

STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD

IN RE: PRODIGY SOLUTIONS, INC.	DOCKET NO. TF-2019-0032
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COMMENTS ON REVISED PROPOSED TARIFF

The Office of Consumer Advocate (OCA), a division of the Iowa Department of Justice, files the following comments in response to the revised proposed tariff filed by Prodigy Solutions, Inc. on July 28, 2020.

1. Section 2.7 of the proposed tariff provides, except as otherwise provided, that “all state and local taxes (*i.e.*, gross receipts tax, sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.” FCC rules for interstate calls place restrictions on such billings. 47 C.F.R. §§ 64.6070, 64.2000(n), and 64.2000(b).¹ OCA suggests an additional provision in the tariff making clear that these restrictions will be observed for intrastate as well as interstate inmate calling.

2. OCA suggests consideration of one editorial enhancement in the proposed tariff. There are a number of references in the proposed tariff to “confinement” facilities. These could probably be improved to “correctional” facilities. *See Equal Access Corp. v. Utilities Board*, 510 N.W.2d 147, 148 (Iowa 1993).

¹ 47 C.F.R. § 64.6070 states: “No Provider shall charge any taxes or fees to users of Inmate Calling Services, other than those permitted under § 64.6020, Mandatory Taxes, Mandatory Fees, or Authorized Fees.” 47 C.F.R. § 64.2000(n) states: “Mandatory Tax or Mandatory Fee means a fee that a Provider is required to collect directly from consumers, and remit to federal, state, or local governments. A Mandatory Tax or Mandatory Fee that is passed through to a Consumer may not include a markup, unless the markup is specifically authorized by a federal, state, or local statute, rule, or regulation.” 47 C.F.R. § 64.2000(b) states: “Authorized Fee means a government authorized, but discretionary, fee which a Provider must remit to a federal, state, or local government, and which a Provider is permitted, but not required, to pass through to Consumers. An Authorized Fee may not include a markup, unless the markup is specifically authorized by a federal, state, or local statute, rule, or regulation.”

WHEREFORE, OCA requests that the issues identified above be given further consideration prior to approval of any proposed tariff.

Respectfully submitted,

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