT OF MOTION: Staff recommendation adopted.



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
P.O. BOX 3265, HARRISBURG, PA 17105-3265

August 12, 2005

REFER TO OUR FILE

C-20044049

A-310499

JOHN VALENTINE JR STEPHEN A EDWARDS
INMATE COMMUNICATIONS CORP
7107 VALJEAN AVENUE
VAN NUYS CA 91406

DOCKETED
OCT 05 2005

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

v.

Inmate Communications, Corp.


**DOCUMENT
FOLDER**

To Whom It May Concern:

This is to advise you that a Rescission Order has been adopted by the Commission in Public Meeting on August 11, 2005 in the above entitled proceeding.

A Rescission Order has been enclosed for your records.

Very truly yours,


James J. McNulty
Secretary

Enclosure
LJM

PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265

Public Meeting held August 11, 2005

Commissioners Present:

Wendell F. Holland, Chairman
James H. Cawley, Vice-Chairman
Bill Shane
Kim Pizzingrilli
Terrance J. Fitzpatrick

DOCKETED
OCT 05 2005

Pennsylvania Public Utility Commission
Law Bureau Prosecutory Staff

Docket No.
C-20044049

v.

Inmate Communications, Corp.
(2004.0267)

A-310499

RESCISSION ORDER

**DOCUMENT
FOLDER**

BY THE COMMISSION:

On December 14, 2004, Law Bureau Prosecutory Staff filed a Formal Complaint against Inmate Communications Corp. (Respondent), a non-facilities based reseller of toll service carrier certificated at A-310499, for failure to file its 2003 Annual Report. Subsequently, on July 20, 2005, the Commission entered a Default Order that sustained the complaint and cancelled Respondent's certificate. The notice of the Default Order has not yet been published in the Pennsylvania Bulletin.

On July 27, 2005, subsequent to the entry of the Default Order, Respondent filed its 2003 Annual Report along with a request to have the Default Order rescinded. Respondent attached the \$250 late-filing fee with its request. In its request, Respondent

noted that since the issuance of its certificate in 1997, it has always filed its Commission required reports in a timely manner. In addition, Respondent stated that its failure to file the 2003 Annual Report was inadvertent. Specifically, Respondent stated that in this instance, Respondent confused the filing of its 2003 Assessment Report with the 2003 Annual Report. Respondent also notes that its 2004 Annual Report has been filed in compliance with Commission regulations. A review of Commission records confirms that no other Complaints have been issued against Respondent since the issuance of its certificate.

Because Respondent has now filed its delinquent annual report and paid the late-filing fee, we will grant Respondent's request for rescission. However, we caution Respondent that all future Annual Reports must be timely filed and all Commission correspondence must be answered in a timely manner. The Commission hereby puts Inmate Communications, Corp. and the rest of the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate;

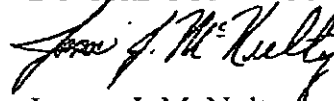
THEREFORE,

IT IS ORDERED:

1. That the Default Order entered July 20, 2005 at this docket against Inmate Communications, Corp. is hereby rescinded.

2. That a copy of this order be published in the Pennsylvania Bulletin.

BY THE COMMISSION,



James, J. McNulty

Secretary

(SEAL)

ORDER ADOPTED: August 11, 2005

ORDER ENTERED: AUG 12 2005