



October 3, 2019

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

Re: Docket No. NOI-2019-0001

Dear Sir or Madam:

On September 20, 2019, the Board issued an order for Encartele, Inc. to provide responses in Docket No. NOI-2019-0001. Attached, please find responses for Questions 1-8 submitted in compliance of said order.

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

Respectfully Submitted,

Dana Hoyle

Dana Hoyle
Regulatory Consultant

W/attachment

STATE OF IOWA
DEPARTMENT OF COMMERCE
IOWA UTILITIES BOARD

IN RE: INQUIRY INTO REGULATORY REQUIREMENTS FOR ALTERNATIVE OPERATOR SERVICES COMPANIES	DOCKET NO. NOI-2019-0001 RESPONSE OF ENCARTELE, INC.
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Pursuant to the Board Order issued in Docket Nos. REG-3827, TF-2019-0270 on September 20, 2019, Encartele, Inc. provides the following responses:

1. Should all AOS companies' tariffs have consistent definitions for the services provided, identify the types of facilities where the service is offered, offer the same types of service, offer the same calling options, and contain the same requirements for billing and cancellation of service?

In the Public Utility Regulation, §476.91, Alternative operator services are defined as meaning “a nongovernmental company which receives more than half of its Iowa intrastate telecommunications services revenues from calls placed by end-user customers from telephones other than ordinary residence or business telephones. The definition is further limited to include only companies which provide operator assistance, either through live or automated intervention, on calls placed from other than ordinary residence or business telephones, and does not include services provided under contract to rate-regulated local exchange utilities.”

Encartele, Inc. does not believe that inmate communication service providers should be subjected to the AOS rule. As a provider of inmate communications, Encartele understands the unique circumstances surrounding the provision of services to inmates residing in correctional facilities. Provision of communications services to inmate facilities is far more complex than simply providing AOS services. Facilities require unique functionalities within each communications system, to include call tracking, call blocking, and call monitoring. Services are provided to the Correctional Facility and should therefore be deemed as providing services to a business account. Encartele works with each facility to tailor the systems to meet each facility’s unique communications needs. Encartele creates technologies for inmate facilities that are practical to use and operationally efficient.

2. What criteria or considerations should the Board use to determine whether rates charged by an AOS company are just and reasonable? This includes the basic rates and any ancillary rates?

Encartele, Inc. is not a standard AOS company and only provides services to correctional facilities. Therefore, it has no opinion on rates provided by AOS companies to the general public that are outside their home or business. Encartele does not provide AOS calls to customers in hotels, to customers using public pay telephones or to the public calling on any other communications device.

3. Should an AOS company be allowed to offer rates and service for non-correctional facilities that are different from rates and services provided for correctional facilities?

Please see the response to Question 2, Supra.

4. Should agreements between facilities, including state or local correctional facilities, and an AOS company also be filed with the Board, similar to the AOS tariff?

Encartele does not believe that it is a traditional AOS company and therefore believes that the contracts between Encartele and the facilities should not be filed with the Board. All facility contracts are available via the Freedom of Information Act.

5. Companies that are providing AOS service are requested to provide a description of the company's current corporate structure and affiliations and whether that company is a successor to a company that previously provided AOS service in Iowa.

Encartele, Inc. is not affiliated with any other companies. It is not a successor to a company that previously provided AOS services in Iowa. It is a Nebraska domestic Corporation with Foreign Corporation status in Iowa.

6. What information regarding AOS service should be considered confidential and not available for public inspection

Encartele has no opinion of what information should be held confidentially for AOS providers.

7. Are the Board's current registration and billing procedures understandable and are there any issues or questions about those procedures?

Encartele recommends the current registration form be modified to contain an entry for Inmate Service Provider. Encartele is concerned about Board procedures in that it has not always obtained adequate notice in certain procedures that address the provision of correctional communications services.

8. When would an AOS company select only one of the options on the current telecommunications registration form (Local Exchange Service; Interexchange Service; Data Transmission; Alternative Operator Services Only; Other) or a combination of options?

Please see the response to Questions 2 and 7, Supra.

/S/ Don Peeler

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