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VIA ECFS

EX PARTE

August 28, 2014

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: *Rates for Interstate Inmate Calling Service*, WC Docket No. 12-375

Dear Ms. Dortch:

On August 16, 2014, Lee G. Petro, counsel for the Martha Wright petitioners, submitted an ex parte letter in the above-referenced docket in which he claimed that CenturyLink had agreed to pay a 96% commission on calls in a bid for an inmate calling service (“ICS”) contract with Escambia County, Florida. Mr. Petro’s letter is misleading as it did not include important background information.

First, Escambia County’s Invitation to Bid was structured so that the bidder with the highest offered commission rate would be selected. Consequently, bidders were obliged to utilize ancillary fees to cover costs that otherwise could not be recovered in per-minute rates after deducting the County’s required commissions. CenturyLink fully disclosed the ancillary fees that would apply if the county selected it as the ICS provider.

CenturyLink is not responsible for the County’s procurement criteria, and indeed the company actually shares Mr. Petro’s view that to be effective, any regulation of ICS rates must include elimination of, or at least significant limitations on, ancillary fees. In the meantime, however, if inmates are to continue to enjoy widely available calling privileges in Escambia County, competitive ICS providers have no choice but to comply with the criteria dictated by the County’s Invitation to Bid.

Second, CenturyLink has been the incumbent provider at Escambia County for over ten years and has already incurred all of the up-front investments necessary to provide the inmate calling services. As a result, CenturyLink was uniquely positioned to make a high bid under the bid criteria dictated by the County.

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Third, it is important to note that CenturyLink also fully disclosed that it did not include a commission on interstate calls in its bid to Escambia County.

CenturyLink respects and values all of its customers, and it provides service with the highest level of integrity. It complies with federal and state laws governing inmate calling services.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being filed in the appropriate docket.

Sincerely,

/s/ Thomas M. Dethlefs

Copy via email to:

Kalpak Gude
Lynne Engledow
Michael Jacobs
Rhonda Lien
Rebekah Goodheart