



ORIGINAL

D30863-TC

August 25, 2003
Overnight Delivery

210 N. Park Ave.
Winter Park, FL
32789

P.O. Drawer 200
Winter Park, FL
32790-0200

Tel: 407-740-8575
Fax: 407-740-0613
tmi@tminc.com

Ms. Blanca Bayo, Director
Division of the Commission Clerk & Administrative Services
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0870

RE: **Inmate Calling Solutions, LLC**
Application for a Certificate to Provide Pay Telephone Service
within the State of Florida.

RECEIVED FPSC
AUG 26 PM 12:48
COMMISSION
CLERK

Dear Ms. Bayo:

Enclosed for filing are the original and six (6) copies of the above-referenced application to provide pay telephone service in the State of Florida on behalf of Inmate Calling Solutions, LLC ("ICS"). Also enclosed is Secretary of State documentation for the State of Florida and a check in the amount of \$100.00 to cover the application filing fee.

Please acknowledge receipt of this filing by returning, filed stamped, the extra copy of this letter in the self-addressed stamped envelope provided for that purpose.

Any questions you may have regarding this filing may be addressed to me at (407) 740-8575. Thank you for your assistance.

Sincerely,

Robin Norton, Consultant to
Inmate Calling Solutions, LLC

Check received with filing and forwarded
to Fiscal for deposit. Fiscal to forward
deposit information to Records.

Initials of person who forwarded check:

Enclosures

RN/bc

cc: Jennifer Huang, ICS
cc: Phil Apanovitch, ICS
file: ICS - FL - IXC
tms: FLp0301

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

03 AUG 26 AM 9 17

DOCUMENT CENTER

07948 AUG 26 8

FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

**DIVISION OF COMMUNICATIONS
BUREAU OF SERVICE EVALUATION**

**APPLICATION FORM FOR CERTIFICATE TO PROVIDE
PAY TELEPHONE SERVICE
WITHIN THE STATE OF FLORIDA**

1. Name of company or name of individual (not fictitious name or d/b/a):

Inmate Calling Solutions LLC

2. Name under which applicant will do business (fictitious name, etc.):

Inmate Calling Solutions LLC

3. Official mailing address:

Street: 5883 Rue Ferrari
City: San Jose
State & Zip California 95138-1857

4. Florida Address:

Street: Not applicable
City:
State & Zip

5. Structure of organization:

- Individual
- Corporation
- General Partnership
- Limited Partnership
- Other: Limited Liability Company

6. If incorporated in Florida, Provide proof of authority to operate in Florida:

Florida Secretary of State Corporate Registration Number: Not applicable

7. If using fictitious name d/b/a (doing business as), provide proof of compliance with the fictitious name statute (Chapter 865.09, Florida Statutes) to operate in Florida:

Florida Fictitious Name Registration Number: Not applicable

8. F.E.I. Number (if applicable):82-0559085

9. If individual, provide: Not applicable

Name:

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

10. If partnership, provide name, title and address of all partners and a copy of the partnership agreement:

a. Name: Not applicable

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

b. Name: Not applicable

Title:

Address:

City, State, Zip:

Phone:

Fax:

Internet E-Mail:

Internet Website:

11. Who will serve as liaison to the commission with regard to the following:

a. The application:

Name: Robin Norton
Title: Consultant to Inmate Calling Solutions, LLC
Address: 210 N. Park Avenue
City, State, Zip: Winter Park, Florida 32789
Phone: (407) 740-8575 Fax: (407) 740-0613
Internet E-Mail: rnorton@tminc.com
Internet Website: n/a

b. Official Point of Contact for ongoing company operations including complaints and inquiries:

Name: Brendan Philbin
Title: Chief Operating Officer
Address: 5883 Rue Ferrari
City, State, Zip: San Jose, California 95138
Phone: 408-362-4000 Fax: 408-362-2798
Internet E-Mail: bphilbin@integretel.com
Internet Website: no website

- 12. Indicate if applicant or any subsidiary, partner, officers, directors, or any stockholder has been previously adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime, or whether such actions may result from pending proceedings.**

No officer, director or stockholder of the Company has been adjudged bankrupt, mentally incompetent, or found guilty of any felony or of any crime. No officer, director or stockholder of the Company is involved in proceedings which may result in such action.

- 13. Has the applicant or any subsidiary, partner, officer, director, or any stockholder ever been granted or denied a pay telephone certificate in the State of Florida: (This includes active and canceled pay telephone certificates.) If yes, provide explanation and list the certificate holder and certificate number.**

No

- 14. Is the applicant or any subsidiary, partner, officer, director, or any stockholder a subsidiary, partner, or officer in any other Florida certificated pay telephone company? If yes, give name of company and relationship. If no longer associated with company, give reason why not.**

No officer, director, partner, subsidiary, or stockholder of the Company is an officer, director or stockholder in any other Florida certificated pay telephone company.

15. List other states in which the applicant:

- a. Is currently providing pay telephone service.**

The Company is not currently providing pay telephone service in any states.

- b. Has applications pending to be certified as a pay telephone provider.**

None

- c. Has been denied authority to operate as a pay telephone provider. Explain circumstances.**

None

- d. Has had regulatory penalties imposed for violations of telecommunications statutes, rules, or orders. Explain circumstances.**

None

16. Please check the services that will be provided:

- | | |
|-------------------|-------------------------------------|
| Local | <input type="checkbox"/> |
| Long Distance | <input type="checkbox"/> |
| Coin | <input checked="" type="checkbox"/> |
| Calling Card | <input type="checkbox"/> |
| Credit Cards | <input type="checkbox"/> |
| Other, (describe) | <input checked="" type="checkbox"/> |

Inmate Calling Solutions, LLC (“ICS”) proposes to provide automated collect calling services to inmates of confinement institutions throughout the State of Florida. All services will be offered twenty-four (24) hours per day, seven (7) days a week. ICS will provide correctional and confinement institutions with sophisticated premises equipment that permits inmates to make outgoing, collect-only calls without the assistance of a live operator. ICS' systems provide a number of controls and restrictions that serve to reduce or eliminate fraudulent use of telephone systems. These restrictions also provide the correctional institution with increased control over the use of the telecommunications services by inmates confined within. ICS' telephone instruments are placed in detention areas such as cell blocks or day rooms. Each instrument is connected to a central control unit which restricts and controls calls placed by inmates. ICS' system and services allow inmates to remain in contact with family, friends and other associates while still providing facility administrators with the necessary control over inmate communications.

Automated collect-only calls may be placed by inmates within the confinement facility. These calls are routed over the facilities of the local exchange carrier serving the confinement facility and ICS' underlying carrier. ICS' system is designed so that calls are completed only to those called parties who specifically accept the charges for a call. Equipment utilized by ICS requires a positive response from the called party before the connection is established and billing can begin.

In addition to call processing, ICS' systems offer restrictive call blocking and screening. These features provide the correctional facility with the maximum degree of control over telecommunications services and help to minimize fraud. Call blocking prevents calls to directory assistance, "0-", 800 numbers, pay-per-call services, and emergency numbers (including 911) in order to reduce prank calls and fraudulent use of long distance services. Access to other interexchange carriers is also denied. Call screening serves to eliminate harassing or threatening calls to individuals such as judges, sheriffs, witnesses or jury members. These two features also allow the institution to enforce telephone curfews (without manual intervention) by pre-setting the hours during which the system will process calls from a given telephone instrument.

ICS' system collects and stores call detail information for each call. These call records are retrieved by ICS and are either billed through the called party's local exchange carrier under billing and collection agreements maintained by ICS, or submitted for billing to the called party's local exchange carrier through ICS' billing agent.

For billing inquiries, customers are initially directed to ICS' billing agent whose toll-free number is printed on each customer bill. The billing agent is authorized to investigate complaints and adjust customer bills within certain parameters set by ICS. Should an inquiry exceed the authority delegated to ICS, the customer is referred to ICS' in-house Customer Service Department for further assistance.

ICS intends to resell the services of authorized carriers. ICS does not propose to own switching equipment or transmission facilities within the State of Florida.

17. Proposed number of pay telephone instruments the applicant plans to install/operate in the first year:

At this time, ICS has no specific location where it plans to install service. The Company's business plans call for it to respond to requests for proposals (RFPs) from various city, county and state agencies seeking to install telecommunications services for their inmate populations. ICS files this application in order to be prepared to offer service should it respond and win a bid from an institution within the state of Florida. The actual number of telephone instruments installed at any given location will vary based on the size of the institution served, the number of prisoners, and type of inmate calling privileges, all of which are site specific.

18. How does the applicant intend to service and maintain each payphone? Check all that apply.

- Personally
- Full-time technician
- Part-time technician
- Service/Repair/Maintenance Contract
- Other (describe)

Call processing equipment installed at prisons or confinement institutions is equipped with remote on-line diagnostics. This capability allows the company's in-house technicians to communicate via dial up data modem with each system at any correctional facility. ICS can troubleshoot and effect many operational changes to a system without having to be on site.

On-site repairs, such as replacement of telephone instruments or handsets, are performed by a local telecommunications firm chosen by ICS. This subcontractor is carefully selected based on its technical expertise and ability to respond to trouble calls. To date, no subcontractor has been chosen for Florida.

ICS relies on the technical expertise of its underlying carrier and serving local exchange carrier for maintenance and administration of its long distance network and the local facilities used for transmission of calls.

19. Will each of the installed pay telephones provide access to all locally available long distance carriers via 10XXX+0, 10XXXX+0, 101XXXX +0, 950, and toll free (e.g. 800, 877, and 888)? See Rule 25-24.515(10), Florida Administrative Code.

- Yes
- No Explain

Pay telephones available to the general public will allow the user to access all locally available long distance carriers. However, for services provided to inmates of prisons and other confinement institutions, access will be limited to long distance services offered by ICS.

20. Will each of the installed pay telephones conform to subsections 4.28.8.4 and 4.29 of the American National Standard (CABO/ANSI A117.1-1992), Accessible and Usable Buildings and Facilities approved December 15, 1992 by the American National Standards Institute, Inc.? See Rule 25-24.515(18), Florida Administrative Code.

- Yes
- No Explain

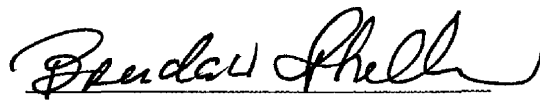
Yes, for pay telephones available to the general public. Handicap accessibility of pay telephones provided to inmates will be subject to the requirements of the institution's administration.

APPLICANT FEE STATEMENT

- 1. REGULATORY ASSESSMENT FEE:** I understand that all telephone companies must pay a regulatory assessment fee in the amount of **0.15 of one percent** of the gross operating revenue derived from intrastate business. Regardless of the gross operating revenue of a company, a minimum annual assessment fee of \$50 is required.
- 2. APPLICATION FEE:** I understand that a non-refundable application fee of **\$100.00** must be submitted with the application.

UTILITY OFFICIAL:

Brendan Philbin
Name


Signature

Chief Operating Officer
Title

2/22/03
Date

Phone: 408-362-4000

Fax: 408-362-2798

Address: 5883 Rue Ferrari
San Jose, California 95138-1857


ACKNOWLEDGMENT

By my signature below, I, the undersigned owner/officer, have read the foregoing and declare that, to the best of my knowledge and belief, the information is true and correct. I attest that I have the authority to sign on behalf of my company and agree to comply, now and in the future, with all applicable Commission rules and orders.

I will comply with all current and future Commission requirements regarding pay telephone service. I understand that I am required to pay a regulatory assessment fee (minimum of \$50.00 per calendar year), file an annual pay telephone service report, pay applicable sales tax, and pay gross receipts tax. Furthermore, I agree to keep the Commission advised of any changes in the names and addresses listed in the application within 10 days of the change.

Further, I am aware that, pursuant to Chapter 837.06, Florida Statutes, "Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s.775.082 and s.775.083."

UTILITY OFFICIAL:

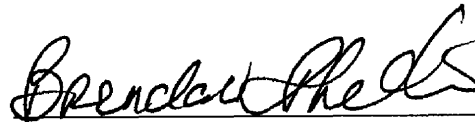
<u>Brendan Philbin</u> Name	<u></u> Signature
<u>Chief Operating Officer</u> Title	<u>8/22/03</u> Date
Phone: 408-362-4000	Fax: 408-362-2798
Address: 5883 Rue Ferrari San Jose, California 95138-1857	

APPLICANT ACKNOWLEDGMENT

Applicant: Inmate Calling Solutions, LLC

I acknowledge receipt and understanding of the Florida Public Service Commission's Rules and Requirements relating to my provision of Pay Telephone Service.

Brendan Philbin
Name


Signature

Chief Operating Officer
Title

8/22/03
Date

Phone: 408-362-4000

Fax: 408-362-2798

Address: 5883 Rue Ferrari
San Jose, California 95138-1857

THIS ACKNOWLEDGMENT FORM MUST BE COMPLETED AND RETURNED AS PART OF THE APPLICATION BEFORE THE CERTIFICATION PROCESS BEGINS. FAILURE TO DO SO WILL RESULT IN A DELAY OF THE CERTIFICATE BEING ISSUED.

Attachment I

Inmate Calling Solutions, LLC

Certificate of Authority

to transact business within the State of Florida



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State

June 23, 2003

UCC FILING & SEARCH
TALLAHASSEE, FL

Qualification documents for INMATE CALLING SOLUTIONS, LLC were filed on June 23, 2003, and assigned document number M03000002032. Please refer to this number whenever corresponding with this office.

Your limited liability company is now qualified and authorized to transact business in Florida as of the file date. In accordance with section 608.406(2), F.S., the name of this limited liability company is filed with the Department of State for public notice only and is granted without regard to any other name recorded with the Division of Corporations.

A limited liability company annual report/uniform business report will be due this office between January 1 and May 1 of the year following the calendar year of the file date. A Federal Employer Identification (FEI) number will be required before this report can be filed. If you do not already have an FEI number, please apply NOW with the Internal Revenue by calling 1-800-829-3676 and requesting form SS-4.

Please be aware if the limited liability company address changes, it is the responsibility of the corporation to notify this office.

Should you have any questions regarding this matter, please telephone (850) 245-6051, the Registration and Qualification Section.

Buck Kohr
Corporate Specialist
Division of Corporations

Letter Number: 703A00038208

**APPLICATION BY FOREIGN LIMITED LIABILITY COMPANY FOR AUTHORIZATION TO
TRANSACTION BUSINESS IN FLORIDA**

IN COMPLIANCE WITH SECTION 608.02, FLORIDA STATUTES, THE FOLLOWING IS SUBMITTED TO THE SECRETARY OF REVENUE FOR REVIEW BY A FOREIGN LIMITED LIABILITY COMPANY TO TRANSACT BUSINESS IN THE STATE OF FLORIDA:

FILED
JAN 13 PM 12:14
TAMPA FLORIDA

1. INMATE CALLING SOLUTIONS, LLC
(Name of foreign limited liability company)
2. CALIFORNIA
(Jurisdiction under the law of which foreign limited liability company is organized)
3. 02-0689088
(FEI Number, if applicable)
4. 8-18-08
(Date of Organization)
5. PERPETUAL
(Duration: Year limited liability company will cease to exist or "perpetual")
6. UPON QUALIFICATION
(Date first transacted business in Florida. (See Sections 608.301, 608.302, and 617.155, F.S.))
7. 5883 RUE FERRARI
SAN JOSE, CA 95138
(Street address of principal office)

8. If limited liability company is a manager-managed company, check here

9. The name and usual business addresses of the managing members or managers are as follows:

<u>KEN DAWSON</u>	<u>5883 RUE FERRARI, SAN JOSE, CA 95138</u>
<u>BRINDAN PHILBIN</u>	<u>5883 RUE FERRARI, SAN JOSE, CA 95138</u>
<u>ROBERT COLER</u>	<u>5883 RUE FERRARI, SAN JOSE, CA 95138</u>

10. Attached is an original certificate of existence, no more than 90 days old, duly authenticated by the official having custody of records in the jurisdiction under the law of which it is organized. (A photocopy is not acceptable. If the certificate is in a foreign language, a translation of the certificate under oath of the translator must be submitted.)

11. Nature of business or purposes to be conducted or promoted in Florida: _____

TELECOMMUNICATION SERVICES



Signature of a member or an authorized representative of a member.
(In accordance with section 608.402(3), F.S., the execution of this document constitutes an affirmation under the penalties of perjury that the facts stated herein are true.)

BRINDAN PHILBIN - MANAGER

Typed or printed name of signer

**CERTIFICATE OF DESIGNATION OF
REGISTERED AGENT/REGISTERED OFFICE**

**FURSUANT TO THE PROVISIONS OF SECTION 608.415 or 608.507, FLORIDA STATUTES,
THE UNDERSIGNED LIMITED LIABILITY COMPANY SUBMITS THE FOLLOWING
STATEMENT TO DESIGNATE A REGISTERED OFFICE AND REGISTERED AGENT IN THE
STATE OF FLORIDA.**

FILED
MAR 23 PM 12 14
TALLAHASSEE, FLORIDA

1. The name of the Limited Liability Company is:

INMATE CALLING SOLUTIONS, LLC

2. The name and the Florida street address of the registered agent and office are:

NRAI Services, Inc.

(Name)

828 N. Park Avenue

Florida street address (P.O. Box NOT ACCEPTABLE)

Tallahassee

FL 32301

(City/Zip)

Having been named as registered agent and to accept service of process for the above named limited liability company at the place designated in this certificate, I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relating to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S.

NRAI Services, Inc.

Dr. Cheryl Conklin

(Signature)

CHERYL CONKLIN - ASSISTANT SECRETARY

\$ 100.00 Filing Fee for Application
\$ 25.00 Designation of Registered Agent
\$ 30.00 Certified Copy (optional)
\$ 5.00 Certificate of Status (optional)