# Filed with the Iowa Utilities Board on October 5, 2020, TF-2019-0032 (Revised)



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October 5, 2020 Via Web Filing

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

RE: Prodigy Solutions, Inc.

Iowa Tariff No. 1

Docket No. TF-2019-0032

Dear Executive Secretary:

Enclosed for filing please find the above referenced tariff filing submitted on behalf of Prodigy Solutions, Inc. ("Company") in the above mentioned docket number. The Company respectfully requests an effective date for this filing of November 4, 2020.

In addition to the revisions outlined by the order dated September 4, 2020 in Docket No. TF-2019-0032, the tariff also restores Prepaid Collect Services which was inadvertently removed from the previous revision filed July 28, 2020. Any references to collect calling via a third party have not been restored since the Company does not provide this service.

Also, in compliance with the order the Company confirms that it does not have any contracts or arrangements with third-party companies to mark up transaction fees. The Company also ensures that it is up to date on annual reports, annual registration, Dual Party Relay Service assessments, and invoice payments.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3005 or via email to swarren@inteserra.com. Thank you for your assistance in this matter.

Sincerely,

/s/Sharon R Warren

Sharon R. Warren Consultant

cc: Office of Consumer Advocate

tms: IAn1901c

Enclosures SW/mp

# INSTITUTIONAL TELECOMMUNICATIONS TARIFF

of

**Prodigy Solutions, Inc.** 

This tariff contains the descriptions, regulations, and rates applicable to the provision of intrastate automated operator assisted calling services for inmates and other incarcerated persons in Correctional Institutions, by Prodigy Solutions, Inc. ("Prodigy") within the State of Iowa. This tariff is on file with the Iowa Utilities Board.

Issued: October 5, 2020 Effective: November 4, 2020

Issued By: J. Brian Hartman, CEO

6000 Midlantic Drive, Suite 705

## **CHECK SHEET**

Pages of this tariff, as indicated below, are effective as of the date shown at the bottom of the respective pages. Original and revised pages, as named below, comprise all changes from the original tariff and are currently in effect as of the date on the bottom of this page.

| <b>PAGE</b> | REVISION |   | <b>PAGE</b> | REVISION |   |
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<sup>\* -</sup> indicates those pages included with this filing.

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## APPLICATION OF TARIFF

This tariff contains the regulations and rates applicable to the provision of intrastate automated operator assisted services by Prodigy Solutions, Inc. for use by inmates and other incarcerated persons in correctional institutions within the State of Iowa subject to the jurisdiction of the Iowa Utilities Board.

Issued: October 5, 2020 Effective: November 4, 2020

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## **EXPLANATION OF SYMBOLS**

Changes to this tariff shall be identified on the revised page(s) through the use of symbols. The following are the only symbols used for the purposes indicated below:

- (C) To signify a changed regulation.
- **(D)** To signify a discontinued rate or regulation.
- (I) To signify an increase in a rate or charge.
- (M) To signify material relocated from one page to another without change.
- (N) To signify a new rate or regulation.
- **(R)** To signify a reduced rate or charge.
- (T) To signify a change in text but no change in rate or regulation.

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#### **TARIFF FORMAT**

- **A.** Page Numbering Page numbers appear in the upper right corner of the page. Pages are numbered sequentially, however, new pages are occasionally added to the tariff. When a new page is added between pages already in effect, a decimal is added. For example, a new page added between pages 14 and 15 would be 14.1.
- **B.** Page Revision Numbers Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current page version on file with the Commission. For example, the 4<sup>th</sup> Revised Page 14 cancels the 3<sup>rd</sup> Revised Page 14. Because of various suspension periods, deferrals, etc., the most current page number on file with the Commission is not always the tariff page in effect. Consult the Check Sheet for the sheet currently in effect.
- **C. Paragraph Numbering Sequence -** There are nine levels of paragraph coding. Each level of coding is subservient to its next higher level:

```
2.

2.1.

2.1.1.

2.1.1.A.

2.1.1.A.1.

2.1.1.A.1.(a).

2.1.1.A.1.(a).I.

2.1.1.A.1.(a).I.(i).
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D. Check Sheets - When a tariff filing is made with the Commission, an updated Check Sheet accompanies the tariff filing. The Check Sheet lists the pages contained in the tariff, with a cross-reference to the current revision number. When new pages are added, the Check Sheet is changed to reflect the revision. All revisions made in a given filing are designated by an asterisk (\*). There will be no other symbols used on this page if these are the only changes made to it (i.e., the format, etc. remain the same, just revised revision levels on some pages). The tariff user should refer to the latest Check Sheet to find out if a particular page is the most current on file with the Commission.

Issued: October 5, 2020 Effective: November 4, 2020

Issued By: J. Brian Hartman, CEO

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## SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS

**Access Line -** An arrangement which connects the Subscriber's location to a Prodigy switching center or designated point of presence.

**Ancillary Service Charge** – Any charge Consumers may be assessed for the use of Inmate Calling services that are not included in the per-minute charges assessed for individual calls.

**Authorized Fee** – 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 for or in connection with interstate or international Inmate Calling Service. An Authorized Fee may not include a markup, unless the markup is specifically authorized by a federal, state, or local statute, rule, or regulation.

Called Party - The person, individual, corporation or other entity whose telephone number is called.

Company or Carrier – Prodigy Solutions, Inc., unless otherwise clearly indicated by the context.

Commission - The Iowa Utilities Board.

**Consumer, Customer or End User -** The person, firm, corporation or other entity which uses Prodigy' service and is responsible for payment of charges and compliance with the Company's tariff.

**Correctional Institutions -** Used throughout this tariff to refer to any type of correctional facility, including prisons, jails, work farms, detention centers or other facilities used for penalty or correctional purposes.

**Inmates -** The jailed or confined population of correctional institutions.

**Inmate Phone Service (IPS)** – A class of telecommunications service made available at an institution for use by inmates in making outbound, automated-collect-only or debit system calls. Call placement, recording and billing arrangements are performed without the assistance of a live operator.

Jail – A facility of a local, state or federal law enforcement agency that is used primarily to hold individuals who are (1) awaiting adjudication of criminal charges; (2) post-conviction and committed to confinement for sentences of one year or less; (3) post conviction and awaiting transfer to another facility. The term also includes city, county or regional facilities that have contracted with a private company to manage day-to-day operations; privately-owned and operated facilities primarily engaged in housing city, county or regional inmates; and facilities used to detain individuals pursuant to a contract with U.S. Immigration and Customs Enforcement.

**LEC** - Local Exchange Company.

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#### SECTION 1 - TECHNICAL TERMS AND ABBREVIATIONS, (CONT'D.)

Mandatory Tax or Mandatory Fee – A fee that a Provider is required to collect directly from consumers, and remit to federal, state, or local governments. A Mandatory Tax or Fee that is passed through to a consumer for, or in connection with, interstate or international Inmate Calling Services may not include a markup, unless the markup is specifically authorized by a federal, state, or local statute, rule, or regulation.

**Prison** – A facility operated by a territorial, state or federal agency that is used primarily to confine individuals convicted of felonies and sentenced to terms in excess of one year. The term also includes public and private facilities that provide outsource housing to other agencies such as the State Departments of Correction and the Federal Bureau of Prisons; and facilities that would otherwise fall under the definition of a Jail but in which the majority of inmates are post-conviction or are committed to confinement for sentences longer than one year.

**Prodigy** - Used throughout this tariff to mean Prodigy Solutions, Inc.

**Subscriber -** The correctional institution which contracts for Prodigy' service. The Subscriber enters into an agreement with the Company for the provision of automated operator assisted telecommunications services for use by inmates or other incarcerated persons.

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Issued By: J. Brian Hartman, CEO

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## **SECTION 2 - RULES AND REGULATIONS**

#### 2.1 Undertaking of Prodigy Solutions, Inc.

Services and facilities are furnished for communications originating at correctional institutions within the state of Iowa. The terms of this tariff apply to intrastate calls.

Prodigy provides for the installation, operation, and maintenance of the communications services and equipment as provided herein in accordance with the terms and conditions set forth under this tariff.

The Company's services and facilities are available twenty-four hours per day, seven days per week subject to restrictions imposed by the administration of the institution.

#### 2.2 Limitations

- **2.2.1** The Company provides calling services to inmates and other incarcerated persons in Correctional Institutions.
- **2.2.2** Service is offered subject to the availability of the necessary facilities or equipment, and subject to the provisions of this tariff.
- 2.2.3 The Company reserves the right to suspend or limit service when necessitated by conditions beyond its control, or when the Customer is using service in violation of provisions of this tariff, or in violation of the law.
- **2.2.4** The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.
- 2.2.5 All facilities provided under this tariff are directly or indirectly controlled by The Company and the Subscriber may not transfer or assign the use of service or facilities without the express written consent of the Company.
- **2.2.6** Service may otherwise be limited at the request of the institution's administration or by rules of the Commission to minimize fraud and maintain security and control over the inmate population.

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Issued By: J. Brian Hartman, CEO

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#### **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

#### 2.3 Use

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited, limited to the provisions of this tariff.

# 2.4 Liabilities of the Company

- 2.4.1 The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.2 The Company shall not be liable for, and shall be fully indemnified and held harmless by Customer, End User and Subscriber against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copyright or patent, unauthorized use of any trademark, trade name or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Customer, End User or Subscriber; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition, operation, failure, presence, use, or removal of equipment or wiring provided by the Company, if not caused by negligence of the Company.
- **2.4.3** The Company shall not be liable for any defacement of or damages to the premises of a Subscriber or Customer resulting from the furnishing of service which is not the direct result of the Company's negligence.
- 2.4.4 Except when a court of competent jurisdiction finds that gross negligence, willful neglect, or willful misconduct on the Company's part has been a contributing factor, the liability of the Company for any claim or loss, expense or damage (including indirect, special or consequential damage) for any interruption, delay, error, omission, or defect in any service, facility (including services and facilities involved in emergency calling activity) or transmission provided under this tariff shall not exceed an amount equivalent to the charge to the Customer or Subscriber for call or facility usage during which such interruption, delay, error, omission or defect occurs.

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#### **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

#### 2.5 Deposits

The Company does not require deposits.

# 2.6 Terminal Equipment

Company-provided facilities and service may be used with or terminated in Company provided terminal equipment or communications systems. Such terminal equipment shall be furnished and maintained under contract between Prodigy and the Subscriber. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

# 2.7 Mandatory Taxes, Mandatory Fees and Authorized Fees

All Mandatory Taxes, Mandatory Fees and Authorized Fees (e.g. sales tax, municipal utilities tax, Federal USF) are listed as separate line items on the bill and are not included in the approved rates in this tariff. The Mandatory Taxes, Mandatory Fees and Authorized Fees charged for inmate calling service comply with the Federal Communications Commission requirements for interstate calling.

Issued: October 5, 2020 Effective: November 4, 2020

Issued By: J. Brian Hartman, CEO

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# **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

- 2.8 Payment for Service
  - 2.8.1 [Reserved for Future Use]
  - 2.8.2 [Reserved for Future Use]

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Issued By: J. Brian Hartman, CEO

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# **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

2.8 Payment for Service, (Cont'd.)

2.8.3 [Reserved for Future Use]

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#### **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

## 2.9 Refusal or Suspension by Company

- **2.9.1** The Company may refuse or suspend service for any of the following reasons:
  - **A.** [Reserved for Future Use]
  - **B.** For failure of the Customer to make proper application for service.
  - C. For Customer's or Subscriber's violation of any of the Company's rules on file with the Commission.
  - **D.** For failure of the Subscriber to provide the Company reasonable access to its equipment and property.
  - **E.** For Subscriber's breach of the contract for service between the Company and the Subscriber.
  - **F.** For a failure of the Subscriber to furnish such service, equipment, and/or rights-of-way necessary to serve said Subscriber as shall have been specified by the Company as a condition of obtaining service.
  - **G.** When necessary for the Company to comply with any order or request of any governmental authority having jurisdiction.
  - **H.** In the event of fraudulent use of the service.
  - **I.** In the event of tampering with the Company's equipment.
  - J. In the event of a condition determined to be hazardous to the Customer or Subscriber, to other Customers of the Company, to the Company's equipment, the public, or to employees of the Company.
  - **K.** In the event of a Customer's use of equipment in such a manner as to adversely affect the Company's equipment.

Issued: October 5, 2020 Effective: November 4, 2020

Issued By: J. Brian Hartman, CEO

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#### **SECTION 2 - RULES AND REGULATIONS, (CONT'D.)**

#### 2.10 Call Restrictions

Calling capabilities may be restricted by the administration of the correctional institutions. The following types of calls may be blocked: directory assistance, 0-, 700, 800, 900, 976, 1+ sent paid, third number billed, credit card and local direct. The institution may block calls to specific telephone numbers and may limit calling service to pre-approved telephone numbers only. Call duration may be limited by the institution.

Services provided by the Company are available to inmates of correctional facilities in accordance with facility-authorized programs. The Company may request that the correctional facility adopt, as part of its program, terms that enable the Company to collect the charges for all inmate calls, including without limitation, the blocking of calls by the Company to certain telephone numbers when the amount charged to such a telephone number exceeds a predetermined amount or becomes past due.

#### 2.11 Inspection, Testing and Adjustment

Upon reasonable notice, the facilities provided by the Company shall be made available to the Company for tests and adjustments as may be deemed necessary by the Company for maintenance.

#### 2.12 Posting

In compliance with 199 IAC 22.6(3) the Company posts on or in close proximity to all telephones the Company's name and address, a customer service number for service and billing information and dialing instructions to obtain specific rate information.

#### 2.13 Billing

The Company does not provide collect service to inmates in its facilities in Iowa. All calls are prepaid and no bills are rendered. Therefore, 199 IAC 22.6(5) is not applicable.

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Issued By: J. Brian Hartman, CEO

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#### **SECTION 3 - DESCRIPTION OF SERVICE**

#### 3.1 General

Service is offered to inmates and other incarcerated persons in correctional facilities for outward-only calling.

#### 3.2 Timing of Calls

- **3.2.1** Usage charges are based on the actual usage of the Company's network. Timing of a call begins when the called party accepts the charges for the call. Positive response for acceptance of a call is required. A call will be terminated within five (5) seconds from the last message given if no positive response is received.
- **3.2.2** Chargeable time for a call ends upon disconnection by either party.
- **3.2.3** The minimum call duration and initial period for billing purposes is one minute.
- **3.2.4** Unless otherwise specified in this tariff, for billing purposes usage is measured and rounded to the next higher full minute. Usage charges are computed and rounded up to the nearest penny on a per call basis.
- 3.2.5 No charges apply for incomplete calls or for calls to called parties who do not accept the charges for the call. Prodigy will terminate a call if the called party does not accept responsibility for the charges. If a Customer believes he or she has been incorrectly billed for an incomplete call, the Company will, upon notification, investigate the circumstances of the call and issue a credit when appropriate.

Issued: October 5, 2020 Effective: November 4, 2020

Issued By: J. Brian Hartman, CEO

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# **SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

3.3 [Reserved for Future Use]

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#### SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)

## 3.4 Prepaid Institutional Calling Services

#### 3.4.1 General

Prepaid Institutional Calling Services provide alternative payment arrangements for inmates in Correctional Institutions. Prepaid Institutional Calling Services are available 24 hours a day, seven days per week. Access to telephone service by an inmate may be subject to time of day and usage restrictions imposed by individual Correctional Institutions. No minimum service period applies.

Network usage for Prepaid Institutional Calls is deducted from the Available Usage Balance in full minute increments. For debiting purposes, call timing is rounded up to the nearest one (1) minute increment.

The Called Party is automatically informed of the Available Usage Balance remaining in the Prepaid Account prior to acceptance of the call. Network usage is deducted from the Available Usage Balance in the account on a real time basis as the call progresses. A reminder message is also provided when the account balance has one minute of usage remaining. All calls must be charged against an account that has sufficient available balance. Calls in progress will be terminated by the Company if the balance on the account is insufficient to continue the call.

Payment for Prepaid Institutional Calling Services and any Available Usage in the Prepaid Account is refundable upon request by the Called Party. The Available Usage Balance expires six months from the date the last call is made on the Prepaid account. No refunds of unused balances will be issued after the expiration date.

Two options are available with Prepaid Institutional Calling Services. The first option, the Prepaid Debit Account, allows the inmate to set up his/her own prepaid account at the Confinement Institution; the second option, Prepaid Collect Service, allows the Called Party who receives collect calls from inmates to set up his/her own prepaid account.

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#### **SECTION 3 - DESCRIPTION OF SERVICE, (CONT'D.)**

#### 3.4 Prepaid Institutional Calling Services, (Cont'd.)

#### 3.4.1 General, (Cont'd.)

#### A. Option A: Prepaid Debit Account

With a Prepaid Debit Account, the inmate is assigned a Personal Identification Number (PIN.) When the inmate places a call, he/she enters the PIN and called telephone number. All deposits to the account are paid to and handled by the Institution. The Company receives payment from the inmate's debit account via the Institution.

The Company's system automatically informs the caller of the Available Usage Balance remaining in the Prepaid Debit Account, and provides prompts to place the call by entering the destination telephone number. Network usage is deducted from the Available Usage Balance in the account on a real time basis as the call progresses.

# B. Option B: Prepaid Collect Service

Prepaid Collect Service is available for use by individuals who receive collect calls from inmates in Confinement Institutions. Once an account is established, all collect calls from the facility to the telephone number associated with the prepaid collect account are automatically processed as prepaid collect. If the payment into the account is provided via credit card, credit verification procedures are carried out under the terms specified in Section 2 of this tariff. Deposits to the account are paid to and handled by the Company via arrangement with a vendor.

Payments will be accepted with a \$50.00 payment maximum. Initial and additional payments into the account may be made by cashier's check, money order, credit card, debit card, electronic checking or Western Union. Transaction fees will apply for credit card and check by phone transactions. If payment is made in cash via kiosk, payments will be accepted with a \$100.00 payment maximum.

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#### **SECTION 4 - RATES**

## 4.1 General

Each Customer is charged individually for each call placed through the Company. Customers are billed based on their use of the service. No fixed monthly recurring charges apply.

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## **SECTION 4 - RATES, (CONT'D.)**

## 4.2 Prepaid Debit/Collect Institutional Calling Services

The following rates and charges apply to prepaid debit and prepaid collect calls placed by inmates in correctional institutions using the Company's service. The minimum call duration for billing purposes is one (1) minute. Additional usage is measured and rounded to the next higherfull minute increment for billing purposes.

4.2.1 Rates and Charges

Per Minute Rate \$0.21

4.3 [Reserved for Future Use]

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## **SECTION 4 - RATES, (CONT'D.)**

- 4.4 Miscellaneous Charges
  - 4.4.1 Ancillary Service Charges
    - **4.4.1 Automated Payment Fees (where available)** Credit Card payment, debit card payment, and bill processing fees, including fees for payments made by interactive voice response (IVR), web, or kiosk (where available).

Automated payment fees \$3.00

**4.4.2 Live Agent Fee** – A fee associated with the optional use of a live operator to complete Inmate Calling Services transactions.

Live Agent Fee \$5.95

**4.4.3** Paper Bill/Statement Fees – Fees associated with providing customers of Inmate Calling Services an optional paper billing statement.

Paper Bill/Statement Fees \$2.00

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#### **SECTION 5 – CONTRACTS**

#### 5.1 Contracts

Prodigy Solutions, Inc. will file any contracts between itself and correctional institutions within the state of Iowa with the Commission, if requested. These contracts will be filed as confidential.

#### 5.2 Correctional Facilities

Prodigy Solutions, Inc. will file the names of any correctional institutions within the state of Iowa where the Company currently provides service with the Commission. These names will be filed as confidential.

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