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2017 JAN 25 AM 10:29

PA P.U.C.
SECRETARY'S BUREAU

Shariff Ingram
DV--6749
SCI Fayette
Box 9999
LaBelle Pa 15450

January 20 2017

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keyston Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg Pa 17105-3265

RE: Shariff Ingram v Securus Technologies Docket No. C-2016-2573790

Dear Secretary:

Please find the enclosed application for subpoena under the above docket number for Shariff Ingram. A copy of the application has been served in accordance with the attach certificate of service.

If you have any questions regarding this filing, please send them to me. Thank you for your time and attention in this matter.

CC:
per certificate of service

Sincerely, *Shariff Ingram*

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

2017 JAN 25 AM 10:29

Shariff Ingram
Complainant

:

PA P.U.C.
SECRETARY'S BUREAU

:

V

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Docket No C-2016-2573790

:

Securus Technologies Inc.
Respondent

:

APPLICATION FOR SUBPOENA

AND NOW, COMES, Shariff Ingram, the Complainant and pursuant to 52 Pa Code 5.421 files this application for subpoena for the following reason(s). In support hereof, avers as follows:

1) The Complainant filed a formal complaint on September 20, 2016 to the Pennsylvania Public Utility Commission.

2) The Respondent filed its answer and new matter on November 21, 2016, in which Complainant filed a answer and new matter to Respondents answer on November 27, 2016.

3) On December 5, 2016 Counsel for Securus Technologies tried to settle the case in which Complainant refused.

4) On December 20, 2016 the Honorable Administrative Law Judge Dennis J. Buckley schedule a telephonic hearing for February 16, 2017, in which Complainant filed a Application requesting the phone records and approved tariff on January 13, 2016.

5) Due to the circumstances of the case, Complainant is now requesting the following to be subpoena to testify at the hearing.

WITNESS

A)
Cameshia Davis
Analyst, Regulator affairs
14651 Dallas Parkway
Suite 600
Dallas Texas 75254

B)
Donna Gibson
Securus on site phone Rep.
SCI Fayette
50 Overlook Drive
LaBelle Pa 15450
(724)364-2200

C)
Curtis Hopfinger
Director & Regulator
of Government affairs
14651 Dallas Parkway
Suite 600
Dallas Texas 75254

D)
Matthew Salkowski
Office of Chief Counsel
Pennsylvania Department of Revenue
P.O. Box 281061
Harrisburg Pa 17128-1061

6) In regards of witness 5(A) Cameshia Davis, Ms. Davis testimony is relevant to the answer and new matter as evidence of the verification dated November 21, 2016.

7) In regards of witness 5(B) Donna Gibson, Mrs. Gibson testimony is relevant since she is the on site phone representative for Securus Technologies at SCI Fayette and can testify concerning the grievance filed by Complainant (SEE EXHIBIT A).

8) In regards of witness 5(C) Curtis Hopfinger, Mr Hopfinger testimony is relevant to the filing of the approve tariff which was issued by him.

9) In regards of witness 5(D) Matthew Salkowski, Mr Salkowski testimony is relevant as to the collection of taxes from the Pennsylvania Department of Revenue from inmates, and Securus Technologies (SEE EXHIBIT B)

10) The witness mentioned above are relevant to Complainant case and they will be needed to help Complainant sustain his burden of proof. 66 Pa C.S. 332(a).

11) The Party filing a formal complaint with the Pennsylvania Public Utility Commission has the burden of establishing that a utility company failed to provide adquate notice that a tax increase was going into effect 66 Pa C.S. 332(a); 52 Pa Code 53.31.

12) The Complainant is asking that the following witness be issued subpoenas from the Commission due to the following reason(s):

- 1) witness 5(B) is employed and work for the Pennsylvania Department of Correction at Sci Fayette and can not accept said subpoena from inmate due to DC-ADM and state policy.
- 2) witness 5(D) is employed and work for the Pennsylvania Department of Revenue and is out of the Complainant reach and control to serve said subpoena.

13) A response or objection to the application shall be filed with the Commission within (10) days of service of the application.

WHEREFORE, Complainant request that the witness mentioned above be issued subpoenas in order to testify at the hearing on february 16, 2017.

DATE: 1/20/17

Respectfully Submitted,

/s/ Shariff Ingram
Shariff Ingram

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

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

Inmate Name:	Shariff Ingram	Inmate Number:	DV6749
Facility:	SCI Fayette	Unit Location:	CA 46
Grievance #:	626992		
Publication (if applicable):			

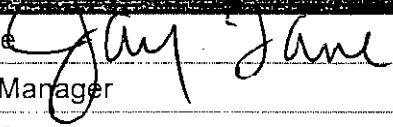
Decision:	<input checked="" type="checkbox"/> Uphold Response (UR) <input type="checkbox"/> Uphold in part/Deny in part <input type="checkbox"/> Uphold Inmate (UI) <input type="checkbox"/> Dismiss/Dismiss Untimely
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It is the decision of this Facility Manager to uphold the initial response, uphold the inmate, dismiss, or Uphold in part/Deny in part. This response will include a brief rationale, summarizing the conclusion, any action taken to resolve the issue(s) raised in the grievance and your appeal and relief sought.

Response:	Frivolous
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In his response to you Mr. Oppman informed you that he discussed your issue with the on-site phone rep Ms. Gibson. He also informed you that the state of PA implements sales tax on all calls. This tax is regulated by the state and not SECURUS or the DOC. In your appeal you claim that you were not notified of the change until after you filed the grievance. According to information provided by Ms. Gibson "each call an inmate makes, clearly states 6 cents per minute plus all applicable taxes". You are correct in stating that the notice was not provided to the Unit Managers until mid-June. There was a miscommunication. While it is unfortunate there was a miscommunication concerning the posting of the notice on the housing units, according to SECURUS's onsite representative inmates are notified that they will be charged all applicable taxes when making a phone call. Please remember that using the phone is a privilege and you are not required to utilize said privilege. After careful evaluation of this grievance and initial review response, it has been determined that the action and response provided by the investigating grievance officer will be upheld.

Based on the above information, I must deny your appeal and all requested relief.

Signature:	Jay Lane 
Title:	Facility Manager
Date:	7-7-2016

cc: DC-15
File

Shariff Ingram #DV.6749

SCI.Fayette/ BOX.9999

LaBelle, PA 15450

Date:12/12/16

Pennsylvania Department Of Revenue

Office Of Chief Counsel

Matthew Salkowski

P.O.Box 281061

Harrisburg, PA 17128-1061

RE: Sales Tax Vs. Use tax

I am writing to you regarding the double taxes that I'm paying for the purchase of a pre paid calling card, then the use of that prepaid calling card. As you can see, I am a inmate housed at the above name address, who have to purchase prepaid calling cards via the inmate commissary. When these prepaid calling cards are purchased I pay a 6% sales tax. This tax is collected from the vendor and remitted to the Department of Revenue. This has been in effect since July 1, 2002.

Now when I use that prepaid calling card, I pay a "5% use" tax which is collected by the vendor and remitted to the Department of Revenue. This has been in effect since April 1, 2016.

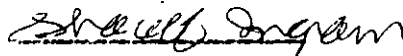
I would argue that this is double taxation which violate the statutes. 7202(a) and 7202(b) which prohibits a consumer being tax twice.

Please find the time to explain this to me as it relates to why is The Department Of Revenue violating this clearly established Law?

Thank you for your time and attention in this matter,

Sincerely,

Shariff Ingram



C.C.FILE

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the "APPLICATION FOR SUBPOENA" upon the parties, listed below, in accordance with requirements of 52 Pa Code 1.54.

Rosamary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keyston Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg Pa 17105-3265

David P. Zambito ESQ
COZEN O'CONNOR
17 North Second Street
Suite 1410
Harrisburg Pa 17101

DATE: 1/20/17

1s/ Shariff Ingram
Shariff Ingram

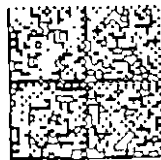
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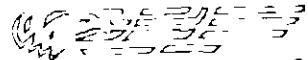
PA P.U.C.
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Shari Ingram #DV. 6749
Box. 9999
SCI. Fayette
Labelle, PA 15450-0999

Inmate Mail- Pa
Department of Corrections



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Rosemary Chiavetta, secretary
Pennsylvania public utility commiss
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PO. Box. 3265
Harrisburg, PA. 17105-3265