

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

ORIGINAL

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 :
Deanna Onufer v. T-Netix, Inc. : Docket No.
 Reliability, safety or quality dispute. : C-20067074
 :
 Initial Telephonic Hearing :
 :
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Pages 1 through 66

Conference Room A
Commonwealth Keystone Building
Harrisburg, Pennsylvania

**DOCUMENT
FOLDER**

Tuesday, February 20, 2007

Met, pursuant to notice, at 10:05 a.m.

BEFORE:

DAVID A. SALAPA, Administrative Law Judge

APPEARANCES:

DEANNA ONUFER
1522 Valley Road
Bethlehem, Pennsylvania 18018
(Pro Se)

DAVID P. ZAMBITO, Esquire
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(For T-Netix, Inc.)

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P R O C E E D I N G S

1
2 ADMINISTRATIVE LAW JUDGE DAVID A. SALAPA: Let's go on
3 the record.

4 This is the time and the place that the Pennsylvania
5 Public Utility Commission has set for a hearing in the case
6 captioned, "Deanna Onufer versus T-Netix, Inc.," at Docket
7 No. C-20067074.

8 I am Administrative Law Judge David Salapa. The
9 Commission has assigned me to preside over the hearing in
10 this case and to render a decision for the Commission to
11 consider.

12 Appearing by telephone this morning is the
13 Complainant, Deanna Onufer.

14 Good morning, Ms. Onufer.

15 MS. ONUFER: Good morning.

16 JUDGE SALAPA: Also appearing by telephone is counsel
17 for the Respondent, Mr. David Zambito.

18 Good morning, Mr. Zambito.

19 MR. ZAMBITO: Good morning, Your Honor.

20 JUDGE SALAPA: Now, can each of you hear me?

21 MS. ONUFER: Yes.

22 MR. ZAMBITO: Yes, Your Honor.

23 JUDGE SALAPA: And can you hear each other?

24 MR. ZAMBITO: Yes, Your Honor.

25 MS. ONUFER: Yes, Your Honor.

1 JUDGE SALAPA: I can hear each of you. So, we have a
2 good telephonic connection.

3 Ms. Onufer, since you are the Complainant in this
4 matter, you have the burden of going forward first to
5 present your case.

6 I will swear you in before you begin to testify.
7 After you have finished testifying, Mr. Zambito will be
8 allowed to ask you questions about your testimony. This is
9 called cross-examination. I simply ask that you listen to
10 his questions and try to answer them to the best of your
11 ability.

12 After you are done testifying and any other witnesses
13 on your behalf are done testifying and subject to cross-
14 examination, Mr. Zambito will present his witness. And, at
15 that point after that witness is done testifying, you will
16 be allowed to ask cross-examination questions on the
17 testimony of his witness.

18 Do you have any questions about how this hearing is
19 going to proceed this morning?

20 MS. ONUFER: No.

21 MR. ZAMBITO: No, Your Honor.

22 JUDGE SALAPA: All right. Ms. Onufer, are you going
23 to testify first or is your daughter going to testify first?

24 MS. ONUFER: I will testify first.

25 JUDGE SALAPA: All right. Ms. Onufer, could you

1 please raise your right hand?

2 MS. ONUFER: Yes, Your Honor.

3 Whereupon,

4 DEANNA ONUFER

5 having been duly sworn, testified as follows:

6 DIRECT TESTIMONY

7 JUDGE SALAPA: Please state and spell your name for
8 the record.

9 THE WITNESS: Deanna Onufer.

10 JUDGE SALAPA: And could you spell that?

11 THE WITNESS: D-e-a-n-n-a O-n-u-f-e-r.

12 JUDGE SALAPA: And, Ms. Onufer, where do you reside?

13 THE WITNESS: Bethlehem, Pennsylvania.

14 JUDGE SALAPA: And how long have you resided in
15 Bethlehem?

16 THE WITNESS: All my life; 60 years.

17 JUDGE SALAPA: According to your Complaint, you were
18 using T-Netix to contact your daughter. Is that correct?

19 THE WITNESS: Yes, I was using T-Netix.

20 JUDGE SALAPA: And it is my understanding your
21 daughter was incarcerated for a while in the State
22 Correction System. Is that correct?

23 THE WITNESS: Yes, it is, Your Honor.

24 JUDGE SALAPA: The one location was at Cambridge
25 Springs?

FORM 1

1 THE WITNESS: Yes.

2 JUDGE SALAPA: And, if you know, is that in the
3 northwestern part of the state?

4 THE WITNESS: Yes, it is.

5 JUDGE SALAPA: And then there is also another listing.
6 I believe it is Karthaus, K-a-r-t-h-a-u-s. Is that correct?

7 THE WITNESS: No. The first time was Northampton
8 County Prison, and then to Muncy, and then to Cambridge.
9 And then it went to boot camp in Caracas (sic).

10 JUDGE SALAPA: Okay. Somewhere in here I have that
11 she was for a while in a location called K-a-r-t-h-a-u-s.

12 THE WITNESS: That was toward the end, yes, when I
13 really needed to be in contact with her.

14 JUDGE SALAPA: And where is that, if you know,
15 Karthaus? Is it also in the northwestern part of the state?

16 THE WITNESS: Yes.

17 JUDGE SALAPA: All right. According to your
18 Complaint, you are claiming that T-Netix improperly
19 disconnected you while you were telephoning or having
20 telephone conversations with your daughter. Could you
21 please elaborate on that a little bit?

22 THE WITNESS: Yes, Your Honor. Numerous calls we were
23 disconnected for no reason. And then I would have to pay or
24 she would have to call back and be charged another \$2.77 to
25 be connected. Many times it was staticky or she did not

1 hear me or I did not hear her.

2 The majority of calls that we had was for a minute or
3 two and then it would hang up, and then she would have to
4 call me back again. And this was continuous.

5 I was always on my land-line phone, with a cord, and
6 there was no reason. I had no three-way, nothing like that.

7 I was always being charged extra to have to be
8 connected to her.

9 JUDGE SALAPA: All right. Let me ask you this. On
10 these telephone calls, they were initiated by your daughter
11 from one or more of these correctional facilities. Is that
12 correct?

13 THE WITNESS: Yes. The majority of calls came from
14 Cambridge Springs. She had to call me. And then, toward
15 the end when she was moved to the boot camp in Caracas
16 (sic), I had to have information of when she was -- I was to
17 pick her up, because she was coming home.

18 And that is when I was also told I had to prepay to
19 talk to my daughter. I was very outraged about this,
20 because I have always paid my phone bill. I was always paid
21 in full. And then at the end they tell me I have to prepay
22 or I cannot talk to my daughter.

23 And this was the most important time I had to reach
24 her, because I did not know where she was. I had to find
25 directions. I had to talk to her, to have communication,

1 and that is all we have ever had.

2 I feel so bad, because -- I am frustrated because of
3 all the times of trying to talk to her and having -- they
4 give you 15 minutes and then they cut it off when they want
5 to and disconnect us. That is more stressful on the inmate
6 and also for me.

7 But, when I prepaid, I was questioning this. Why
8 prepay when I paid in full all the time, in all of the two
9 and a half years that she was incarcerated?

10 I was told to do this. I did what they wanted, and I
11 said -- I still did not get through to her. It took a week
12 or more for them to get me connected to her when she was at
13 the last area that she was staying at.

14 JUDGE SALAPA: Did T-Netix ever provide you with an
15 explanation as to why they wanted you to prepay when your
16 daughter was moved from Cambridge Springs to Karthaus?

17 THE WITNESS: They told me that that is what they are
18 doing now. And also because if you talk for more than the
19 time that you are supposed to, it -- it is like a high
20 volume of calls.

21 I said I would not have these high volume of calls if
22 they would not keep disconnecting us. That was my whole
23 point. They constantly disconnected us, and then she had to
24 call back, and we were charged more money. I mean, I am not
25 a rich woman. I am on a fixed income. And it is very

1 stressful.

2 And also, toward the end, I tried to get in contact
3 with her, toward the end and her coming home to me. I mean,
4 those were the times I really needed to talk to her, and I
5 could not even get through. I was on that phone all the
6 time trying to have them -- the line was like just
7 disconnected and I could not -- they would not open the
8 line. They said another 72 hours after they received their
9 money they would open the line.

10 I said, "No. I need to have it open now. My daughter
11 needs to contact me of when I should pick her up, where she
12 is."

13 It was the whole -- the whole ordeal was upsetting
14 and, like I say, frustrating. I was very dissatisfied with
15 the service, because, I mean, I have always paid my bills.
16 I told them this. They could look at my records. I have
17 never had a problem.

18 It seemed like they just wanted to keep drawing more
19 out of me that I don't have.

20 JUDGE SALAPA: Did --

21 THE WITNESS: And then, when I pay, and did pay
22 constantly, it is like I wasn't getting anywhere. I am a
23 paying customer and I am still not getting my satisfaction
24 or my money's worth.

25 JUDGE SALAPA: Did you voice any of these concerns to

1 T-Netix --

2 THE WITNESS: Constantly.

3 JUDGE SALAPA: -- that you were being cut off?

4 THE WITNESS: Oh, yes, I did, sir. And I also did to
5 the prison, and the prison said I had to go to T-Netix, to
6 the phone company.

7 I was back and forth, also, with Verizon, because they
8 said they are not blocking my calls. The correctional place
9 is doing it. And I had to call there. I was on the
10 phone --

11 JUDGE SALAPA: So, Verizon is your local telephone
12 service. Is that correct?

13 THE WITNESS: Yes, sir.

14 JUDGE SALAPA: Did T-Netix indicate to you why the
15 telephone conversations were being terminated?

16 THE WITNESS: No. They just cut the phones and that
17 is it, and she would have to keep calling me back.

18 JUDGE SALAPA: Did you contact their customer service
19 people to lodge a complaint?

20 THE WITNESS: Yes, sir. I did that many times.

21 JUDGE SALAPA: And did they offer you any explanation
22 as to why the telephone service was being cut off?

23 THE WITNESS: No. They just kept asking me questions
24 about the phone or, "Do you recall how many times a day you
25 called?" I said, "We're only allowed two 15-minute phone

1 calls a day."

2 Every time they cut me off after one minute or two
3 minutes, she would have to call back. It was disconnected.

4 I wasn't getting any satisfaction from them at all.

5 JUDGE SALAPA: Well, maybe I should ask you some
6 questions, then, about your telephone service.

7 You have a regular land-line phone in your house in
8 Bethlehem. Is that correct?

9 THE WITNESS: Yes, sir.

10 JUDGE SALAPA: And you don't have a cordless phone?

11 THE WITNESS: I have a cordless, but I did not use
12 that, because I know the rules and regulations of using a
13 land-line, no three-way or anything.

14 Every time she called from the prison, I was on my
15 land-line phone.

16 JUDGE SALAPA: And, during the course of your
17 telephone conversations, was there someone else in the house
18 who attempted to pick up an extension phone?

19 THE WITNESS: No, sir. I am by myself. I am a widow.
20 I live by myself. It is my daughter and I.

21 JUDGE SALAPA: Okay. The next part of your Complaint
22 talks about prepaying \$100.00 to T-Netix in November of 2006
23 and them owing you a refund of \$36.12.

24 THE WITNESS: Right.

25 JUDGE SALAPA: Have you now received the refund from

1 T-Netix for that?

2 THE WITNESS: I received that way after they said
3 about it.

4 JUDGE SALAPA: All right. But you did receive the
5 refund?

6 THE WITNESS: Yes, sir.

7 JUDGE SALAPA: Is there anything else that you would
8 like to tell me about your Complaint with T-Netix?

9 THE WITNESS: Pardon? I didn't hear you too good.

10 JUDGE SALAPA: Is there anything else at this point
11 that you would like to tell me about your Complaint with
12 T-Netix?

13 THE WITNESS: Just that I was very disappointed in the
14 service. The money that they owed me, they did send me.
15 They did owe me. I mean, I am not asking for any free money
16 or anything. I am asking to be justified, this whole ordeal
17 of having to go through this for two and half years when
18 they picked up the service.

19 I feel I shouldn't be taken advantage of as a paying
20 customer. I have always paid my bills. I just feel, for a
21 little person, I was taken advantage of. It was a stressful
22 situation as it was.

23 JUDGE SALAPA: And so, at this --

24 THE WITNESS: I feel fortunate today that we have this
25 hearing that I can express myself and tell you, you know,

1 what happened.

2 JUDGE SALAPA: And so, you want the Commission to
3 refund you the \$2.77 per call where you had to incur an
4 extra re-connection cost where you allege that the phone
5 contact was improperly cut off. Is that correct?

6 THE WITNESS: Yes. And I would leave that monetary up
7 to you, Judge, to decide.

8 JUDGE SALAPA: Well, I can only refund you on the
9 basis of the connection charge. I cannot award you any
10 additional damages based on pain and suffering or anything
11 of that nature.

12 THE WITNESS: Yes.

13 JUDGE SALAPA: The General Assembly, when it created
14 the Public Utility Commission, did not empower the
15 Commission to award monetary damages for pain and suffering.

16 THE WITNESS: Yes.

17 JUDGE SALAPA: So, my limitations are to award you a
18 refund of some kind and/or to fine T-Netix, if I find that
19 they have violated the Commission's regulations or statutes.

20 THE WITNESS: Yes. I understand. I appreciate that.

21 JUDGE SALAPA: Is there anything else at this point
22 you would like to add to your testimony?

23 THE WITNESS: Would you want to talk to my witness
24 now?

25 JUDGE SALAPA: Well, I want to get your testimony

1 first. Are you finished?

2 THE WITNESS: I am finished.

3 JUDGE SALAPA: All right. Mr. Zambito, do you have
4 any cross-examination?

5 MR. ZAMBITO: Yes, Your Honor.

6 JUDGE SALAPA: Go ahead.

7 MR. ZAMBITO: Good morning, Ms. Onufer.

8 THE WITNESS: Good morning.

9 MR. ZAMBITO: I just have a couple of follow-up
10 questions.

11 CROSS-EXAMINATION

12 BY MR. ZAMBITO:

13 Q You said that you were disconnected numerous
14 times.

15 A Yes.

16 Q Could you identify which of the 117 calls that you
17 have identified in your Amended Complaint were improperly
18 disconnected?

19 A Are you saying by month or day? I have --

20 Q Identify the specific calls of those 117 listed.

21 A Well, I have all of them here. I have all of
22 them.

23 Q So, it is your allegation that every one of those
24 117 calls that were terminated prior to 15 minutes were
25 improperly disconnected?

1 A Yes, sir.

2 Q Would you be able to walk through each of those
3 calls and let us know why each of them were improperly
4 disconnected?

5 A I have it right here in front of me. I can do
6 that.

7 (Pause.)

8 Q Could you start out? We will just go through a
9 couple of them. I don't think the Judge wants us to go
10 through 117. Could you tell us what happened on, let's say,
11 the first call listed?

12 A 4/29/06, 6:27 p.m., that was after six minutes.
13 4/30/06, 10:40 a.m., after two minutes.

14 Q But why were they disconnected?

15 A Well, it just hung up on me. It was disconnected.
16 I have no -- that is why I am calling to complain about this
17 -- that is why I called. I have no idea. I have no -- I
18 have no answer for that, because I don't know why. They
19 never gave me an answer. I just had to keep calling back.
20 And then they would say, "It is high volume."

21 Q Are you alleging, then, on none of these calls you
22 or your daughter hung up?

23 A No, sir. And we did not have a full 15 minutes.
24 It always broke up in between.

25 Q Ms. Onufer, do you recall signing your original

1 Complaint?

2 A Yes, sir.

3 Q Do you recall a verification at the bottom saying
4 that you swear that everything is true and correct --

5 A Yes, sir.

6 Q -- subject to penalty of law?

7 A Yes, sir.

8 Q And you recall taking -- being sworn in by the
9 Judge this morning?

10 A Yes, sir, I have.

11 Q Now, would you like to state once again that all
12 117 of those calls were improperly disconnected?

13 A Yes, sir. They were disconnected. I mean, I
14 lived through it. I know what I am talking about. I don't
15 lie about this.

16 Q Do you have an answering machine, Ms. Onufer?

17 A I have an answering machine, yes.

18 Q You mentioned that you have both a cordless phone
19 and a land-line phone, correct?

20 A Yes.

21 Q Do you have Caller ID?

22 A Yes.

23 Q So, you know it is your daughter who is calling?

24 A Oh, yes.

25 Q What other custom features do you have?

1 A I don't have any other custom features.

2 Q Okay. Are you aware of the Department of
3 Corrections' policies regarding inmate telephone calls?

4 A I was told that I could have two 15-minute calls
5 with her.

6 Q Okay. And do you have an objection to the
7 Department of Corrections' policy?

8 A No.

9 JUDGE SALAPA: Excuse me.

10 BY MR. ZAMBITO:

11 Q You made a statement to the effect that it took
12 them a week or so to get her calls connected. Were you
13 talking about the institution or T-Netix?

14 A T-Netix.

15 Q When you said that, you were talking about
16 establishing your prepaid account?

17 A Yes.

18 Q Have you ever had any problems with your home
19 phone?

20 A No, sir.

21 Q You have never had a complaint with Verizon?

22 A Never.

23 Q In your Amended Complaint you talk about an \$8.00
24 fee to establish a prepaid account.

25 A Yes, sir. They charged me \$8.00.

1 Q Are you certain that it was T-Netix that charged
2 you that, or was it another company?

3 A No, sir. It was T-Netix. I have everything
4 written down.

5 Q Isn't it true that T-Netix credited you that
6 \$8.00?

7 A That was after the fact.

8 Q But they did credit you the \$8.00?

9 A Yes, they did.

10 Q And they did return the balance on your prepaid
11 account?

12 A Yes, they did, after I had to call very, very many
13 times about it.

14 MR. ZAMBITO: I have no further questions, Your Honor.

15 JUDGE SALAPA: All right. Ms. Onufer, do you have any
16 additional testimony in light of the questions that
17 Mr. Zambito has asked you?

18 REDIRECT TESTIMONY

19 THE WITNESS: As far as him asking me if I have an
20 answering machine, yes, I do. I do have his recording on my
21 answering machine stating that he only called twice and that
22 he was not going to settle.

23 JUDGE SALAPA: That is okay.

24 All right. Anything else, then?

25 THE WITNESS: No, sir.

(Witness temporarily excused.)

1
2 JUDGE SALAPA: Would you now like to have your
3 daughter testify?

4 MS. ONUFER: Yes, sir.

5 JUDGE SALAPA: All right. Could you please raise your
6 right hand?

7 MS. KELLY: Okay.

8 JUDGE SALAPA: You are going to have to speak up. I
9 can barely hear you.

10 MS. KELLY: I am raising my right hand.

11 JUDGE SALAPA: All right.

12 Whereupon,

13 **KATRINA KELLY**

14 having been duly sworn, testified as follows:

15 **DIRECT TESTIMONY**

16 JUDGE SALAPA: Could you please state and spell your
17 name for the record?

18 THE WITNESS: Katrina Kelly, K-a-t-r-i-n-a K-e-l-l-y.

19 JUDGE SALAPA: And, Ms. Kelly, where do you currently
20 reside?

21 THE WITNESS: 1522 Valley Road, Bethlehem,
22 Pennsylvania 18018.

23 JUDGE SALAPA: And how long have you resided there?

24 THE WITNESS: I have resided here for six years, give
25 or take the time that I was incarcerated.

1 I also want to point out my last name under my
2 incarceration is Onufer. It was Katrina Onufer.

3 MR. ZAMBITO: Your Honor, I can't hear her.

4 JUDGE SALAPA: Yes. You are going to have to speak
5 up. I am having great difficulty and so is the court
6 reporter in hearing you. Can you speak up?

7 THE WITNESS: Yes. I have lived here six years.

8 JUDGE SALAPA: Yes. And you were --

9 THE WITNESS: Can you hear me?

10 JUDGE SALAPA: Barely.

11 THE WITNESS: Hello.

12 JUDGE SALAPA: Yes.

13 THE WITNESS: Hello.

14 JUDGE SALAPA: Yes.

15 THE WITNESS: Yes. I have lived here six years.

16 JUDGE SALAPA: And you were about to say something --

17 THE WITNESS: Yes.

18 JUDGE SALAPA: -- about your maiden name. Is that --

19 THE WITNESS: Yes. When the phone calls -- when we
20 had the phone calls -- see, the prisons go by your maiden
21 name. So, they go by Katrina Onufer. But my married name
22 is Katrina Kelly. So, I just want to clarify that. They
23 might have the phone calls under Katrina Onufer. That is my
24 maiden name.

25 JUDGE SALAPA: But the prison -- that is how the

1 prison had you listed in their records?

2 THE WITNESS: Yes, sir.

3 JUDGE SALAPA: All right. And you were incarcerated
4 at Cambridge Springs. Is that correct?

5 THE WITNESS: That is correct.

6 JUDGE SALAPA: And how long were you incarcerated
7 there?

8 THE WITNESS: I am not sure exactly how long I was
9 there. I was at several different places.

10 JUDGE SALAPA: But the telephone calls that your
11 mother is complaining about, they originated from Cambridge
12 Springs.

13 THE WITNESS: Yes.

14 JUDGE SALAPA: Is that correct?

15 THE WITNESS: That is correct.

16 JUDGE SALAPA: And also from another facility called
17 Karthaus; is that right?

18 THE WITNESS: Well, it was Quehanna Boot Camp, and
19 that was in Karthaus, Pennsylvania, yes.

20 JUDGE SALAPA: All right. Could you spell that,
21 Quehanna?

22 THE WITNESS: Q-u-a-h-a-n-a (sic).

23 JUDGE SALAPA: And that is a boot camp?

24 THE WITNESS: Yes, sir.

25 JUDGE SALAPA: And it is located near Karthaus,

1 Pennsylvania?

2 THE WITNESS: I believe it is located in Karthaus,
3 Pennsylvania. Either in or near, yes.

4 JUDGE SALAPA: Very well.

5 And when were you discharged from the boot camp, then?

6 THE WITNESS: November; November 12, 2006.

7 JUDGE SALAPA: And what additional testimony would you
8 like to add in this matter?

9 THE WITNESS: Well, I was the other party on the other
10 end of the line. And several times, numerous times, more
11 than I can even, you know, count, hundreds of times, our
12 phone calls just got disconnected.

13 I know I didn't press anything on my end. She hadn't
14 pressed anything on her end, which I found out when I called
15 back and I said, "What happened? Did you accidentally press
16 a button or something?" She hadn't. And I hadn't.

17 All I know is that it kept disconnecting us; and it
18 was getting very, very frustrating, because every time I
19 would have to call back, then, because it would cut us off
20 in the middle of a sentence, she would be charged an
21 additional \$2.77.

22 I also put in complaints. I was told by the prison
23 that I had to put in a phone complaint. I guess they submit
24 that, then, to the company.

25 I did that numerous times. I filled out telephone

1 discrepancy forms for the phone calls that had gotten
2 disconnected.

3 JUDGE SALAPA: And what was the result of that?

4 THE WITNESS: They would write back and they would
5 tell me that the reason that the phone could be disconnected
6 was --

7 JUDGE SALAPA: By "they," do you mean T-Netix?

8 THE WITNESS: I don't know who signed the complaint
9 forms. It would be initials. And, being in prison, they
10 didn't tell us very much.

11 All I know is that they told me to submit them, the
12 complaint forms, and that they submit them to the phone
13 company.

14 JUDGE SALAPA: Oh. And the response you got, did it
15 come directly from T-Netix, or did it come back from the
16 Department of Corrections?

17 THE WITNESS: It came back on a form. It was
18 initialed. I don't know if it was from T-Netix or from the
19 prison.

20 The prison sent the form back with the written
21 explanation, but I don't know who exactly signed the form.
22 All I know is that they call it the phone site manager, and
23 I don't know where that person originates from.

24 JUDGE SALAPA: And what was the nature of the response
25 that you received?

1 THE WITNESS: They simply said that the reason that
2 the phone could be disconnected was if there is static on
3 the line or if another button is pressed or if you are not
4 talking on a phone with a cord or if you are making a three-
5 way call. They said that those are the reasons that the
6 phone could be disconnected.

7 And, even though I further went on and wrote another
8 complaint and explained to them that none of those things
9 happened, they still just kept coming back with the same
10 generated answer, that this is how the phone could be
11 disconnected. They never gave me a real answer as to why it
12 was disconnected. They just kept generating that same
13 response: These are the reasons it could be disconnected.

14 JUDGE SALAPA: And was this true both at Cambridge
15 Springs and at the boot camp?

16 THE WITNESS: At the boot camp, they told me they
17 didn't know why. At the boot camp, it was different. They
18 told me they didn't know why I couldn't get through to my
19 mother and that everything on their end was sufficient --
20 they had done everything they needed on their end -- that it
21 was T-Netix, the phone company, that wasn't letting me get
22 through to my mother.

23 JUDGE SALAPA: And, once you were at the boot camp and
24 you were able to contact your mother, did you experience the
25 same kind of problems where the telephone calls were

1 terminated?

2 THE WITNESS: Yes.

3 JUDGE SALAPA: And did you fill out similar complaint
4 forms to the ones you filled out at Cambridge Springs?

5 THE WITNESS: I filled out one, because I was only
6 there for a couple of weeks, and the first week I couldn't
7 even talk to her at all. It was in the last week that I had
8 filled one out. I had filled them more so out with my
9 counselor there.

10 JUDGE SALAPA: And did you get a response?

11 THE WITNESS: No, I did not.

12 And a lot of times that I did at Cambridge, I didn't
13 always even receive a response. I would fill out the
14 telephone discrepancy form. Some of them they would answer
15 with that generic response. Others of them they didn't even
16 bother to answer, because this happened maybe every day, or
17 twice a day even I was filling out a complaint, and they
18 just sometimes would answer once in response to all seven of
19 them for that week.

20 And I didn't get an answer at all when I was at the
21 Quehanna Boot Camp.

22 JUDGE SALAPA: Is there anything additional that you
23 would like to raise at this point in your testimony?

24 THE WITNESS: Well, I would like to say that I wasn't
25 there, but my mother explained to me how she had to prepay.

1 I was there when she received the refund.

2 I just wanted to state that the refund she did receive
3 was of her own money. It wasn't as if T-Netix had given her
4 any money. That was her own money that she received a
5 refund for, because that was the unused portion of her money
6 that she had to prepay.

7 If they would have connected us sooner, I know she
8 would have used that money, because she spent so much money
9 on the phone talking to me.

10 I just feel very bothered by the fact, that I feel
11 like she was taken advantage of every time that we were
12 disconnected and she had to be charged another \$2.77, and I
13 don't feel that that was right, because I know that I wasn't
14 doing anything on my end to have the phone calls
15 disconnected and I know she wasn't doing anything on her
16 end.

17 And, you know, we weren't getting anywhere the times
18 we complained to the phone company and we filled out the
19 proper forms. You know, we weren't getting anywhere. They
20 would just explain why they could disconnect you. They
21 weren't explaining why they disconnected us.

22 I even said, you know, the phone calls are taped. You
23 can hear, you know, me saying, "Hello. Hello." You can
24 hear her saying, "Hello. Hello." But we couldn't hear each
25 other sometimes even. And the phone was real staticky

1 sometimes.

2 It was just all of these problems that we had, and
3 nobody was giving us an answer. That is really all that I
4 would like to say.

5 JUDGE SALAPA: Very well. Mr. Zambito, do you have
6 any cross-examination for Ms. Kelly?

7 MR. ZAMBITO: Yes, I do, Your Honor.

8 JUDGE SALAPA: Go ahead.

9 CROSS-EXAMINATION

10 BY MR. ZAMBITO:

11 Q Ms. Kelly, how old are you?

12 A I am 29.

13 Q Were you convicted of a crime of truthfulness?

14 A No, sir. I was convicted of aggravated assault.

15 Q Okay. I would just like to cover a few things
16 that you said.

17 A Okay.

18 Q You said you filed numerous complaints.

19 A Yes, sir.

20 Q Weren't those actually prison, Department of
21 Corrections, grievances?

22 A They were forms that we got from the Department of
23 Corrections, from the officers.

24 Q And the response came from the Department of
25 Corrections?

1 A I don't know where it came from. It was called a
2 telephone discrepancy form. And they told us to address the
3 complaint to what is called a phone site manager.

4 Q But it didn't come back from T-Netix?

5 A That I don't know. That is who I thought that
6 they submit them to.

7 Q It didn't have the T-Netix logo at the top or
8 anything?

9 A A logo?

10 Q Like on T-Netix letterhead.

11 A It wasn't on no letterhead. It was just a couple
12 sentences responding to my couple sentences at the top.
13 They filled out the rest of the form, and they initialed it.

14 Q You had a counselor at the Department of
15 Corrections?

16 A Yes.

17 Q Okay. And they were the ones who sort of walked
18 you through these grievance processes?

19 A Not really. They say that it is the phone company
20 that handles that and they don't have anything to do with
21 the phone company.

22 Q When you say, "they" --

23 A They instruct us to fill out the phone discrepancy
24 form.

25 Q -- are you referring to a specific person or are

1 you referring to the Department of Corrections generically?

2 A I am sorry. Can you repeat that?

3 Q When you say, "they," are you referring to a
4 specific person or are you referring generically to the
5 Department of Corrections?

6 A Counselors and officers at the Department of
7 Corrections, they just tell us that they don't handle the
8 phones, that that is with T-Netix who handles the phones.
9 They instruct us to fill out what is called a phone
10 discrepancy form, and they say that that gets generated to
11 T-Netix. Now, whether that does or not, I don't know.

12 But I do know that I filled out the phone discrepancy
13 forms like they told me, and they said, you know, that
14 T-Netix deals with the phones.

15 Q But you never spoke directly with somebody from
16 T-Netix?

17 A I couldn't possibly have. I was incarcerated. I
18 was in prison. The only thing I could do was fill out a
19 form, and I did that.

20 Q Okay. And you said you complained pretty much
21 every day?

22 A Yes, pretty much. Not every day. Pretty much.
23 There were times that this had happened, especially in the
24 beginning, and I didn't fill out these forms.

25 Q Was the phone --

1 A Towards the end --

2 Q -- system --

3 A -- I was being very frustrated.

4 Q Was the phone system the only thing you complained
5 about?

6 A Was the phone system the only thing? No, there
7 were several things I complained about being in prison. Of
8 course not.

9 Q You mentioned that you wanted to clarify that the
10 refund your mother received was her own money that was left
11 in her prepaid account, correct?

12 A That is correct.

13 Q Are you aware that T-Netix gave your mother an
14 \$8.00 courtesy credit?

15 A Yes. She did tell me that they did credit her the
16 \$8.00.

17 Q So --

18 A I had insisted --

19 Q -- that \$8.00 wasn't her money?

20 A I am sorry.

21 Q I am sorry. I am having real difficulty hearing
22 you.

23 The \$8.00 was a courtesy credit, correct?

24 A Correct.

25 Q Which means it wasn't necessarily owed to your

1 mother, but they paid it to her anyway, correct?

2 A Well, I don't know about that. I mean, I don't
3 feel that they should have taken that \$8.00 from her. They
4 told her she had to prepay \$100.00, and they told her that
5 there is an \$8.00 fee for prepaying, but they didn't give
6 her a choice. They told her she had to prepay and that they
7 were going to charge her an \$8.00 fee for prepaying.

8 I told her that that wasn't right and that shouldn't
9 have happened. Then that is when she went about getting
10 that \$8.00 back, as she rightfully should have gotten that
11 back, because she shouldn't have been charged for something
12 they required her to get.

13 Q Ms. Kelly, are you familiar with your mother's
14 Complaint and her Amended Complaint?

15 A Yes.

16 Q And have you reviewed all 117 calls listed in her
17 Amended Complaint?

18 A Yes.

19 Q And you are willing to state under oath today that
20 every one of those 117 calls was improperly disconnected?

21 A Yes, sir, they were.

22 Q And on none of those calls did you or your mother
23 voluntarily hang up?

24 A No, sir, we did not.

25 Q Where are you at today, Ms. Kelly?

1 A I am at 1522 Valley Road, in Bethlehem,
2 Pennsylvania.

3 Q And that is your mother's residence?

4 A Yes, sir, and mine.

5 Q And yours now?

6 A Yes, sir.

7 Q Are you speaking on the cordless phone today?

8 A Yes, I am. And she is on the other cordless
9 phone.

10 Q So, there are two cordless phones?

11 A Yes, there is.

12 Q Your mother --

13 A There is also a phone with a cord.

14 Q -- said earlier she had a cordless phone.

15 How many?

16 A Well, we didn't always have the two phones. We
17 had one cordless phone. Now that I came home, we got
18 another cordless phone.

19 Q Did you get rid of the land-line phone?

20 A No. We still have that. That is in her bedroom.

21 Q Do you consider yourself a quiet person?

22 A Yes, sir.

23 MR. ZAMBITO: No further questions, Your Honor.

24 JUDGE SALAPA: Thank you.

25 Ms. Kelly, do you have anything further you would like

1 to add to your testimony in response to any of Mr. Zambito's
2 questions?

3 THE WITNESS: Yes.

4 REDIRECT TESTIMONY

5 THE WITNESS: His last question, of my being a quiet
6 person, I feel that -- I am always told that I am too soft-
7 spoken, that I don't speak up enough. So, I am trying to,
8 you know, talk loud enough that everyone can hear me. I
9 hope I am not talking too loud. I am not sure how my voice
10 is carrying.

11 JUDGE SALAPA: Yes. You are coming through loud and
12 clear here.

13 THE WITNESS: Okay. I just want to make sure, because
14 I know I am soft-spoken.

15 I don't really believe that I have anything further to
16 discuss with Mr. Zambito, no.

17 JUDGE SALAPA: All right.

18 (Witness temporarily excused.)

19 JUDGE SALAPA: Then that will conclude the
20 Complainant's case.

21 Mr. Zambito, do you have a witness?

22 MR. ZAMBITO: Yes, Your Honor. I would like to call
23 Monica Rodriguez, Senior Customer Service Specialist for
24 T-Netix.

25 JUDGE SALAPA: All right. Ms. Rodriguez, could you

1 please raise your right hand?

2 MS. RODRIGUEZ: It is raised, Your Honor.

3 Whereupon,

4 MONICA RODRIGUEZ

5 having been duly sworn, testified as follows:

6 JUDGE SALAPA: Please state and spell your name for
7 the record.

8 THE WITNESS: My name is Monica Rodriguez, M-o-n-i-c-a
9 R-o-d-r-i-g-u-e-z.

10 JUDGE SALAPA: Mr. Zambito.

11 MR. ZAMBITO: Thank you, Your Honor.

12 DIRECT EXAMINATION

13 BY MR. ZAMBITO:

14 Q Ms. Rodriguez, would you state your address, your
15 business address, for the record?

16 A Certainly. My business address is 14651 Dallas
17 Parkway, Suite 600, Dallas, Texas 75254.

18 Q Thank you.

19 And by whom are you employed and in what capacity?

20 A I am employed by Securus Technologies as a Senior
21 Customer Service Specialist.

22 JUDGE SALAPA: Could you repeat that? Secured
23 Technologies?

24 THE WITNESS: Certainly. Securus Technologies.

25 JUDGE SALAPA: Could you spell that? I am losing that

1 somehow.

2 THE WITNESS: Sure. S-e-c-u-r-u-s Technologies,
3 Incorporated.

4 JUDGE SALAPA: Thank you.

5 THE WITNESS: You're welcome.

6 And, to clarify, T-Netix, Inc., is a subsidiary of
7 Securus Technologies; and T-Netix is a leading provider of
8 inmate telecommunication services.

9 BY MR. ZAMBITO:

10 Q What is the relationship between T-Netix and
11 T-Netix Telecommunication Services, Inc.?

12 A Well, T-Netix Telecommunication Services, Inc., is
13 a subsidiary of T-Netix, Inc. And, in Pennsylvania,
14 services are provided only through T-Netix, Inc.

15 Q Could you briefly state the nature and scope of
16 your responsibilities as a Senior Customer Service
17 Specialist for T-Netix?

18 A Certainly. As a Senior Customer Service
19 Specialist, I investigate and handle customer inquiries and
20 complaints at both the state and federal levels. In my
21 position, I have access to T-Netix' records that are kept in
22 the regular course of business.

23 Q Thank you.

24 A You're welcome.

25 Q Could you describe the telecommunication services

1 rendered by T-Netix at state correctional institutions in
2 Pennsylvania?

3 A In Pennsylvania T-Netix is authorized by the
4 Pennsylvania Public Utility Commission to provide resold
5 inter-exchange telecommunication services, and it provides
6 pursuant to a contract with the Pennsylvania Department of
7 Corrections telecommunication services for inmates in
8 Pennsylvania state correctional institutions.

9 The DOC has stringent phone policies designed to
10 protect the public, particularly victims, and ensure
11 security within the prison. So, T-Netix must comply with
12 these policies.

13 For instance, all calls are recorded, and calls will
14 be disconnected if an improper three-way call is attempted.

15 Q Who may establish an account with T-Netix for
16 inmate phone services?

17 A Either the inmate or a person listed on a DOC-
18 approved call list, such as a relative. They can, among
19 other methods, establish a prepaid account with T-Netix.
20 All calls must originate from the inmate.

21 But, when a relative such as Ms. Onufer is called, the
22 cost of the call is debited from the relative's prepaid
23 account.

24 Q In your capacity as a Senior Customer Service
25 Specialist for T-Netix, do you have responsibilities for

1 investigating or responding to complaints filed by inmates
2 or other customers?

3 A Yes.

4 Q So, you are familiar with an investigated
5 Complaint filed by Ms. Deanna Onufer?

6 A Yes. I investigated Ms. Onufer's original
7 Complaint against T-Netix, which was served November 16,
8 2006, as well as her Amended Complaint, which was served
9 December 12, 2006.

10 Q Thank you.

11 Could you please describe for His Honor your
12 investigation of Ms. Onufer's Complaint and Amended
13 Complaint?

14 A Certainly. Ms. Onufer alleged that calls with her
15 incarcerated daughter at SCI-Cambridge Springs and later at
16 Quehanna Boot Camp were improperly terminated prior to the
17 maximum time limit of 15 minutes per call.

18 The maximum time is set by the DOC policy, and there
19 are also maximum daily limits that depend upon the inmate's
20 status.

21 In Ms. Onufer's Amended Complaint, she identified 117
22 calls that were terminated prior to 15 minutes as calls that
23 were improperly disconnected by T-Netix.

24 She also alleges that she was required to prepay
25 \$100.00 in order to reactivate her prepaid account with

1 T-Netix and that she was charged \$8.00 to make the
2 prepayment.

3 Q And how does T-Netix respond to Ms. Onufer's
4 allegations regarding improperly disconnected calls?

5 A T-Netix denies that any of the 117 calls
6 identified by Ms. Onufer were improperly disconnected.

7 For security reasons, the DCC places limitations on
8 the nature of telephone calls that an inmate may make. For
9 instance, each inmate has an approved call list.

10 And, likewise, three-way calling is prohibited. If an
11 inmate attempts to call a non-approved number or attempts to
12 establish or have the called party establish a three-way
13 call, the call is going to be immediately terminated.

14 With regard to Ms. Onufer's allegations, the 117
15 identified calls were terminated either because a party to
16 the call hung up, the 15-minute time limit or daily time
17 limit had been reached, or there was an improper attempt to
18 make a three-way call.

19 (Whereupon, the document was marked as

20 Respondent's Exhibit No. 1 for identification.)

21 BY MR. ZAMBITO:

22 Q Ms. Rodriguez, please take a look at the document
23 pre-marked as Respondent's Exhibit R-1. Could you identify
24 it?

25 JUDGE SALAPA: Excuse me, Mr. Zambito. Before you go

1 any further, Ms. Onufer, do you have copies of the documents
2 that Mr. Zambito mailed to you?

3 MS. ONUFER: Yes, I do.

4 JUDGE SALAPA: Do you have them in front of you?

5 MS. ONUFER: Yes, I do.

6 JUDGE SALAPA: Good.

7 Proceed, Mr. Zambito.

8 MR. ZAMBITO: Thank you, Your Honor.

9 BY MR. ZAMBITO:

10 Q Could you identify Exhibit R-1, Ms. Rodriguez?

11 A Yes. Exhibit R-1 is T-Netix' call records for
12 Ms. Onufer. These records are kept in the regular course of
13 business by a computer program.

14 Q How do you recognize that document?

15 A I printed it off of T-Netix' computer system.

16 Q Is Exhibit R-1 a true and correct copy --

17 A Yes.

18 Q -- of Ms. Onufer's call records?

19 A Yes, it is. It is.

20 MR. ZAMBITO: Your Honor, at this point, I would like
21 to move Exhibit R-1 into evidence.

22 JUDGE SALAPA: Ms. Onufer, Mr. Zambito is requesting
23 that the document that he previously sent to you and marked
24 as Exhibit R-1 be admitted into the record in this
25 proceeding and made a part of this proceeding. Do you have

1 any objection to that?

2 MS. ONUFER: No, sir.

3 JUDGE SALAPA: Very well. T-Netix Exhibit R-1 is
4 admitted into the record.

5 (Whereupon, the document marked as Respondent's
6 Exhibit No. 1 was received in evidence.)

7 MR. ZAMBITO: Thank you, Your Honor.

8 BY MR. ZAMBITO:

9 Q Ms. Rodriguez, please explain the call termination
10 codes found in column 7 of Exhibit R-1.

11 A The termination codes show the reason why the call
12 was terminated.

13 Code 128 indicates that a call was terminated because
14 of a voluntary termination by one of the parties to the
15 call. In other words, the parties said, "Good-bye," or they
16 otherwise hung up.

17 Code 130 indicates a call disconnection because of a
18 violation of DOC policy.

19 JUDGE SALAPA: That is Code 133 or 130?

20 THE WITNESS: 130.

21 JUDGE SALAPA: 130. And that is a three-way call
22 violation; is that what you are saying?

23 THE WITNESS: Yes, sir. Yes, Your Honor.

24 JUDGE SALAPA: Thank you.

25 THE WITNESS: You're welcome.

1 In the case of Ms. Onufer, there were approximately
2 nine Code 130 disconnections because of attempted three-way
3 calls that we found.

4 Code 133 indicates termination because the call has
5 reached the maximum time limit of 15 minutes per call. It
6 could also indicate a termination because of the maximum
7 daily time limit was reached, even though the specific call
8 was less than 15 minutes.

9 Now, in the case of Ms. Onufer's daughter, she was
10 classified as a Level 2 inmate and was, therefore, limited
11 to no more than 30 minutes per day on the phone. And so,
12 accordingly, some of the Code 133 calls were terminated
13 prior to 15 minutes.

14 BY MR. ZAMBITO:

15 Q Have you verified the accuracy of the termination
16 codes listed on Ms. Onufer's records?

17 A Well, upon the filing of Ms. Onufer's Amended
18 Complaint, we asked the DOC to examine recordings of
19 Ms. Onufer's calls.

20 Now, the DOC will not provide the actual recordings
21 because of privacy concerns. So, we asked the DOC to
22 examine the recordings of all calls that were disconnected
23 because of improper three-way call attempts, and the DOC's
24 review confirmed that there were improper three-way call
25 attempts.

1 I also requested that the DOC review a random sample
2 of the other calls. The DOC reviewed recordings of
3 approximately one-third of the 117 calls and determined that
4 the calls were properly terminated, according to the code.
5 In most cases, the calls were terminated because Ms. Onufer
6 or her daughter hung up.

7 MR. ZAMBITO: Thank you, Ms. Rodriguez.

8 (Whereupon, the document was marked as
9 Respondent's Exhibit No. 2 for identification.)

10 BY MR. ZAMBITO:

11 Q Could you please review the document that has been
12 pre-marked as Exhibit R-2 and tell the Judge what it is?

13 A Exhibit R-2 is a rate listing --

14 MS. ONUFER: I object to that.

15 JUDGE SALAPA: Excuse me. What are you objecting to,
16 Ms. Onufer?

17 MS. ONUFER: The DOC is not here to testify, and this
18 is hearsay.

19 JUDGE SALAPA: I understand that.

20 THE WITNESS: May I continue?

21 MS. ONUFER: I am sorry.

22 JUDGE SALAPA: Yes. Ms. Onufer --

23 MS. ONUFER: Yes.

24 JUDGE SALAPA: -- I am not sure that I can make a
25 finding of fact based on any hearsay testimony that has been

1 provided by T-Netix.

2 So, if, indeed, the testimony regarding what DCC said
3 is hearsay, I cannot make a factual finding on the basis of
4 that, unless it is corroborated in some other way. All
5 right?

6 MS. ONUFER: All right.

7 JUDGE SALAPA: Continue, Mr. Zambito.

8 THE WITNESS: Well, I will continue.

9 Exhibit R-2 is a rate listing for T-Netix' services.
10 These rates are available for inspection at the correctional
11 institution, and the rates are stated during the calls. The
12 rates are also pursuant to T-Netix' tariff.

13 BY MR. ZAMBITO:

14 Q How are you familiar with Exhibit R-2,
15 Ms. Rodriguez?

16 A It is kept in the regular course of T-Netix'
17 business.

18 Q Is this a true and correct copy?

19 A Yes.

20 MR. ZAMBITO: Your Honor, at this time, I would like
21 to move Exhibit R-2 into evidence.

22 JUDGE SALAPA: Ms. Onufer, do you have any objection
23 to admission of Exhibit R-2?

24 MS. ONUFER: No, sir.

25 JUDGE SALAPA: All right. Exhibit R-2 is admitted

1 into the record in this proceeding.

2 (Whereupon, the document marked as Respondent's
3 Exhibit No. 2 was received in evidence.)

4 JUDGE SALAPA: Continue, Mr. Zambito.

5 MR. ZAMBITO: Thank you, Your Honor.

6 BY MR. ZAMBITO:

7 Q Based on your review of Ms. Onufer's call records
8 and the rate listings, was Ms. Onufer charged the correct
9 rates?

10 A Yes. Ms. Onufer's prepaid account was debited for
11 the proper amount.

12 The initial connection fee for a call is actually
13 \$2.50 and 27 cents per minute. So, a one-minute call will
14 be billed at \$2.77.

15 Q Thank you, Ms. Rodriguez.

16 A You're welcome.

17 Q I would like you to go back for a second to the
18 call termination codes. Is it true that the DOC records all
19 inmate calls?

20 A Yes, they do. The Pennsylvania DOC does record
21 all inmate calls.

22 Q And what is the purpose of recording those calls?

23 A These are for security reasons.

24 Q Okay. And, when there is a phone dispute, does
25 T-Netix regularly contact the DOC regarding these

1 recordings?

2 A T-Netix will seek permission from the DOC to
3 listen to the call recordings. However, the DOC prefers not
4 to release -- or not to allow anyone else to listen to the
5 call recordings, but they themselves will listen to the call
6 recordings on behalf of T-Netix.

7 Q So, those call recordings were unavailable for
8 today's hearing?

9 A Yes, they were.

10 Q But you regularly coordinate with the Department
11 of Corrections for review of those call recordings?

12 A Yes.

13 Q Thank you.

14 Ms. Rodriguez, I would like to turn your attention to
15 Ms. Onufer's prepayment. With regard to Ms. Onufer's
16 allegation that she was required to prepay \$100.00 in order
17 to have a prepaid account, did T-Netix properly require
18 prepayment?

19 A Yes. In order to have -- in order to have a
20 prepaid account, the person must fund it. They must make a
21 prepayment.

22 Ms. Onufer was advised on November 2 that she would
23 need to fund her prepaid account in order to establish an
24 account, and on November 3 she elected to make a payment of
25 \$100.00. It was actually \$92.00 with the \$8.00 transaction

1 fee.

2 Q Okay. Was she required to pay \$100.00?

3 A Actually, she was not required to pay \$100.00.

4 The minimum amount to establish an account is actually
5 \$50.00. There is no indication in our call records that she
6 was required to pay \$100.00. And again, technically, she
7 paid T-Netix \$92.00.

8 Q Okay. We will talk about that \$8.00 a little bit
9 later.

10 A One more thing. When T-Netix was informed that
11 Ms. Onufer no longer wanted a prepaid account, a refund
12 check in the amount of \$36.12 was forwarded on or about
13 December 15, 2006.

14 Q So, Ms. Onufer got the balance on her account --

15 A Yes.

16 Q -- upon request?

17 A Yes, she did. And, if I may, I would like to
18 address something that was said regarding the time it took
19 for the refund to be processed.

20 Q Okay. Go ahead.

21 A I would like to say that it is a policy. The
22 customer service representative will advise the customer
23 that a check, a refund check, will be processed 30 days
24 after the last date of activity.

25 In Ms. Onufer's case, the last date of activity, the

1 last call that was accepted, was on November 7. So, 30 days
2 would be approximately December 7, December 8. Her check
3 was processed -- on or about December 15 -- or before then
4 -- it was sent out. So, that is near to what our policy
5 outlines.

6 MR. ZAMBITO: Okay.

7 (Whereupon, the document was marked as
8 Respondent's Exhibit No. 3 for identification.)

9 BY MR. ZAMBITO:

10 Q Could you please review the document marked as
11 Respondent's Exhibit R-3 and tell the Judge what it is?

12 A It is a copy of the cleared check from
13 Ms. Onufer's refund of \$36.12. That was the balance
14 remaining on her prepaid account.

15 Q And how do you recognize the check?

16 A I requested it for the purposes of this hearing.
17 And also, the check says, "Evercom." I would note that
18 Evercom is a sister company of T-Netix under the corporate
19 umbrella of Securus.

20 Q Is Exhibit R-3 a true and correct copy of the
21 cleared check?

22 A Yes, it is.

23 MR. ZAMBITO: Your Honor, I would like to move Exhibit
24 R-3 into evidence.

25 JUDGE SALAPA: Ms. Onufer, do you have any objection

1 to the admission of Exhibit R-3 into the record in this
2 proceeding?

3 MS. ONUFER: No, sir.

4 JUDGE SALAPA: Very well. Exhibit R-3 is made a part
5 of the record in this proceeding.

6 (Whereupon, the document marked as Respondent's
7 Exhibit No. 3 was received in evidence.)

8 MR. ZAMBITO: Thank you, Your Honor.

9 BY MR. ZAMBITO:

10 Q Ms. Rodriguez, with regard to Ms. Onufer's
11 allegation that she was charged an \$8.00 service fee for the
12 prepayment on her account, how does T-Netix respond?

13 A The \$8.00 service fee was charged by a third-party
14 vendor called NCO for electronic prepayment. It is not a
15 charge that is imposed by T-Netix.

16 A T-Netix customer can make prepayments directly to
17 T-Netix by mailing a check or a money order. They have
18 those options.

19 Now, the \$8.00 was a charge that Ms. Onufer
20 voluntarily incurred as the result of her use of NCO's
21 services when she made the payment via phone.

22 Nevertheless, T-Netix gave Ms. Onufer a courtesy
23 credit on November 8, 2006, in the amount of \$8.00
24 specifically for the transaction fee, although we never saw
25 that money. We only saw the \$92.00.

1 Q So, T-Netix had no obligation to refund that money
2 but did it as a courtesy?

3 A Yes. And, basically, we ate that cost, that \$8.00
4 cost --

5 JUDGE SALAPA: Excuse me.

6 THE WITNESS: -- by giving her that credit.

7 JUDGE SALAPA: Excuse me. Ms. Rodriguez, are you
8 saying, "NCO"? Is that "N" as in neighbor?

9 THE WITNESS: Yes. Yes, Your Honor.

10 JUDGE SALAPA: And is that a financial institution, or
11 what exactly is that?

12 THE WITNESS: Well, they do various things. They
13 outsource for customer service. They outsource for
14 collections.

15 In this case, they do customer service and they give
16 the option to pay via phone. That is their system. Because
17 they do that, they charge this \$8.00 fee. That is why we
18 don't ever see it, because it is on their end.

19 JUDGE SALAPA: So, they more or less act to provide
20 someone with the opportunity to prepay electronically as
21 opposed to sending a check directly to T-Netix. Is that
22 what they do?

23 THE WITNESS: Yes, exactly.

24 JUDGE SALAPA: Thank you.

25 THE WITNESS: You're welcome, Your Honor.

1 BY MR. ZAMBITO:

2 Q Ms. Rodriguez, based on your review of
3 Ms. Onufer's Complaints and T-Netix' records, does T-Netix
4 owe Ms. Onufer any refunds?

5 A No. It appears that Ms. Onufer is seeking refunds
6 for calls that did not last 15 minutes, even though the
7 calls were properly terminated, based on our research,
8 because of customer hang-up or expiration of DOC time limits
9 or violation of DOC policies.

10 Q Thank you.

11 Does that conclude your testimony?

12 A Yes, this concludes my testimony.

13 Thank you.

14 JUDGE SALAPA: Ms. Onufer, do you have any cross-
15 examination questions for Ms. Rodriguez on her testimony?

16 MS. ONUFER: Yes, sir, I do.

17 JUDGE SALAPA: Proceed.

18 MS. ONUFER: There were no three way calls ever
19 attempted to be made.

20 JUDGE SALAPA: No, no. You can ask her questions
21 about her testimony. If you want to testify further to
22 rebut her testimony, you can do that later.

23 But right now do you have any questions for her
24 regarding her testimony?

25 MS. ONUFER: Yes.

CROSS-EXAMINATION

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BY MS. ONUFER:

Q I would like to know why, after two and a half years, was I required to prepay and all of that time before that I wasn't?

A Well, according to our records, you, as you stated, were billed via your local telephone company. It shows that in November there was a facility block on your line.

JUDGE SALAPA: November of which year?

THE WITNESS: November 2006. I apologize.

In November of 2006, there was a facility block; and I believe that was from Quehanna. There seems to be some belief that there was fraud going on.

However, after that was investigated -- and that was the facility -- the line was cleared, which is why it took -- it took five days for the line to be cleared. That was also the prepayment of the \$92.00. So, you were able to get the calls November 7.

I believe that this could have had something to do with us asking you to establish a prepaid account.

MS. ONUFER: I understand that.

I resent that fraud. I don't fraud anybody.

JUDGE SALAPA: No. Wait.

THE WITNESS: That --

1 JUDGE SALAPA: Wait. Ms. Onufer --

2 MS. ONUFER: Yes, sir.

3 JUDGE SALAPA: -- ask questions of Ms. Rodriguez. You
4 may testify later.

5 MS. ONUFER: Yes, sir.

6 What does she mean by "fraud"?

7 THE WITNESS: Unfortunately, because I am not privy to
8 -- because I am not privy to that investigation, I am unsure
9 what they considered fraud at that point.

10 However, I do know that it was no longer an issue.
11 And so, that, basically, was noted on the account.

12 JUDGE SALAPA: Ms. Rodriguez, this facility block,
13 would that have been placed by order of the Department of
14 Corrections, or how was the block done?

15 THE WITNESS: That block -- any facility block would
16 be placed by either the DOC or the facility in question. We
17 have no jurisdiction. We cannot go to a facility and say:
18 You have to do this. You have to block this customer.

19 We have no way to do that. That is something that the
20 DOC would oversee.

21 JUDGE SALAPA: So, basically, the Department of
22 Corrections, for whatever reason, could determine that they
23 were not going to allow Ms. Kelly to call Ms. Onufer's
24 number and would prevent that from occurring?

25 THE WITNESS: Yes. And that would be either the DOC

1 or the facility, yes.

2 JUDGE SALAPA: And T-Netix would have no control over
3 when that occurred or for how long?

4 THE WITNESS: No, we wouldn't. All we can do is
5 request that the block be removed.

6 JUDGE SALAPA: All right. Ms. Onufer?

7 MS. ONUFER: I would like to know who she talked to at
8 the prison, because the prison told me it was T-Netix that
9 was blocking it. They just blocked it. And that is why I
10 couldn't understand, when I paid my money. I would like to
11 know who she talked to at the prison.

12 JUDGE SALAPA: Ms. Rodriguez?

13 THE WITNESS: Your Honor, I am not the one who -- I
14 did not speak with anybody at the DOC. I solely
15 investigated her Complaints regarding what we are discussing
16 today.

17 As far as what happened in November regarding that
18 facility block, I do not know who was spoken with at that
19 point.

20 JUDGE SALAPA: Okay.

21 BY MS. ONUFER:

22 Q So, is it true that you did not have any direct
23 contact with someone at the prison, then, regarding this?

24 A Yes, I did not have any contact regarding this
25 matter with anybody at the facility or at the DOC.

1 MS. ONUFER: I have no further questions. Thank you.

2 JUDGE SALAPA: Any redirect?

3 MR. ZAMBITO: Just very briefly, Your Honor.

4 REDIRECT EXAMINATION

5 BY MR. ZAMBITO:

6 Q Ms. Rodriguez, how are you informed? How is
7 T-Netix informed of a block?

8 A Well, it is placed on the call record. That is
9 actually more of a technical question I would think.

10 What I do is, during the course of an investigation, I
11 will go into the call records and I look at the notes. That
12 was how I was able to see that there was a facility block.
13 Actually, it was under advisement in the call records.

14 Q Okay. So, the facility block is placed in the
15 call records?

16 A Yes, yes.

17 Q And that is how you became aware of it?

18 A That is how I became aware of it, yes.

19 MR. ZAMBITO: Nothing further, Your Honor.

20 RECROSS-EXAMINATION

21 BY MS. ONUFER:

22 Q Was that because of a transfer? Could that have
23 happened because of a transfer from one unit to the other?

24 A I am not sure. I wouldn't be the best person to
25 ask. It is not notated in the notes.

1 JUDGE SALAPA: Yes.

2 THE WITNESS: I would like to say that there were no
3 three-way calls ever attempted to be made. And, since they
4 were recording all of the calls, they can hear, then, that
5 no three-way calls were ever attempted to be made.

6 JUDGE SALAPA: I believe you said earlier that you did
7 not have the three-way calling feature on your home
8 telephone. Is that correct?

9 THE WITNESS: Yes, sir.

10 JUDGE SALAPA: So, your testimony is that you do not
11 have the capacity to do that from your home phone?

12 THE WITNESS: That is right.

13 JUDGE SALAPA: Anything further, Ms. Onufer?

14 THE WITNESS: There was never an investigation from
15 the prison.

16 JUDGE SALAPA: About? About what? You mean --

17 THE WITNESS: That they talked to the prison. They
18 never told me about investigating anything. They never said
19 T-Netix -- T-Netix blocked the calls. The prison said
20 T-Netix blocked the calls. They had nothing to do with it.

21 JUDGE SALAPA: You mean when your daughter was at
22 Quehanna?

23 THE WITNESS: Yes, sir.

24 JUDGE SALAPA: Okay. Anything further?

25 THE WITNESS: No, sir.

1 JUDGE SALAPA: Mr. Zambito, do you have any cross-
2 examination for Ms. Onufer based on her rebuttal testimony?

3 MR. ZAMBITO: Just one questions, Your Honor.

4 CROSS-EXAMINATION

5 BY MR. ZAMBITO:

6 Q Ms. Onufer --

7 A Yes.

8 Q -- how old are your phones?

9 A My phones? Five years old.

10 Q All of them?

11 A No, sir.

12 Q Pardon me?

13 A No, sir. My daughter just bought one.

14 Q Okay. How many phones are currently in the house?

15 A Three.

16 Q Two of those are cordless and one of those is
17 land-line?

18 A Yes, sir. They are all land-line, but one has a
19 cord.

20 Q Could you explain that?

21 A They are all with Verizon, but one has a cord.

22 Q And the other does not?

23 A Yes. The other two are cordless.

24 Q Okay. Aside from the cordless that your daughter
25 just bought, how old is the other cordless?

1 A Five years.

2 Q And is that the phone you are on currently?

3 A Yes.

4 Q And how old is your land-line phone?

5 A Five years old.

6 Q You bought them at the same time?

7 A Yes, sir.

8 MR. ZAMBITO: No further questions, Your Honor.

9 JUDGE SALAPA: Very well. Anything further,
10 Ms. Onufer?

11 THE WITNESS: No, sir.

12 (Witness excused.)

13 JUDGE SALAPA: Any further testimony from either party
14 at this point?

15 MS. KELLY: Yes, sir. I would like to, if I can.

16 JUDGE SALAPA: Ms. Kelly?

17 MS. KELLY: Yes, sir.

18 JUDGE SALAPA: Is this in rebuttal to the testimony of
19 Ms. Rodriguez?

20 MS. KELLY: Yes, sir.

21 JUDGE SALAPA: Very well. Go ahead.

22 Whereupon,

23 **KATRINA KELLY**

24 having previously been duly sworn, testified further as
25 follows:

DIRECT TESTIMONY

1
2 THE WITNESS: I would just like to say that I had very
3 few people on my phone list. And, out of all of the people
4 that I had on my phone list, my mother was really the only
5 one that I called, with the exception of maybe one or two
6 other people, within the last two and a half years.

7 There was never any attempt at a three-way call to be
8 made. They can check the records and hear that there was
9 never any attempt. They could hear me saying, "Hello,
10 hello," her saying, "Hello, hello," and our call was
11 disconnected. There was never any attempt at a three-way
12 call.

13 Also, there was never an investigation of any sort.

14 Now, whether there was a delay in anything because I
15 was transferred from one facility to another, I was told
16 that that was not the case.

17 I was told that my phone should be turned on just like
18 everybody else's, of the other couple inmates that were
19 transferred from one facility with me to the other.

20 I was told by the prison. I was told by my counselor
21 at the prison. I was told by officers at the prison.

22 They looked into everything on their end, and they
23 told me that my phone is open, my phone is not blocked from
24 their end. They told me that the block is coming from
25 T-Netix and that my mother should contact her phone company.

1 That is what the counselor at the prison told me.
2 That is what the officers at the prison told me.

3 Prior to being transferred from the prison, I was
4 unable to speak with my mother, because the calls were
5 blocked.

6 So, I was told at Cambridge Springs by my counselors,
7 my unit managers, and my officers that it was T-Netix who
8 was, in fact, blocking the calls from me and my mother; it
9 was not them.

10 Then, when I went to Quehanna Boot Camp, for that
11 first week that I was at Quehanna Boot Camp, I had the same
12 problem; I couldn't get through to my mother.

13 And Quehanna Boot Camp told me the same thing. They
14 told me that everything is open on their end. There are no
15 blocks on their end, that it is T-Netix who is blocking the
16 phone calls between my mother and I, that it is my mother's
17 phone company that is blocking them. They said that the
18 long-distance carrier is T-Netix -- or the collect-call
19 carrier is T-Netix, and they specifically told me that my
20 calls were being blocked by T-Netix.

21 They said that there is no reason why my calls should
22 be blocked by the prison.

23 There was never an investigation of any sort going on
24 for anything.

25 I was a Level 2. I was the lowest level you could

1 even be. I had the privilege of making the most phone calls
2 any inmate could make in one day.

3 There was certainly no investigation. I worked
4 outside gate. I had outside gate clearance.

5 JUDGE SALAPA: Excuse me. Outside gate clearance?

6 THE WITNESS: Yes, sir. That means you could work
7 outside the gate, and I did that. I worked in a warehouse
8 outside the gate.

9 So, I was under very minimal security. If there was
10 ever any investigation of any sort, I wouldn't have been
11 outside the gate.

12 The prison told me that the phones were specifically
13 being blocked by T-Netix, which is why they kept insisting
14 that I fill out the discrepancy forms, which I did.

15 I just wanted to let that be known.

16 JUDGE SALAPA: All right. Mr. Zambito, do you have
17 any redirect?

18 MR. ZAMBITO: Very briefly, Your Honor.

19 CROSS-EXAMINATION

20 BY MR. ZAMBITO:

21 Q Ms. Kelly --

22 A Yes.

23 Q -- do you have any relatives that live near your
24 mother?

25 A Do I have any? I have relatives we haven't spoke

1 with in ten years. I don't know where they live. We have
2 no contact with them.

3 Q When your mother called you -- rather, when you
4 called your mother, was there ever anybody else in the house
5 with your mother when you called her?

6 A Never.

7 Q Never?

8 A Never.

9 Q So, in all of the calls over all those years,
10 there was never anybody else in the house with your mother
11 when you called her?

12 A No. She don't have people over at the house. We
13 don't have communication with her sister, and some other
14 family members we haven't had contact with in ten years. It
15 is just me and my mom.

16 Q So, you are testifying that it is not possible
17 that somebody picked up another line in the house?

18 A Absolutely, that is not possible.

19 MR. ZAMBITO: No further questions, Your Honor.

20 JUDGE SALAPA: Very well. Anything further?

21 THE WITNESS: No, sir. Thank you.

22 (Witness excused.)

23 JUDGE SALAPA: Okay. That concludes the testimony
24 phase of this proceeding.

25 What will happen now is that I will await the

1 preparation of the hearing transcript in this case. That
2 should be approximately 21 days from today.

3 When I get the transcript back from this hearing, I
4 will sit down and read it and review it, and then I will put
5 together an Initial Decision.

6 That Initial Decision will be in writing, and it will
7 be sent to the parties in this proceeding. Along with that
8 Initial Decision will be an instruction sheet indicating the
9 steps that the parties may take in response to my Initial
10 Decision.

11 Essentially, the parties will have the opportunity if
12 they disagree with any portion of my Initial Decision to
13 file objections, or Exceptions, to my Initial Decision.

14 After the time period for filing those Exceptions, or
15 objections, to my Initial Decision passes, the matter will
16 be taken up by the five-member Public Utility Commission.

17 The Commission will consider my Initial Decision and
18 any objections, or Exceptions, to that Initial Decision; and
19 the Commission will issue a decision at a Public Meeting.
20 At that point, that Commission action becomes the final
21 Commission's determination in this matter.

22 The parties, after the Commission issues its decision,
23 may either file a petition to the Commission for
24 reconsideration of the Order or they may file an appeal of
25 that Order to the Commonwealth Court of Pennsylvania, which

1 is the appellate court that has jurisdiction over appeal
2 from the decisions of Commonwealth agencies.

3 Do the parties understand what will transpire from
4 this point on?

5 MR. ZAMBITO: Yes, Your Honor.

6 MS. ONUFER: Yes.

7 JUDGE SALAPA: Very well. I would like to thank the
8 parties for taking time to participate in this hearing, and
9 have a good day. We are adjourned.

10 (Whereupon, at 11:22 a.m., the hearing was concluded.)

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C E R T I F I C A T E

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

COMMONWEALTH REPORTING COMPANY, INC.

By: Monta E. Gentile

Monta E. Gentile

RECORDED

2007 MAR 20 AM 9:20

SECRETARY'S BUREAU

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FORM 1

DOCUMENT FOLDER

February 12, 2007

VIA HAND DELIVERY

Administrative Law Judge David A. Salapa
Pennsylvania Public Utility Commission
Office of Administrative Law Judge
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120

RECEIVED
2007 MAR 20 AM 9:20
PA PUB
SECRETARY'S BUREAU

Re: Deanna Onufer v. T-Netix, Inc.; Docket No. C-20067074; Prehearing Obligations

Dear Judge Salapa:

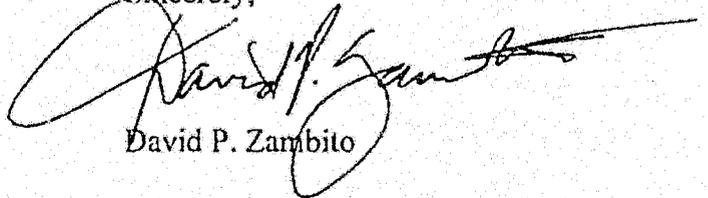
In accordance with your prehearing order, dated January 30, 2007, please be advised that I attempted to call Ms. Onufer twice on February 12, 2007 to discuss the possible settlement of the case. I left a voicemail for Ms. Onufer and requested that she contact me if she wishes to discuss T-Netix's settlement position. I will also try to contact her again.

Attached please find three copies of T-Netix's three exhibits. Exhibit R-1 is call records for Ms. Onufer. Exhibit R-2 is a rate listing. Exhibit R-3 is a copy of a cleared check to Ms. Onufer.

Please be advised that I can be contacted at (717) 257-7526 for the hearing. T-Netix intends to call Ms. Monica Rodriguez, Senior Customer Service Specialist for T-Netix, as a witness. She can be reached at (972) 277-0522 and will testify regarding Ms. Onufer's account and the bases for call disconnections. T-Netix also reserves the right to call a witness from the Pennsylvania Department of Corrections ("DOC") regarding recordings of Ms. Onufer's calls. This witness has not yet been identified by the DOC. As soon as the DOC responds to T-Netix's request, I will inform Your Honor of the identity and contact information of the witness.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me. Ms. Onufer has been copied with this letter and the exhibits.

Sincerely,

A handwritten signature in black ink, appearing to read "David P. Zambito", with a long horizontal flourish extending to the right.

David P. Zambito

Counsel for T-Netix, Inc.

- c: James J. McNulty, Secretary (hand delivery)(letter only)
- Deanna Onufer (via first class mail)(letter and one copy of exhibits)
- Monica Rodriguez (via first class mail)(letter and one copy of exhibits)

DOCKETED
MAR 21 2007

CDR Search

Close Window

Enter a BTN with/without a date range to search.

Btn: 4848950244

CC: 1

From Date: 04/29/2006
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From Time:
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To Date: 10/20/2006

To Time:

Number of Records: 1000

Billable: Yes

**DOCUMENT
FOLDER**

Search

Site ID	Call Start	Call Stop	PIN	Duration	Amount	Term	Sys	Features	Status	XB	Billabl
45038	10/20/2006 18:12:39	10/20/2006 18:15:46	OJ1211	00:01:58	\$3.04	133	DCB		Accepted	1	Yes
45038	10/20/2006 17:31:25	10/20/2006 17:42:19	OJ1211	00:09:48	\$5.20	128	DCB		Accepted	1	Yes
45038	10/20/2006 15:07:23	10/20/2006 15:14:36	OJ1211	00:05:59	\$4.12	128	DCB		Accepted	1	Yes
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45038	10/06/2006 17:32:43	10/06/2006 17:39:49	OJ1211	00:05:58	\$4.12	133	DCB	Accepted	1	Yes
45038	10/06/2006 17:16:32	10/06/2006 17:32:36	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
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45038	10/01/2006 14:12:38	10/01/2006 14:28:12	OJ1211	00:14:20	\$6.55	128	DCB	Accepted	1	Yes
45038	09/30/2006 18:47:38	09/30/2006 18:56:49	OJ1211	00:07:58	\$4.66	133	DCB	Accepted	1	Yes
45038	09/30/2006 18:36:08	09/30/2006 18:46:29	OJ1211	00:09:17	\$5.20	128	DCB	Accepted	1	Yes
45038	09/30/2006 18:26:04	09/30/2006 18:36:04	OJ1211	00:08:39	\$4.93	128	DCB	Accepted	1	Yes
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45038	09/28/2006 10:38:11	09/28/2006 10:48:05	OJ1211	00:08:44	\$4.93	128	DCB	Accepted	1	Yes
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45038	09/25/2006 13:03:32	09/25/2006 13:19:48	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	09/24/2006 18:32:57	09/24/2006 18:49:09	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes

45038	09/23/2006 18:29:24	09/23/2006 18:45:45	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	09/22/2006 19:03:35	09/22/2006 19:19:40	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
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45038	09/21/2006 19:04:56	09/21/2006 19:18:14	OJ1211	00:11:58	\$5.74	133	DCB	Accepted	1	Yes
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45038	08/03/2006 15:39:14	08/03/2006 15:55:02	OJ1211	00:14:41	\$6.55	128	DCB	Accepted	1	Yes
45038	08/02/2006 20:06:52	08/02/2006 20:08:53	OJ1211	00:00:55	\$2.77	128	DCB	Accepted	1	Yes
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45038	08/02/2006 15:21:30	08/02/2006 15:32:47	OJ1211	00:09:55	\$5.20	128	DCB	Accepted	1	Yes
45038	08/02/2006 08:41:49	08/02/2006 08:46:34	OJ1211	00:03:31	\$3.58	128	DCB	Accepted	1	Yes
45038	08/01/2006 13:44:12	08/01/2006 13:51:14	OJ1211	00:05:58	\$4.12	133	DCB	Accepted	1	Yes
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45038	08/01/2006 08:42:44	08/01/2006 08:53:00	OJ1211	00:09:02	\$5.20	128	DCB	Accepted	1	Yes
45038	07/31/2006 15:24:05	07/31/2006 15:35:12	OJ1211	00:09:58	\$5.20	133	DCB	Accepted	1	Yes
45038	07/31/2006 10:21:29	07/31/2006 10:24:19	OJ1211	00:01:45	\$3.04	128	DCB	Accepted	1	Yes
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45038	07/30/2006 13:05:04	07/30/2006 13:20:05	OJ1211	00:13:58	\$6.28	133	DCB	Accepted	1	Yes
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45038	07/28/2006 16:58:47	07/28/2006 17:14:48	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	07/27/2006 19:12:14	07/27/2006 19:22:17	OJ1211	00:08:58	\$4.93	133	DCB	Accepted	1	Yes
45038	07/27/2006 18:56:04	07/27/2006 19:12:08	OJ1211	00:14:59	\$6.55	133	DCB	Accepted	1	Yes
45038	07/27/2006 18:48:43	07/27/2006 18:54:46	OJ1211	00:05:01	\$4.12	130	DCB	3W Accepted	1	Yes
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45038	06/18/2006 18:00:59	06/18/2006 18:02:36	OJ1211	00:00:20	\$2.77	128	DCB	Accepted	1	Yes
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45038	05/31/2006 10:50:13	05/31/2006 10:52:19	OJ1211	00:01:04	\$3.04	128	DCB	Accepted	1	Yes
45038	05/30/2006 17:52:08	05/30/2006 18:08:31	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/29/2006 18:17:31	05/29/2006 18:19:40	OJ1211	00:00:58	\$2.77	133	DCB	Accepted	1	Yes
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45038	05/29/2006 16:31:38	05/29/2006 16:45:56	OJ1211	00:13:10	\$6.28	128	DCB	Accepted	1	Yes
45038	05/28/2006 14:46:11	05/28/2006 14:59:12	OJ1211	00:11:59	\$5.74	133	DCB	Accepted	1	Yes
45038	05/28/2006 14:29:57	05/28/2006 14:46:00	OJ1211	00:14:59	\$6.55	133	DCB	Accepted	1	Yes
45038	05/28/2006 14:12:28	05/28/2006 14:15:43	OJ1211	00:02:12	\$3.31	128	DCB	Accepted	1	Yes
45038	05/27/2006 18:41:42	05/27/2006 18:43:46	OJ1211	00:00:58	\$2.77	133	DCB	Accepted	1	Yes

45038	05/27/2006 08:51:15	05/27/2006 09:06:05	OJ1211	00:13:32	\$6.28	128	DCB	Accepted	1	Yes
45038	05/26/2006 16:38:50	05/26/2006 16:45:46	OJ1211	00:05:58	\$4.12	133	DCB	Accepted	1	Yes
45038	05/26/2006 16:22:31	05/26/2006 16:38:37	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/26/2006 15:31:31	05/26/2006 15:40:51	OJ1211	00:08:19	\$4.93	128	DCB	Accepted	1	Yes
45038	05/25/2006 17:12:04	05/25/2006 17:28:13	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/24/2006 17:12:34	05/24/2006 17:26:47	OJ1211	00:12:58	\$6.01	133	DCB	Accepted	1	Yes
45038	05/24/2006 16:38:41	05/24/2006 16:45:10	OJ1211	00:05:19	\$4.12	128	DCB	Accepted	1	Yes
45038	05/24/2006 08:56:41	05/24/2006 09:07:57	OJ1211	00:10:07	\$5.47	128	DCB	Accepted	1	Yes
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45038	05/22/2006 17:42:34	05/22/2006 17:49:47	OJ1211	00:05:58	\$4.12	133	DCB	Accepted	1	Yes
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45038	05/18/2006 17:14:51	05/18/2006 17:19:06	OJ1211	00:02:56	\$3.31	128	DCB	Accepted	1	Yes
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45038	05/17/2006 12:33:44	05/17/2006 12:50:08	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/16/2006 18:04:12	05/16/2006 18:20:10	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/16/2006 15:08:03	05/16/2006 15:24:06	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/15/2006 17:31:39	05/15/2006 17:46:37	OJ1211	00:13:58	\$6.28	133	DCB	Accepted	1	Yes
45038	05/15/2006 17:15:27	05/15/2006 17:31:25	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/15/2006 15:09:54	05/15/2006 15:11:46	OJ1211	00:00:31	\$2.77	128	DCB	Accepted	1	Yes
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45038	05/12/2006 19:12:23	05/12/2006 19:28:23	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
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45038	05/10/2006 18:37:36	05/10/2006 18:53:34	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
45038	05/10/2006 18:21:26	05/10/2006 18:37:24	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes
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45038	04/29/2006 18:45:54	04/29/2006 18:55:59	OJ1211	00:08:58	\$4.93	133	DCB	Accepted	1	Yes
45038	04/29/2006 18:26:40	04/29/2006 18:32:42	OJ1211	00:05:01	\$4.12	128	DCB	Accepted	1	Yes
45038	04/29/2006 14:04:39	04/29/2006 14:20:38	OJ1211	00:14:58	\$6.55	133	DCB	Accepted	1	Yes

Count : 432

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Local (LO) Initial Minutes: 0 Additional Minutes: 1 Surcharge \$ 0.00

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-9999	1.70000	0	0-9999	1.70000	0	0-9999	1.70000	0

Intralata\Intrastate (8A) Initial Minutes: 1 Additional Minutes: 1 Surcharge \$ 1.45

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-16	0.13000	0.13000	0-16	0.06500	0.06500	0-16	0.06500	0.06500
17-9999	0.16000	0.16000	17-9999	0.08000	0.08000	17-9999	0.08000	0.08000

Intralata\Interstate (JA) Initial Minutes: 1 Additional Minutes: 1 Surcharge \$ 2.00

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-9999	0.20000	0.20000	0-9999	0.20000	0.20000	0-9999	0.20000	0.20000

Interlata\Intrastate (8B) Initial Minutes: 1 Additional Minutes: 1 Surcharge \$ 2.50

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-9999	0.27000	0.27000	0-9999	0.27000	0.27000	0-9999	0.27000	0.27000

Interlata\Interstate (JO) Initial Minutes: 1 Additional Minutes: 1 Surcharge \$ 3.50

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-9999	0.55000	0.55000	0-9999	0.55000	0.55000	0-9999	0.55000	0.55000

Puerto Rico Initial Minutes: 1 Additional Minutes: 1 Surcharge \$ 3.50

DAY			EVENING			NIGHT		
Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate	Rate Mileage	Initial Rate	Each Additional Rate
0-9999	0.55000	0.55000	0-9999	0.55000	0.55000	0-9999	0.55000	0.55000

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EXHIBIT R-2
 2-20-07 MS 74bg



