

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: INQUIRY REGARDING SERVICES AND RATES FOR ALTERNATIVE OPERATOR SERVICES	DOCKET NO. NOI-2019-0001
--	--------------------------

ORDER REQUIRING TARIFF FILING AND FURTHER INFORMATION

PROCEDURAL BACKGROUND

On August 20, 2019, the Utilities Board (Board) initiated this inquiry to evaluate the regulatory framework that applies to alternative operator services (AOS) companies in Iowa. This inquiry was opened in conjunction with the Board's termination of a rule making to address inmate calling service in Docket No. RMU-2017-0004 and the requirement that all AOS providers file new, full tariffs with the Board. The Board has jurisdiction over the services provided by AOS companies pursuant to Iowa Code § 476.91.

In the August 20, 2019 order, the Board stated that the goals of this inquiry were to review the existing regulatory framework regarding AOS in Iowa. The Board also requested comments regarding various aspects of AOS in Iowa. The Board reviewed the comments filed in this inquiry as part of the Board's consideration of the proposed full tariffs filed by AOS providers offering inmate calling service at Iowa correctional facilities. The Board has completed its review of the proposed tariffs in the separate tariff dockets and has approved tariffs that establish rates, service options for inmate calling service, and the locations of correctional facilities serviced by an AOS provider.

DOCKET NO. NOI-2019-0001

PAGE 2

TARIFF FILING REQUIRED

In completing its review of the inmate calling service tariffs, the Board discovered there were several counties where no AOS provider with an approved tariff was identified as providing inmate calling service. Pursuant to 199 Iowa Administrative Code (IAC) 22.6(1), AOS providers are required to provide service in accordance with Board-approved tariffs. It is the Board's understanding that each county that operates a correctional facility also offers some type of inmate calling service provided by an AOS company.

The Board has investigated which AOS companies are providing service in the counties not listed among those with an approved inmate calling service tariff. The Board will address in separate orders those counties where service is being provided by a company with an approved tariff, but the company has not listed the county in its tariff. As a result of its investigation, the Board issued an order on May 25, 2021, that required Turnkey Corrections, Inc., and Stellar Services LLC (Stellar) to file a proposed tariff for Board review and submit company information into IUB 24/7.

On June 3, 2021, Stellar filed a letter explaining that Network Communications International Corp. d/b/a NCIC Inmate Communications (NCIC) was providing inmate calling service at the correctional facilities where Stellar provided services, and NCIC has an approved tariff, Docket No. TF-2019-0037.

On June 17, 2021, T.W. Vending, Inc., d/b/a TurnKey Corrections (TurnKey), filed a letter in response to a Board order requiring filing of a tariff. In the June 17 letter, TurnKey states that it has been offering inmate services to facilities; however, TurnKey further states that TKC TeleCom, LLC (TKC TeleCom), or other telecommunications providers, provide inmate calling service where TurnKey does business.

DOCKET NO. NOI-2019-0001

PAGE 3

The Board has determined, based upon the information provided in the June 17, 2021 letter, that TKC TeleCom is currently providing inmate calling service within the state of Iowa, is not registered in IUB 24/7 as a telecommunications service provider as required by Iowa Code § 476.95A, and does not have a current tariff approved by the Board.

To continue providing inmate calling service in Iowa, TKC TeleCom will be required to file a proposed, complete tariff with the Board in accordance with Iowa Code chapter 476 and 199 IAC chapter 22, as a new TF docket filing. Examples of approved inmate calling service tariffs can be found in the following dockets: Docket Nos. TF-2019-0026, TF-2019-0030, TF-2019-0031, TF-2019-0032, TF-2019-0033, TF-2019-0037, TF-2019-0039, TF-2019-0269, and TF-2019-0270. TKC TeleCom will be required to include within the tariff a list of correctional facilities within Iowa where service currently is being provided.

In addition to filing a proposed tariff, TKC TeleCom will be required to submit company information with the Board in IUB 24/7, at iub247.iowa.gov, pursuant to Iowa Code § 476.95A, and ensure it is up to date on Dual Party Relay assessments. AOS providers are required to submit a company record within IUB 24/7 to fulfill the annual registration requirement for telecommunications service providers. If TKC TeleCom has submitted a company record with the Board under a different name, it will be required to provide that information and ensure the company's IUB 24/7 record is up to date.

The Board also will require that Turnkey file information that describes its history of communications services provided in the state, the communications services it provides at correctional facilities, and where those correctional facilities are located.

DOCKET NO. NOI-2019-0001
PAGE 4

ORDERING CLAUSES

IT IS THEREFORE ORDERED:

1. TKC TeleCom, LLC, shall file within 30 days of the date of this order a proposed, complete tariff for Utilities Board review.
2. Responses to the tariff required in Ordering Clause 1 shall be filed within 15 days of the date the tariff is filed.
3. TKC TeleCom, LLC, shall submit a company record in IUB 24/7 or verify a previously submitted company record is up-to-date within 30 days of the date of this order and ensure that it is up to date on Dual Party Relay Service assessments.
4. T.W. Vending, Inc., d/b/a TurnKey Corrections, shall submit information detailing the history of inmate communications services offered in the state of Iowa, the types of inmate communications services offered at correctional facilities within the state of Iowa, and the location of those facilities.

UTILITIES BOARD

Geri Huser Date: 2021.07.15
13:17:23 -05'00'

Richard Lozier Date: 2021.07.15
08:35:05 -05'00'

ATTEST:

Anna Hyatt Date: 2021.07.15
13:46:30 -05'00'

Josh Byrnes Date: 2021.07.14
11:54:18 -05'00'

Dated at Des Moines, Iowa, this 15th day of July, 2021.