

CAPTION SHEET

CASE MANAGEMENT SYSTEM

1. REPORT DATE: 00/00/00 :
 2. BUREAU: ALJ :
 3. SECTION(S) :
 4. PUBLIC MEETING DATE: 00/00/00 :
 5. APPROVED BY: DIRECTOR: :
 SUPERVISOR: :
 6. PERSON IN CHARGE: :
 7. DATE FILED: 04/23/03 :
 8. DOCKET NO: C-20030123 :
 9. EFFECTIVE DATE: 00/00/00 :

"corrected caption"

PARTY/COMPLAINANT: FRANKS, DANIEL

RESPONDENT/APPLICANT: T-NETIX, INC. & T NETIX TELECOM SVCS

COMP/APP COUNTY: SOMERSET UTILITY CODE: 310631

ALLEGATION OR SUBJECT

COMPLAINANT STATES SERVICE CUTS OFF DURING CONVERSATIONS. HE WANTS PUC TO CONTACT COMPANY & HAVE THEM RETURN HIS MONEY OR REPLACE LOSS TO HIS ACCOUNT.

DOCKETED
MAY 26 2005

**DOCUMENT
FOLDER**

BTL

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DOCUMENT
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MAY 24 2003

ORIGINAL

Please Print:

310631

2003 APR 23 AM 8:57

1. Your Name, Mailing Address and Telephone Number SECRETARY'S BUREAU

Name Daniel Franks # EC0431

Street/P.O. Box 1600 Walter Mill Road Apt.# JA-62

City Somerset State P.A. Zip 15510

County Somerset Home Telephone-Area Code (814) 443-8100

Work Telephone-Area Code ()

2. Name of Company your complaint concerns: T-Netix Phone System's

3. What is your complaint?

My phone calls were cut off because of "Third Party"
billing several months ago by T-Netix. Now T-Netix
has "DEBIT PHONE ACCOUNTS" that inmates can purchase
from commissary. The problem is T-Netix still has
problems with their system, it cut's off during
your conversation and you end up paying for phone
calls that you never used. This has happened to me
several times, and I'm left paying for their mis-
take's.

(If you need more space, use additional paper and attach to this form).

(-over-)

50

What do you want the Public Utility Commission to do about your complaint?

I want you to make this right by illustrating what the commission stands for. My expectations is that you contact T-Netix and enforce that they promptly return my money or replace the loss to my account (Debit Phone Account). I'd also like to have you, the P.U.C., to use your authoritative position to take interest in this cruel and sinister company. It's like a diabolically corporate scheme to rob inmates and our families. Please help.

(If you need more space, use additional paper and attach to this form.)

5. You must sign and date your complaint below.

The information I have placed on this form is true and correct to the best of my knowledge. I understand that I could be punished under Pennsylvania State Law if I purposely give false information.

Daniel Frankes

Original Signature of complaining person

4-18-03

Date

6. If you are represented by a lawyer you must provide your lawyer's name, address and telephone number.

Lawyer's Name _____

Street _____

City _____ State _____ Zip _____

Telephone Number-Area Code (_____) _____

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

DATE SERVED: May 22, 2003

C-20030123

T-NETIX, INC.
1544 VALWOOD PARKWAY #102
CARROLLTON TX 75006

OCU 11/11/03

Dear Sir/Madam:

A complaint has been filed against you before the Pennsylvania Public Utility Commission by DANIEL FRANKS. To defend yourself against the claims stated in the following pages, you must act within twenty (20) days by filing in writing with the Commission, either personally or through your attorney, your defenses or objections to the claims stated against you. Or, you may satisfy the complaint by settling the matter with the Complainant and submitting proof of settlement to the Commission within twenty (20) days.

IF YOU FAIL TO RESPOND WITHIN TWENTY (20) DAYS, THE CASE MAY GO FORWARD IN YOUR ABSENCE AND A JUDGEMENT MAY BE ENTERED AGAINST YOU BY THE COMMISSION WITHOUT FURTHER NOTICE.

CUSTOMER OF A UTILITY

A payment schedule may be prescribed or a termination of utility services may be authorized. You may lose money or property or other rights important to you.

COMPANY/UTILITY

An Administrative Law Judge may revoke or suspend any certificate or permit held by you, or impose a fine, or any other appropriate penalty or remedy authorized by the Public Utility Code. You may lose money or property or other rights important to you.

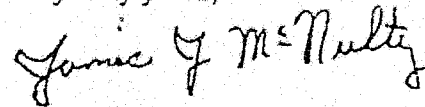
May 22, 2003

Detailed instructions on how to proceed are contained in the attached pages. You are advised to read them carefully.

Unless you are a corporation or other organization, you may proceed without a lawyer. However, if you want a lawyer and do not have one or cannot afford one, the office listed below can tell you where you can get legal help:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Very truly yours,

A handwritten signature in cursive script that reads "James J. McNulty".

James J. McNulty
Secretary

KSB

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DATE SERVED: May 22, 2003

DANIEL FRANKS
Complainant

VS.

T-NETIX, INC.
Respondent

Complaint Docket
No: C-20030123

DOCUMENT

MAY 22 2003

FORMAL COMPLAINT NOTICE TO RESPONDENT TO ANSWER OR SATISFY

TO: T-NETIX, INC.

TAKE NOTICE:

That a complaint in the above entitled matter, of which the attached is a true and correct copy, has been presented and filed of record with the Pennsylvania Public Utility Commission. Section 702 of the Public Utility Code, 66 Pa. C.S. Section 702, requires the Commission to serve on each party named in a complaint a copy of the complaint and notice calling upon each party to satisfy the complaint, or to answer the same in writing within a specified time; THEREFORE,

1. You have twenty (20) days from the date on which this complaint is served to either satisfy this complaint or to file with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, an answer (original and three copies), in writing, under oath, which, as required by Section 5.61 of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 5.61, either affirms or specifically denies the allegations in this complaint. You must also serve a copy of the answer upon the complainant. The date of service is the mailing date as indicated by the date at the top of this Notice. Section 1.56(a) of the Commission's Rules of Practice and Procedure, 52 Pa. Code Section 1.56(a).

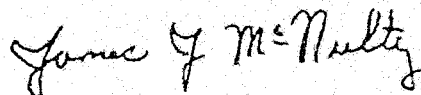
2. If you fail to either satisfy this complaint or to file answer or other responsive pleading within twenty (20) days, you will be deemed to have admitted all the allegations in this complaint in accordance with Section 5.61 of the Commission's Rules of Administrative Practice and Procedure, 52 Pa. Code Section 5.61. In that event, the Commission may, without hearing, enter an order which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C.S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which

prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

3. If you elect to satisfy this complaint you must file, within twenty (20) days from the date on which this complaint is served, affidavits executed by each complainant that this complaint has been satisfied. Such affidavits must describe the basis on which this complaint was satisfied; any settlement agreement between the parties must be reduced to writing and attached to the affidavit. Such affidavits are to be filed with the Secretary of the Commission at the address set forth in paragraph 1. Upon receipt of affidavits of satisfaction from all complainants, this complaint may be dismissed by the Commission in accordance with Section 703(a) of the Public Utility Code, 66 Pa. C.S. Section 703(a), unless the Commission determines that such dismissal would be contrary to the public interest, in which event the Commission may direct that hearings be held upon the complaint.

4. If you file an answer which admits the allegations in this complaint, or which fails to specifically deny the allegations in this complaint, the Commission may, without hearing, enter an order which either revokes or suspends any certificate held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq., and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. The Commission is not limited to the relief sought by the complainant in paragraph 4 of the attached complaint.

5. If you file a timely answer which specifically denies the allegations in this complaint, or which raises material questions of law or fact, this matter shall be referred to the Office of Administrative Law Judge for hearing and decision. If, after hearing on the issues raised by that answer, you are found to have committed any of the violations alleged in the complaint, the Administrative Law Judge may render a decision which either revokes or suspends any certificate or permit held by you or which imposes a fine or any other appropriate penalty or remedy authorized by the Public Utility Code, 66 Pa. C. S. Section 101, et seq.; and, if you are a customer of a utility, an order may be entered which prescribes a payment schedule or which authorizes termination of utility services. In the imposition of a penalty after a hearing the Administrative Law Judge is not bound by the relief sought by the complainant in paragraph 4 of the attached complaint.



James J. McNulty
Secretary

(SEAL)

Certified Mail
Return Receipt Requested



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Office Of Administrative Law Judge
P.O. Box 3265, Harrisburg, PA 17105-3265
May 28, 2003

IN REPLY PLEASE
REFER TO OUR FILE

In Re: C-20030123

(See attached list)

Daniel Franks EC0431 V. T-Netix, Inc.

Billing dispute.

REP

NOTICE

This is to advise you that Administrative Law Judge Louis G. Cocheres has been assigned as the presiding officer in the above-captioned proceeding. Judge Cocheres can be contacted at P.O. Box 3265, Harrisburg, PA 17105-3265, Telephone: (717) 783-5452, Fax: (717) 787-0481.

pc: Judge Cocheres
Steve Springer, Scheduling Officer
Beth Plantz
Docket Section
Calendar File

DOCUMENT
FOLDER

DOCKETED

MAY 30 2003

ORIGINAL

KOLLETT DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

BTL

TYSONS CORNER

8000 TOWERS CRESCENT DRIVE

SUITE 1200

VIENNA, VIRGINIA 22182

(703) 918-2300

FACSIMILE

(703) 918-2450

www.kollettdrye.com

DIRECT LINE (703) 918-2380

EMAIL aedmonds@kollettdrye.com

NEW YORK, NY

WASHINGTON, DC

LOS ANGELES, CA

CHICAGO, IL

STAMFORD, CT

PASADENA, NJ

BRUSSELS, BELGIUM

HONG KONG

AFFILIATE OFFICES

BANGKOK, THAILAND

JAKARTA, INDONESIA

MANILA, THE PHILIPPINES

MUMBAI, INDIA

TOKYO, JAPAN

June 10, 2003

RECEIVED

JUN 10 2003

VIA UPS

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Mr. James J. McNulty
Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor, Room N201
Harrisburg, Pennsylvania 17105

DOCUMENT
FOLDER

Re: Motion for Admission *Pro Hac Vice* -- Complaint Docket No.
C-20030123/Daniel Franks

Dear Mr. McNulty:

Enclosed please find a Motion for Admission *Pro Hac Vice* of Glenn B. Manishin and Andrea Pruitt Edmonds in the above-captioned proceeding. As explained in the Motion, Mr. Manishin and the undersigned represent T-NETIX, Inc. in state and regulatory matters and have been retained to handle the complaint filed in the above-referenced proceeding.

Also enclosed, please find two copies of this filing, a duplicate and a self-addressed, postage prepaid envelope. Please date-stamp the duplicate and return in the envelope provided. If you have any questions regarding this matter, please contact the undersigned at (703) 918-2380.

Respectfully submitted,

Andrea P. Edmonds

ORIGINAL

RECORDED

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JUN 10 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DANIEL FRANKS
Complainant

vs.

T-NETIX, INC.
Respondent

Complaint Docket No. C-20030123

DOCUMENT
FOLDER

MOTION FOR ADMISSION *PRO HAC VICE* OF
GLENN B. MANISHIN AND ANDREA P. EDMONDS

DOCKETED
JUN 13 2003

NOW COMES Enrico C. Soriano, a member in good standing of the Bar of the Supreme Court of Pennsylvania, on behalf of T-NETIX, Inc. ("T-NETIX"), and hereby respectfully moves for admission *pro hac vice* of T-NETIX's out-of-state counsel. In support thereof, the following is stated:

1. Rule 301 of the Pennsylvania Bar Admission Rules permits an attorney qualified to practice in the courts of another jurisdiction to be admitted to the Bar of this Commonwealth for purposes limited to a particular matter. See Pa. B.A.R. Rule 301.

2. Glenn B. Manishin and Andrea Pruitt Edmonds, T-NETIX's out-of-state attorneys, are qualified to practice in jurisdictions which accord reciprocal privileges to members of the Bar of this Commonwealth.

3. Mr. Manishin is a partner with the law firm of Kelley Drye & Warren LLP, 8000 Towers Crescent Drive, Suite 1200, Vienna, Virginia 22182. He is a member in good standing of the Bars of California, Virginia and the District of Columbia. Mr. Manishin has not been

disbarred or suspended from the practice of law in the jurisdictions in which he is admitted, nor is he presently subject to pending disciplinary proceeding in any jurisdiction.

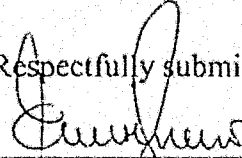
4. Ms. Edmonds is an associate with the law firm of Kelley Drye & Warren LLP, 8000 Towers Crescent Drive, Suite 1200, Vienna, Virginia 22182. She is a member in good standing of the Bars of the District of Columbia and the Commonwealth of Virginia. Ms. Edmonds has not been disbarred or suspended from the practice of law in any jurisdiction in which she is admitted, nor is she presently subject to pending disciplinary proceeding in any jurisdiction.

5. Mr. Manishin and Ms. Edmonds are T-NETIX's counsel in various federal and state matters, and are familiar with T-NETIX's business and the instant proceeding. Consequently, Mr. Manishin and Ms. Edmonds are best qualified to represent T-NETIX's interests in this proceeding.

6. Finally, Mr. Manishin and Ms. Edmonds possess the requisite character and fitness to represent T-NETIX in the Commonwealth for the purpose of this proceeding. They have agreed to abide by all applicable statutes and regulations governing the practice of law in Pennsylvania.

WHEREFORE, the undersigned movant respectfully requests that the Commission grant *pro hac vice* admission to Glenn B. Manishin and Andrea Pruitt Edmonds, pursuant to Rule 301 of the Pennsylvania Bar Admission Rules.

Respectfully submitted,



Enrico C. Soriano*
Pennsylvania Bar No. 63933
KELLEY DRYE & WARREN LLP
1200 19th Street, N.W., Suite 500
Washington, D.C. 20036
(202) 955-9600
(202) 955-9792 (facsimile)

Counsel for T-NETIX, Inc.

Dated: June 4, 2003

*Also licensed to practice in New Jersey and the District of Columbia.

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing document to be sent this day
by first class U.S. Mail, postage prepaid, to the parties named below:

Daniel Franks (EC0431)
SCI-Somerset
1600 Walters Mill Road
JA-62
Somerset, PA 15510

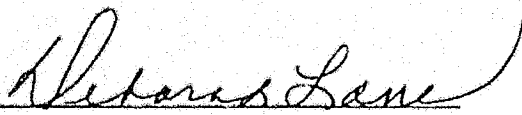
RECEIVED

JUN 10 2003

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Hon. Louis G. Cocheres
Administrative Law Judge
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Dated this 10th day of June 2003 at
Fairfax County, Virginia.


Deborah Lane, Secretary
KELLEY DRYE & WARREN LLP

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

TYSONS CORNER

8000 TOWERS CRESCENT DRIVE

SUITE 1200

VIENNA, VIRGINIA 22182

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www.kelleydrye.com

DIRECT LINE (703) 918-2380

EMAIL aedmonds@kelleydrye.com

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PARSIPPANY, NJ

BRUSSELS, BELGIUM

HONG KONG

AFFILIATE OFFICES

BANGKOK, THAILAND

JAKARTA, INDONESIA

MANILA, THE PHILIPPINES

MUMBAI, INDIA

TOKYO, JAPAN

July 25, 2003

DOCUMENT FOLIO

JUL 25 2003

VIA UPS

Mr. James J. McNulty
Secretary's Bureau
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor, Room N201
Harrisburg, PA 17105

PENNSYLVANIA PUBLIC UTILITY COMMISSION
SECRETARY'S OFFICE

Re: Answer to Complaint of Daniel Franks; Docket No. C-20030123

Dear Secretary McNulty:

T-NETIX, Inc. and T-NETIX Telecommunications, Inc. (collectively, "T-NETIX"), by the undersigned, hereby submit an original and two copies of their Answer to the Complaint filed by Daniel Franks in the above-referenced proceeding. Also enclosed are a duplicate of this filing and a self-addressed, postage prepaid envelope. Please date-stamp the duplicate and return in the envelope provided.

Thank you for your attention to this matter. If you have any questions, please give me a call at (703) 918-2380.

Sincerely,

Andrea P. Edmonds

Andrea P. Edmonds

APE:APE

88

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

DANIEL FRANKS
Complainant

vs.

T-NETIX, INC.
Respondent

DOCUMENT FILED

Complaint Docket No. C-20020123

DOCKETED

JUL 27 2003

JUL 25 2003

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**ANSWER TO THE COMPLAINT
OF DANIEL FRANKS**

T-NETIX, Inc. and T-NETIX Telecommunications, Inc. (collectively, "T-NETIX" or "Company"), by their attorneys, hereby reply to the Complaint filed by Daniel Franks ("Complainant") in the above-captioned proceeding. In the Complaint, Mr. Franks alleges that the company disconnected or "cut off" calls for which he was charged. As demonstrated herein, Complainant's allegation is incorrect, legally without merit and should be dismissed by the Pennsylvania Public Utility Commission ("Commission") with prejudice.

PRELIMINARY STATEMENT

T-NETIX is a leading provider of inmate telecommunications services serving correctional institutions throughout the United States. T-NETIX's service offerings include payphone service, operator service and long distance voice communications services to prison inmates. The Company has served inmates and correctional facilities exclusively since 1989 and does not provide telecommunications services to the general public.

In Pennsylvania, T-NETIX is certified as a reseller of interexchange services and contracts with Verizon to provide collect and prepaid telecommunications services to various correctional institutions, including the State Correctional Institution in Somerset ("SCI-Somerset") where the Complainant is imprisoned.¹ Among other services, T-NETIX provides SCI-Somerset inmates "Prepaid Institutional Calling Service," a telecommunications service offering which allows inmates to make direct-dialed phone calls using a debit account. T-NETIX provides Prepaid Institutional Calling Service pursuant to rates, terms and conditions set forth in the Company's tariff on file with the Commission.²

COMPLAINANT'S ALLEGATIONS OF "CUT OFF" CALLS ARE UNFOUNDED

Complainant alleges that T-NETIX disconnected or "cut off" calls for which he was charged. In response to these allegations, the Company conducted an internal investigation of Complainant's call records and found no evidence of calls involuntarily disconnected by T-NETIX. To the contrary, the Company's records indicate that all of the Complainant's completed calls were terminated either by Complainant or the called party.

It is the Company's policy to investigate and resolve any identified mistakes in the most efficient manner possible. In this instance, as stated above, the Company's investigation simply has not revealed evidence of involuntarily disconnected calls. Moreover, Complainant fails to identify specific calls he believes were involuntarily disconnected. Consequently, T-NETIX believes it has responded and resolved the Complaint to the extent possible.

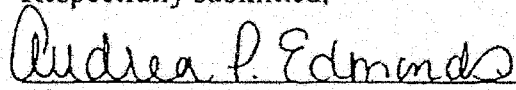
¹ The Company's Certificate of Public Convenience and Necessity ("CPCN") was granted on August 19, 1992 in Docket No. A-310118. The CPCN originally was granted to Gateway Technologies, Inc. and subsequently transferred to T-NETIX Telecommunications, Inc. as the result of a corporate reorganization. See *Letter from James J. McNulty to Lance J.M. Steinhart*, Docket No. A-310118; A-310118F0002 (dated February 1, 2001).

² See Pa. C.S.A. § 1302; Pa. Code § 63.114(d).

CONCLUSION

For all these reasons, Respondent, T-NETIX, respectfully requests that the Pennsylvania Public Utility Commission dismiss the Complaint, and all the relief sought therein, with prejudice.

Respectfully submitted,



Glenn B. Manishin

Andrea Pruitt Edmonds

KELLEY DRYE & WARREN LLP

8000 Towers Crescent Drive

Suite 1200

Vienna, Virginia 22182

(703) 918-2300 (telephone)

(703) 918-2450 (facsimile)

**Counsel to T-NETIX, Inc. and
T-NETIX Telecommunications, Inc.**

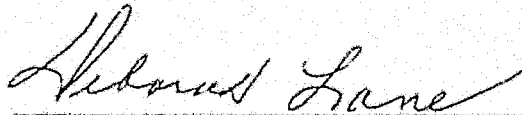
Dated: July 25, 2003

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of July 2003, a copy of the ANSWER TO THE COMPLAINT OF DANIEL FRANKS was sent via first-class mail, postage prepaid, to the following:

The Honorable Louis G. Cocheres
Office of Administrative Law Judge
Pennsylvania Public Utility Commission
Post Office Box 3265
Harrisburg, Pennsylvania 17105-3265

Daniel Franks (EC0431)
SCI-Somerset
1600 Walter Mill Road, JA-62
Somerset, Pennsylvania 15510



Deborah Lane
Legal Secretary