



September 4, 2009

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Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0862

RE: Docket No. 060476-TL  
Submitted by ITI Inmate Telephone Services, Inc.

Please accept this letter, submitted by ITI Inmate Telephone Services, Inc. ("ITI"), as the company's comments in the Docket No. 060476-TL regarding the Petition by BellSouth Telecommunications, Inc. to initiate Rulemaking to Amend Rules 25-24.603(1) and 25-24.516(1), Florida Administrative Code.

ITI concurs with the comments filed by Evercom Systems, Inc. and T-Netix Telecommunications Services, Inc., Embarq Florida, Inc. and AT&T Florida Supplemental Comments.

It is clear to PCS that the Florida State Legislature has minimized the authorities, powers and duties of the Florida Public Service Commission ("Commission") through SB 2626, which was signed by the Governor into law and which became effective on July 1, 2009. Specifically, the Florida State Legislature struck the following language from Section 364.3376:

For operator services, the Commission shall establish maximum rates and charges for all providers of such services within the state.

The Florida State Legislature did not replace the above language with any language indicating a carve-out for a specific subset of operator services. The language clearly removes the Commission's jurisdiction to set operator service rate caps for all providers, including providers of operator services within confinement institutions. The Commission's authority to impose rate caps no longer exists.

Furthermore, ITI states that the inmate telephone market is not a monopoly, but rather a highly competitive and service to confinement facilities are vetted through a bid process evaluated by the prison facility, taking into account all audiences, including the families of confined personnel. The language of 364.01(4)(c) does not apply because monopoly services are not being provided.

Submitted on behalf of ITI Inmate Telephone Services, Inc.

Monique Byrnes  
Consultant to ITI

Cc: J. Rokosky - ITI  
File: ITI-FL

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