



October 28, 2020

Iowa Utilities Board  
1375 E. Court Avenue, Room 69  
Des Moines, IA 50319-0069

Re: DOCKET NO. TF-2019-0270

Dear Sir or Madam:

Attached, please find Encartele, Inc.'s Response to Prison Policy Initiative Comments filed in the above referenced matter.

Should there be any questions with respect to this matter, please contact me at (817) 724-2125.

Respectfully Submitted,

***/S/ Dana Hoyle***

Dana Hoyle  
Regulatory Consultant

W/attachment

STATE OF IOWA DEPARTMENT  
OF COMMERCE UTILITIES  
BOARD

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IN RE: ENCARTELE, INC.

DOCKET NO. TF-2019-0270

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RESPONSE TO PRISON POLICY INITIATIVE COMMENTS

Pursuant to the Board's order of September 25, 2020, Encartele, Inc. ("Encartele") filed a revised proposed tariff in the above-captioned proceeding on October 9, 2020 (the "Revised Tariff"). On October 20, 2020, the Prison Policy Initiative, Inc. ("PPI"), submitted comments that objected to the Revised Tariff. The Revised Tariff proposes a rate of 25¢ per minute for prepaid calls. PPI objected to this rate because it is above the 21¢ rate cap currently imposed by the Federal Communications Commission for prepaid interstate calls as found in 47 Code of Federal Regulation § 64.6030.

Intrastate versus interstate jurisdictions have significantly different factors to consider when developing rates for these types of services. It is important that the Iowa Utilities Board considers its state's unique components. In fact, Chairman Ajit Pai agrees as his letter states, "Given the alarming evidence of egregiously high intrastate inmate calling rates and the FCC's lack of jurisdiction here, I am calling on states to exercise their authority and, at long last, address this pressing problem." (Jul. 20, 2020, docketed in this proceeding on Aug. 3, 2020) Encartele agrees that reasonable rates are critical given the population that they serve. It is a well-known and accepted fact that communication with family and loved ones reduces recidivism.

Encartele respectfully requests that the Board deem its tariff as compliant and its rates as reasonable for providing alternative operator services in the state of Iowa. It is the position of Encartele that the per minute rate of 25¢ with no additional ancillary charge cannot be an excessive rate when indeed, the FCC Code of Federal Regulation cited above allows a per minute rate of 25¢ for collect calls. In theory, the use of an Interactive Voice Response system used with collect calling, is remarkably like services provided by Encartele. In fact, recipients of calls traversing Encartele's systems must affirmatively accept the call before connection of the call. If the call is not affirmatively accepted, the call will be terminated without assessing charges. In accordance with Chairman Pai's request, Encartele respectfully request that the Board deem Encartele rates as reasonable for intrastate calling and approve the revised Tariff referenced herein for services provided on an intrastate basis.

A primary component that is distinctive to Iowa, an Alternative Operator Service Provider has the potential of providing services to a smaller jail with capacity of 4-5 inmates. Not all facilities have hundreds of inmates. Iowa is unique in that its population is lower than other states. Therefore, there will always be less inmates served. The extra four cents (4¢) help defray the cost of providing services to any facility requesting its services, no matter its size. Eliminating all ancillary charges makes the rate extremely reasonable.

Encartele believes that an intrastate per minute rate of 25¢ with no connection charge is more than reasonable for services provided. A fifteen (15) minute call will never cost more than \$3.75 no matter the size of the facility or the number of inmates.

For the reasons contained herein, supra, Encartele respectfully requests that the Board approve the Revised Tariff as currently written.

Respectfully submitted this 28<sup>th</sup> day of October 2020,

By: /s/ *Dana Hoyle*

Regulatory Consultant  
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