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Kenneth Andre Dade
EA-6297
SCI Fayette
Box 9999
LaBelle Pa 15450

September 13, 2016

Commonwealth of Pennsylvania
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
The Honorable Judge Steven K. Haas
P.O. Box 3265
Harrisburgh Pa 17105-3265

Kenneth Andre Dade V Securus Technologies Inc. C-2016-2547396

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PA.P.U.C.
SECRETARY'S BUREAU

Dear Judge Haas:

This letter is in regards of the conversation I had today with david Zambito, counsel for Securus Technologies. The Conversation consist of the settlement that Securus Technologies was offering in which I would rather go forward with the hearing. I explained to Mr. Zambito that I now have evidence that Securus Technologies posted that notice ONLY after the complaint was filed. (SEE ENCLOSURE) I also still beleive that Securus Technologies should not be authorized to impose the 5% gross receipt tax on the customer-who is not a taxpayer.

Therefore, I would ask that this hearing be held sometime in the middle of October or early November in order for me to do some more research. I'm also still asking to have *Pro-Hac-Vice* appointed for the next hearing.

Thank you for your time and consideration in this matter.

CC:
David Zambito
enclosure

Respectfully Submitted,


Kenneth Andre Dade

Facility Manager's Appeal Response
SCI Fayette
50 Overlook Drive
LaBelle, PA 15450

This serves to acknowledge receipt of your grievance appeal to the Facility Manager for the grievance noted below. In accordance with the provisions of DC-ADM 804, "Inmate Grievance System Policy", the following response is being provided based on a review of the entire record of this grievance. The review included your initial grievance, the Grievance Officer's response, your appeal to me and any other documents submitted.

Inmate Name:	Shariff Ingram	Inmate Number:	DV6749
Facility:	SCI Fayette	Unit Location:	CA 46
Grievance #:	626992		
Publication (if applicable):			
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Entirely		
<i>It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or Uphold in part/Deny in part. This response will include a brief rationale, summarizing the conclusion, any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.</i>			
Response:	Frivolous		
<p>In his response to you Mr. Oppman informed you that he discussed your issue with the on-site phone rep Ms. Gibson. He also informed you that the state of PA implements sales tax on all calls. This tax is regulated by the state and not SECURUS or the DOC. In your appeal you claim that you were not notified of the change until after you filed the grievance. According to information provided by Ms. Gibson "each call an inmate makes, clearly states 6 cents per minute plus all applicable taxes". You are correct in stating that the notice was not provided to the Unit Managers until mid-June. There was a miscommunication. While it is unfortunate there was a miscommunication concerning the posting of the notice on the housing units, according to SECURUS's onsite representative inmates are notified that they will be charged all applicable taxes when making a phone call. Please remember that using the phone is a privilege and you are not required to utilize said privilege. After careful evaluation of this grievance and initial review response, it has been determined that the action and response provided by the investigating grievance officer will be upheld.</p> <p>Based on the above information, I must deny your appeal and all requested relief.</p>			
Signature:	Jay Lane		
Title:	Facility Manager		
Date:	7-7-2016		

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cc: DC-15
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