

**BEFORE THE PUBLIC SERVICE COMMISSION
STATE OF MISSOURI**

In the matter of the Application of)
ITI Inmate Telephone, Inc. for a)
Certificate of Service Authority To Provide) Case No. _____
Competitive Intrastate Interexchange)
Telecommunications Services including)
Operator Services within the State of Missouri)

APPLICATION

COMES NOW **ITI Inmate Telephone, Inc.** ("ITI" or "Applicant") and submits its Application respectfully requesting the Missouri Public Service Commission ("Commission") to issue Applicant a Certificate of Service Authority to provide competitive intrastate interexchange telecommunication services including operator services between and among locations within the state of Missouri pursuant to Section 392.440, RSMo (2000),¹ an order classifying Applicant as a competitive telecommunications carrier, and an order waiving or suspending certain Commission rules and statutory provisions pursuant to Section 392.440, and an order waiving or suspending certain Commission rules and statutory provisions pursuant to Section 392.420. In support of its request, Applicant provides the following information:

1. ITI Inmate Telephone, Inc. was incorporated under the laws of the State of Pennsylvania on July 1, 1994. The Applicant's principal office is located at:

ITI Inmate Telephone, Inc.
4200 Industrial Park Drive
Altoona, PA 16602
Telephone: 814-949-3303
Facsimile: 814-949-3307
Toll-Free: 888-949-3303
Web Address: www.dsiiti.com

A copy of Applicant's Articles of Organization and Certificate of Authority to transact business in Missouri are attached hereto as **Exhibit I** and incorporated herein by reference.

¹ All citations to statutory sections are to the 2000 Revised Statutes of Missouri, as currently supplemented, unless otherwise indicated.

Copies of correspondence, communications and orders and decisions of the Commission are to be sent to the following:

Mr. James Faith, Vice President
ITI Inmate Telephone, Inc.
4200 Industrial Park Drive
Altoona, PA 16602
Phone: 814-944-0405
Fax: 814-944-7853
E-Mail: jfaith@dsicdi.com

and

Monique Byrnes
Consultant to ITI Inmate Telephone, Inc.
Technologies Management, Inc.
210 N. Park Avenue
Winter Park, FL 32789
Phone: 407-740-8575
Facsimile 407-740-0613
E-Mail: mbyrnes@tminc.com

and to Applicant's in-state counsel:

Mr. James Fischer
Fischer & Dority, P.C.
101 Madison Street, Suite 400
Jefferson City, MO 65101
Telephone: 573-636-6758
Facsimile: 573-636-0383
E-mail: jfischerpc@aol.com

2. The name and address of Applicant's registered agent in the state of Missouri is:

CT Corporation System
120 South Central Avenue
Clayton, MO 63105

3. ITI Inmate Telephone, Inc., with this petition, proposes to provide automated collect calling services to inmates of correctional and confinement institutions throughout the state of Missouri. All services will be offered twenty-four (24) hours per day, seven (7) days a week. Detailed information regarding these services along with proposed rates and charges are provided in the Company's tariff included as an attachment to this petition.

ITI 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. ITI 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. ITI 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 ITI's underlying carrier. ITI's system is designed so that calls are completed only to those called parties who specifically accept the charges for a call. Equipment utilized by ITI requires a positive response from the called party before the connection is established and billing can begin.

ITI intends to resell the services of authorized carriers. ITI does not propose to own switching equipment or transmission facilities.

In addition to call processing, ITI's 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.

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

ITI will bill customers on the LEC bill through the billing clearinghouse Billing Concepts. The billing agent is authorized to investigate complaints and adjust customer bills within certain parameters set by ITI. Should an inquiry exceed the authority delegated by ITI, the customer is referred to ITI's in-house Customer Service Department for further assistance.

The Company's toll free customer service number will appear on the customer bill. ITI's toll-free number is 888-949-3303. Customers may call that number twenty-four (24) hours a day seven (7) days a week.

4. ITI possesses managerial and technical expertise to provide resale interexchange and operator telecommunications services through out the State of Missouri.
5. ITI possesses the financial ability to provide the requested services.
6. ITI requests classification as a competitive telecommunications company operating within the state of Missouri. ITI further requests classification of services described in their tariff as competitive services.
7. Applicant will offer operator services to customers within Missouri. The primary customers of Applicant's operator services are correctional and confinement institutions. Some of these customers may, in their normal course of business, be responsible for providing access and directing telephone calls for end users. Applicant proposes to conduct its operator services pursuant to 4 CSR 240-33.130 and Section 392.515. Specifically:
 - All calls are branded before call charges are incurred.
 - Rates, billing method and complaint resolution procedures are disclosed upon request. This service is available at no charge, 24 hours per day.
 - Traffic aggregators are obligated by contract and tariff to display and notice information that complies with FCC rules and applicable state requirements.
 - Traffic aggregators are obligated by contract and tariff to provide access to alternative operator service providers.
 - Where the local exchange carrier has the capability of identifying multiple carriers, Applicant is identified on the end user bill.
 - No location surcharges are collected by Applicant for intrastate Missouri calls.
 - Applicant does not intercept or route 911-calls. These calls complete directly through the serving local exchange carrier. Applicant routes emergency 0- and 00- calls efficiently to the appropriate emergency agency in locations where it handles such calls.

Applicant carrier uses reliable answer detection techniques and Applicant will not knowingly bill for incomplete calls. If for any reason a caller believes he or she has been charged for an uncompleted call, Applicant will issue credit for the charges under all reasonable circumstances.

8. Applicant respectfully requests, pursuant to Section 392.420, that the Commission suspend, waive or modify the application of the following rules and statutory provisions as they relate to the regulation of the applicant:

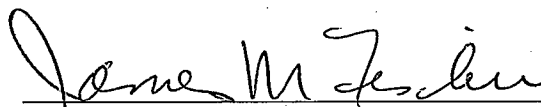
4 CSR 240-10.020	- Depreciation fund income
4 CSR240-30.040	- Uniform system of accounts
Section 392.210.2	Uniform System of Accounts
Section 392.240.1	- Just and Reasonable rates
Section 392.270	- Ascertain Property values
Section 392.280	- Depreciation Accounts
Section 392.290	- Issuance of securities
Section 392.300.2	- Acquisition of Stocks
Section 392.310	- Issuance of stock and debt
Section 392.320	- Stock dividend payments
Section 392.330	- Issuance of securities, debt and notes
Section 392.340	- Reorganizations

The above referenced rules and statutory provisions have been waived with regard to other interexchange carriers in prior cases. These rules or statutory provisions are principally designed to apply to noncompetitive telecommunications carriers. It would be inconsistent with the goal and purpose of Section 392.530 to apply them to a competitive telecommunications carrier such as the Applicant.

9. ITI's tariff contains the rules and regulations applicable to its customers, a description of the services offered, and a list of rates associated with such services.
10. Applicant will not unjustly discriminate among its customers, which discrimination is prohibited pursuant to Section 392.200.
11. Applicant has no pending actions or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates, which action, judgment, or decision has occurred within three (3) years of the date of this Application.
12. Applicant has no annual reports or regulatory assessment fees that are overdue in Missouri.
13. Applicant submits that the public interest will be served by Commission approval of this Application because Applicant's proposed services will create and enhance competition and expand service options. Certification of ITI will increase the level of long distance and operator service competition within the state. Empirical evidence has shown that as the level of competition increases in a market, consumers benefit from both reduced prices and improved service quality. In addition, competition provides consumers with a wider selection of products and services from which to choose. Prompt approval of this Application also will expand the availability of innovative, high quality and reliable telecommunications services within the State of Missouri. Customers will benefit by having alternatives from which to choose and from general improvements in price, features and options that are generated by competitive market pressures.

WHEREFORE, ITI Inmate Telephone, Inc. respectfully requests the Commission to grant it a Certificate of Service Authority to offer competitive intrastate interexchange telecommunication services including operator services within the state of Missouri; an order classifying it as a competitive telecommunications company providing competitive service; an order suspending, waiving or modifying the above referenced rules and statutory provision as they relate to the regulation of the Applicant in the state of Missouri, and for such further orders as the Commission deems appropriate.

Respectfully submitted,



James M. Fischer MBN 27543

Fischer & Dority, P.C.

101 Madison Street, Suite 400

Jefferson City, Missouri 65101

Telephone: 573-636-6758

Facsimile: 573-636-0383

E-mail: jfischerpc@aol.com

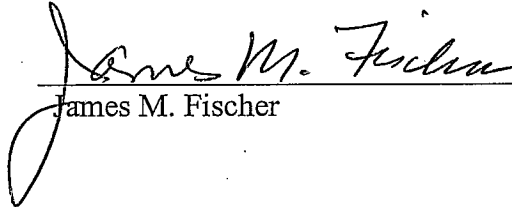
ATTORNEY FOR APPLICANT

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was hand- delivered or mailed, postage prepaid, this 7th day of March 2007, to:

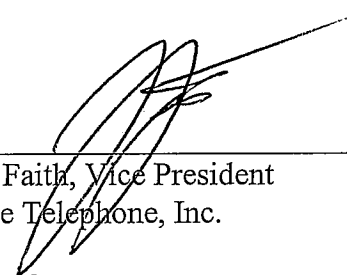
Office of the Public Counsel
P.O. Box 7800
Jefferson City, MO 65102

General Counsel
Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102


James M. Fischer

VERIFICATION

I, James C. Faith, first being duly sworn upon oath depose and say I am Vice President of ITI Inmate Telephone, Inc., a Pennsylvania Company, that I have read the above and foregoing application by me subscribed and know the contents thereof, that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe same to be true.



James C. Faith, Vice President
ITI Inmate Telephone, Inc.

2-21-07

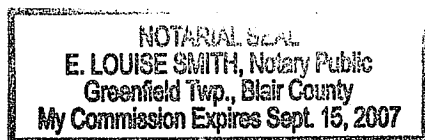
Date

Subscribed and sworn before me this 21st day of February, 2007.

E Louise Smith
(NOTARY PUBLIC)

My Commission expires on:

Sept 15, 2007



ITI Inmate Telephone, Inc.

EXHIBIT I

Articles of Incorporation

Certificate of Authority to Transact Business in Missouri

THE PLANKENHORN CO., WILLIAMSPORT, PA

Microfilm Number _____

Filed with the Department of State on JUN 27 1994

Entity Number 2587424ACTING Secretary of the Commonwealth *Robert M. Hunt*

ARTICLES OF INCORPORATION

DSCB:15-1306 (Rev. 89)

Indicate type of domestic corporation (check one):

☒ Business-stock (15 Pa. C.S. § 1306)☐ Professional (15 Pa. C.S. § 2903)☐ Business-nonstock (15 Pa. C.S. § 2102)☐ Management (15 Pa. C.S. § 2701)☐ Business-statutory close (15 Pa. C.S. § 2304a is applicable)☐ Cooperative (15 Pa. C.S. § 7701)1. The name of the corporation is: ITI Inmate Telephone, Inc.

This corporation is incorporated under the provisions of the Business Corporation Law of 1988.

2. The address of this corporation's initial (a) registered office in this Commonwealth or (b) commercial registered office provider and the county of venue is:

(a) 1101 13th Avenue Altoona PA 16601 Blair
Number and Street City State Zip County(b) _____
Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The aggregate number of shares authorized is: See Attached Sheet (other provisions, if any, attach 8 1/2 x 11 sheet)

4. The name and address, including street and number, if any, of each incorporator is:

Name	Address	Signature	Date
John E. Eberhardt, Jr.	414 N. Logan Blvd. Altoona, PA 16602	<i>John E. Eberhardt, Jr.</i>	6/20/94

5. The specified effective date, if any, is: July 1, 1994
month day year hour, if any

6. Any additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

7. Statutory close corporation only: Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "Public Offering" within the meaning of the Securities Act of 1933 (15 U.S.C. § 77A et seq.).

8. Business cooperative corporations only: (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

PAID BY STATE

JUN 27 1994

9563-291

EXHIBIT "A"

<u>Class</u>	<u>Number of Shares</u>	<u>Par Value Per Share</u>
Class A Common	100,000	\$1.00
Class B Common	100,000	\$1.00

The designations, preferences, qualifications, limitations, restrictions, and the special or relative rights in respect of the shares of each class shall be the same in all respects with the exception that the Class B Common Stock shall have no voting rights.

STATE OF MISSOURI



Robin Carnahan
Secretary of State

CERTIFICATE OF AUTHORITY

WHEREAS,

ITI INMATE TELEPHONE, INC.
F00768227

using in Missouri the name

ITI INMATE TELEPHONE, INC.

has complied with the General and Business Corporation Law which governs Foreign Corporations; by filing in the office of the Secretary of State of Missouri authenticated evidence of its incorporation and good standing under the Laws of the State of Pennsylvania.

NOW, THEREFORE, I, ROBIN CARNAHAN, Secretary of State of the State of Missouri, do hereby certify that said corporation is from this date duly authorized to transact business in this State, and is entitled to all rights and privileges granted to Foreign Corporations under the General and Business Corporation Law of Missouri.

IN TESTIMONY WHEREOF, I hereunto
set my hand and cause to be affixed the
GREAT SEAL of the State of Missouri.
Done at the City of Jefferson, this
2nd day of October, 2006.

Robin Carnahan
Secretary of State

