

STATE OF IOWA DEPARTMENT
OF COMMERCE UTILITIES
BOARD

| | |
|------------------------|-------------------------|
| IN RE: ENCARTELE, INC. | DOCKET NO. TF-2019-0270 |
|------------------------|-------------------------|

FILING OF ORDERED TARIFF REVISIONS
PROCEDURAL BACKGROUND

On August 28, 2019, Encartele, Inc. (Encartele), filed with the Board a proposed tariff to comply with the Board orders issued in Docket No. RMU-2017-0004. Encartele's tariff was identified as Docket No. TF-2019-0270. On September 20, 2019, the Board docketed the proposed tariff filed by Encartele and subsequently issued various orders requiring revisions to Encartele's proposed tariff. On December 11, 2020, the Board issued an order requiring revisions to the revised tariff that directed Encartele to file the revisions within 30 days. On January 8, 2021, Encartele filed a request for extension of time, which the Board granted. On February 9, 2021, Encartele filed its revised tariff. On February 17, 2021, Encartele filed an additional revision to the tariff to correct the locations where Encartele provides services. On February 26, 2021, Encartele filed an additional revision to the tariff to add information about its refund procedure. The Office of Consumer Advocate, a division of the Iowa Department of Justice; Prison Policy Initiative, Inc. (PPI); Global Tel*Link Corporation; and Securus Technologies, Inc., are parties to this docket.

During the term of this docket, Encartele has responded promptly, making changes to its tariff to clarify all matters addressed therein. On February 12, 2021, Prison Policy Initiative, Inc. (“PPI”) filed additional comments asserting “The Revised Tariff proposes an automated payment fee of \$3 plus “pass through” of “[a]ny third-party transaction fees, including credit card processing fees.” Rev. Tariff § 4.3.2.” in fact, PPI blatantly accuses Encartele of presenting misinformation to the Board when PPI states, “Given the outlier status of Encartele’s variable fee, PPI questions Encartele’s claim that the variable portion of its automated payment fee represents a true pass-through, without markup, of its costs.”

On March 11, 2021, the Board approved the Encartele tariff. In the second ordering clause the Board requests as follows:

2. Within 30 days of the date of this order, Encartele, Inc., shall provide additional information on how its third-party transaction fee was calculated, on what basis this fee is charged, and why this fee is substantially higher than the third-party transaction fees charged by other inmate calling service providers in Iowa.

Encartele cannot speak to expenses incurred by other inmate calling service provider in Iowa. Notwithstanding, Encartele does confirm that the “passthrough” rate (approximately 5%) is actually less than the extraneous expenses incurred by Encartele for credit card processing cost, including chargebacks.

For the reasons contained herein, supra, Encartele respectfully requests that the Board consider this tariff filing as compliant and therefore, a closed matter.

Respectfully submitted this 9th day of April 2021.

By: /s/ *Dana Hoyle*

Regulatory Consultant
Encartele, Inc.
8210 S. 109 Street
LaVista, NE 68128