

**STATE OF IOWA
DEPARTMENT OF COMMERCE
BEFORE THE IOWA UTILITIES BOARD**

IN RE:

SECURUS TECHNOLOGIES, LLC

DOCKET NO. TF-2019-0033

PRISON POLICY INITIATIVE’S MOTION FOR PARTIAL RECONSIDERATION

Pursuant to the Board’s order of March 2, 2021, Securus Technologies, LLC (“Securus”) filed a revised tariff in the above-captioned proceeding on April 1, 2021 (the “Revised Tariff”). The Prison Policy Initiative (“PPI”) filed comments on April 12, 2021, focused on Securus’s treatment of unused customer funds. On April 26, 2021, the Board entered an order approving the Revised Tariff. Pursuant to 199 IAC § 7.27, PPI respectfully moves for partial reconsideration of the Board’s April 26 order as stated below.

PPI’s April 12 comments addressed two types of prepaid funds: those held in “AdvanceConnect” accounts and those represented by tangible calling cards. This motion pertains only to the Board’s ruling concerning prepaid calling cards. In our previous comments, we asserted that unspent funds represented by prepaid cards should be remitted to the state treasurer pursuant to either Iowa Code § 556.4 or 556.9. In its April 26 order, the Board accurately summarized PPI’s arguments and ruled that funds represented by prepaid cards are not utility deposits for purposes of Iowa Code § 556.4. PPI does not seek reconsideration of that aspect of the ruling. However, even though the Board acknowledged PPI’s alternative argument concerning Iowa Code § 556.9, the April 26 order does not include a ruling on the applicability of § 556.9. Accordingly, PPI files this motion for the sole purpose of requesting a Board ruling on this question. For the reasons stated in our comments of April 12, we encourage the Board to require Securus to remit unspent funds associated with prepaid calling cards in accordance with the provisions of Iowa Code § 556.9.

\\

\\

Dated: May 10, 2021

Respectfully submitted,

PRISON POLICY INITIATIVE, INC.

/s/ Peter Wagner

By Peter Wagner, Executive Director
MA Bar No. 662207, *admitted pro hac vice*
69 Garfield Ave., 1st Floor
Easthampton, MA 01027
(413) 527-0845
pwagner@prisonpolicy.org