

T-NETIX, INC.

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DEC 29 1997

COMMON CARRIER TELECOMMUNICATIONS TARIFF

FOR

T-NETIX, INC.

MISSOURI  
Public Service Commission

This tariff contains the rules, regulations, descriptions, and rates applicable to the furnishing of Common Carrier Communications offered by T-NETIX, Inc. between points within Missouri.

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EFFECTIVE:

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By: Alvyn A. Schopp, Exec V.P. & CFO  
67 Inverness Drive East, Suite 100  
Englewood, Colorado 80112  
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## MISSOURI TELECOMMUNICATIONS TARIFF

DEC 29 1997

This tariff contains the description, regulations and rates applicable to the furnishing of service and facilities for telecommunications services proved by T-NETIX, Inc., a competitive telecommunications service provider, with principal offices at 67 Inverness Drive East, Suite 100, Englewood, Colorado 80112. This tariff applies to services furnished in Missouri. This tariff is on file with the Missouri Public Service Commission, where copies may be inspected during normal business hours. T-NETIX was certified by the Commission as a competitive telecommunications company in case number TA-98-269. As such, T-NETIX complies with all applicable rules, regulations and statutory obligations attaching to competitive telecommunications companies, except those which were specifically waived by the Commission pursuant to a request filed by T-NETIX.

Pursuant to Case No. TA-98-269, the following statutes and rules have been waived for purposes of offering inmate collect-only telecommunications services as set forth herein:

<u>Statutes</u>	<u>Commission Rules</u>
392.240(1)	4 CSR 240-10.020
392.270	4 CSR 240-30.010(2)(C)
392.280	4 CSR 240-30.040
392.290	4 CSR 240-32.030(1)(B)
392.310	4 CSR 240-32.030(1)(C)
392.320	4 CSR 240-32.030(2)
392.330	4 CSR 240-32.050(3-6)
392.340	4 CSR 240-32.070(4)
	4 CSR 240-33.030
	4 CSR 240-33.040(5)

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**SYMBOLS**

The following symbols are used for the purposes indicated below:

**C** - Changed regulation.

**D** - Delete or discontinue.

**I** - Increase in a rate.

**M** - Moved from another tariff location.

**N** - New.

**R** - Reduction in a rate.

**T** - Change in text but no change in rate or regulation.

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**TARIFF FORMAT**

**DEC 29 1997**

**A. Sheet Numbering** - Sheet numbers appear in the upper right corner of the page. Sheets are numbered sequentially. However, new sheets are occasionally added to the tariff. When a new sheet is added between sheets already in effect, a decimal is added. For example, a new sheet added between sheets 14 and 15 would be 14.1.

**B. Sheet Revision Numbers** - Revision numbers also appear in the upper right corner of each page. These numbers are used to determine the most current sheet version on file with the PSCM. For example, the 4th revised Sheet 14 cancels the 3rd revised Sheet 14.

**C. Paragraph Numbering Sequence** - There are nine levels of paragraph coding. Each level of coding is subservient to the next higher level:

- 2.
- 2.1
- 2.1.1
- 2.1.1.A.
- 2.1.1.A.1.
- 2.1.1.A.1.(a)
- 2.1.1.A.1.(a).I.
- 2.1.1.A.1.(a).I.(i).
- 2.1.1.A.1.(a).I.(i).(1).

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SECTION 1 - EXPLANATION OF TERMS AND ABBREVIATIONS

**Access Line** - An arrangement which connects the customer's line to a T-NETIX, Inc. switching center or point of presence.

**Billed Party** - A person, company, or entity which agrees to pay for inmate placed calls, on a collect call basis.

**Called Party** - A person, company or entity which receives a call from the Calling Party. In most cases, the Called Party will also be the Billed Party.

**Calling Party** - A person, usually an inmate of the Subscriber as used in this Tariff, who places a call to the Called Party.

**Carrier** - T-NETIX, Inc. unless otherwise clearly indicated by the context.

**Collect Billing** - A billing convenience whereby the originating caller may bill the charges for a call to the called party, provided the called party agrees to accept the charges.

**Commission** - The Missouri Public Service Commission.

**Company** - T-NETIX, Inc. unless otherwise clearly indicated by the context.

**Customer** - The person, firm, corporation, or other entity which initiates a call on the Company's network, subject to the terms and conditions of the Company's tariff regulations.

**End User** - The person, firm, corporation, or other entity which initiates a call on the Company's network, subject to the terms and conditions of the Company's tariff regulations.

**LATA** - Local Area of Transport and Access.

**LEC** - Local Exchange Company.

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SECTION 1 - EXPLANATION OF TERMS AND ABBREVIATIONS, CONT.

**Subscriber** - A detention or correctional facility who contracts for service provided by T-NETIX, Inc. DEC 2 1 1997

**Surcharge** - As used in this Tariff, a charge levied by T-NETIX, Inc. to provide the service of handling a call, including the provision of collect call acceptance, validation and billing of the call charges. MISSOURI Public Service Commission

**T-NETIX** - Used throughout this tariff to mean T-NETIX, Inc., unless clearly indicated otherwise by the text.

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## SECTION 2 - RULES AND REGULATIONS

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## 2.1 Undertaking of T-NETIX, Inc.

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T-NETIX's services and facilities are furnished by the Missouri Public Service Commission for intraLATA and interLATA operator-assisted communications originating at specified points within the State of Missouri under terms of this tariff.

T-NETIX installs, operates, and maintains the communications services provided hereinunder in accordance with the terms and conditions set forth under this tariff. T-NETIX may act as the Subscriber's agent for ordering access connection facilities provided by other carriers or entities as required in the Commission's rules and orders, when authorized by the Subscriber, to allow connection of a Subscriber's location to the T-NETIX network. The Subscriber shall be responsible for all charges due for such service arrangement.

The Company's services and facilities are provided on a monthly basis unless otherwise indicated, and are available twenty-four hours per day, seven days per week.

## 2.2 Limitations

- 2.2.1 Service is offered subject to the availability of the necessary facilities and equipment, and subject to the provisions of this tariff.
- 2.2.2 T-NETIX reserves the right to discontinue or limit service when necessitated by conditions beyond its control, or when the Subscriber, Customer or Billed Party is using service in violation of provisions of this tariff, or in violation of the law.
- 2.2.3 The Company does not undertake to transmit messages, but offers the use of its facilities when available, and will not be liable for errors in transmission or for failure to establish connections.

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SECTION 2 - RULES AND REGULATIONS, CONT.

DEC 29 1997

2.2 Limitations, cont.

- 2.2.4 All facilities provided under this tariff are directly controlled by T-NETIX and the Subscriber and Customer may not transfer or assign the use of service or facilities without the express written consent of the Company. Such transfer or assignment shall only apply where there is no interruption of the use or location of the service or facilities.
- 2.2.5 Prior written permission from the Company is required before any assignment or transfer. All regulations and conditions contained in this tariff shall apply to all such permitted assignees or transferees, as well as all conditions of service.

2.3 Use

Services provided under this tariff may be used for any lawful purpose for which the service is technically suited.

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**SECTION 2 - RULES AND REGULATIONS, CONT.****DEC 29 1997****2.4 Liability of T-NETIX****MISSOURI****Public Service Commission**

- 2.4.1** T-NETIX's liability for damages arising out of mistakes, interruptions, omissions, delays, errors, or defects in transmission which occur in the course of furnishing service or facilities, in no event shall exceed an amount equivalent to the proportionate charge to the End User or Billed Party for the period during which the faults in transmission occur.
- 2.4.2** The Company shall not be liable for claim or loss, expense or damage (including indirect, special or consequential damage), for any interruption, delay, error, omission, or defect in any service, facility, or transmission provided under this tariff, if caused by any person or entity other than the Company, by any malfunction of any service or facility provided by any other carrier, by an act of God, fire, war, civil disturbance, or act of government, or by any other cause beyond the Company's direct control.
- 2.4.3** The Company shall not be liable for, and shall be fully indemnified and held harmless by Subscriber, Customer and Billed Party against any claim or loss, expense, or damage (including indirect, special or consequential damage) for defamation, libel, slander, invasion, infringement of copy-right or patent, unauthorized use of any trademark, tradename, or service mark, unfair competition, interference with or misappropriation or violation of any contract, proprietary or creative right, or any other injury to any person, property or entity arising out of the material, data, information, or other content revealed to, transmitted, or used by the Company under this tariff; or for any act or omission of the Subscriber, Customer or Billed Party; or for any personal injury or death of any person caused directly or indirectly by the installation, maintenance, location, condition,

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**SECTION 2 - RULES AND REGULATIONS, CONT.**

DEC 29 1997

**2.4 Liability of T-NETIX, cont.**

- 2.4.3** (Continued)  
operation, failure, presence, use or removal of equipment or wiring provided by the Company, if not directly caused by negligence of the Company.
- 2.4.4** No agent or employee of any other carrier shall be deemed to be an agent or employee of the Company.
- 2.4.5** The Company shall not be liable for any defacement of or damages to the premises of a Subscriber resulting from the furnishing of service which is not the direct result of the Company's negligence.

**MISSOURI  
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Applicants or customers whose financial condition is not acceptable to T-NETIX or is not a matter of general knowledge may be required at any time, at T-NETIX's option, to make a deposit. This deposit shall be held by T-NETIX as a guarantee of the payment of charges provided for herein. The fact that a deposit has been made in no way relieves the applicant or customer from making prompt payment of bills on presentation.

Deposits shall be collected, maintained and returned in accordance with the rules of the Commission (4 C.S.R. 240-33.050, as applicable); provided, however, that any residential Customer from whom a deposit is collected shall be paid interest on such deposit at the rate required from time to time by the State of Missouri (which interest rate is currently 9%).

**2.6 Advance Payments**

For Customers or Subscribers or Billed Parties from whom the Company feels an advance payment is necessary, T-NETIX reserves the right to collect an amount not to exceed two months' estimated charges as an advance payment for service. This will be applied against the next one or two months' charges and a new advance payment may be collected for the next one or two month period.

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## SECTION 2 - RULES AND REGULATIONS, CONT.

DEC 29 1997

## 2.7 Taxes

All state and local taxes (i.e., sales tax, municipal utilities tax) are listed as separate line items and are not included in the quoted rates.

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## 2.8 Terminal Equipment

The Company's facilities and service may be used with or terminated in Subscriber-provided terminal equipment or Subscriber-provided communications systems, such as a PBX, key systems or Pay Telephone. Such terminal equipment shall be furnished and maintained at the expense of the Subscriber, except as otherwise provided. The Subscriber is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service. When such terminal equipment is used, the equipment shall comply with the generally accepted minimum protective criteria standards of the telecommunications industry as endorsed by the Federal Communications Commission.

## 2.9 Installation and Termination

Service is installed upon mutual agreement between the Subscriber and the Company. The service agreement does not alter rates specified in this tariff.

## 2.10 Payment for Service

All charges due by the Billed Party are payable to the Company or to the Company's authorized billing agent (such as a local exchange telephone company). Terms of payment shall be according to the rules and regulations of the agent and subject to the rules of regulatory agencies, such as the Missouri Public Service Commission. Any objections to billed charges must be reported within 60 days of receipt to the Company or the Company's billing agent or bill will be considered final. Adjustments to bills shall be made to the extent that circumstances exist which reasonably indicate that such changes are appropriate. Billing disputes shall be processed by the Company or its billing agent(s) consistent with Commission regulations. Customers unsatisfied with the Company's handling of a dispute may contact the Commission's Bureau of Consumer Services.

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**SECTION 2 - RULES AND REGULATIONS, CONT.****DEC 29 1997****2.11 Refusal or Discontinuance by Company****MISSOURI****Public Service Commission**

T-NETIX may refuse or discontinue service under the following conditions provided that, unless otherwise stated, the Customer or Billed Party shall be given 10 days' written notice to comply with any rule or remedy any deficiency:

- 2.11.1 For non-compliance with and/or violation of any State or municipal law, ordinance, or regulation pertaining to telephone service.
- 2.11.2 For use of telephone service for any other property or purpose other than that described in the application.
- 2.11.3 For neglect or refusal to provide reasonable access to the Company for the purpose of inspection and maintenance of equipment owned by the Company.
- 2.11.4 For noncompliance with and/or violation of the Commission's regulations or the Company's rules and regulations on file with the Commission.
- 2.11.5 For nonpayment of bills, provided that suspension or termination of service shall not be made without ten days' written notice to the Customer.
- 2.11.6 Without notice in the event of Customer or Billed Party use of equipment in such a manner as to adversely affect the Company's equipment or the Company's service to others.
- 2.11.7 Without notice in the event of tampering with the equipment or services owned by the Company.
- 2.11.8 Without notice in the event of unauthorized or fraudulent use of service. Whenever service is discontinued for fraudulent use of service, the Company may, before restoring service, require the Customer or Billed Party to make, at his or her own expense, all changes in facilities or equipment necessary to eliminate illegal use.

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**SECTION 2 - RULES AND REGULATIONS, CONT.****DEC 29 1997****2.11 Refusal or Discontinuance by Company, cont.****MISSOURI  
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2.11.9 When necessary for the Company to comply with any order, request, or requirement of any governmental authority having jurisdiction.

2.11.10 The Company reserves the right to discontinue service, limit service, or to impose requirements on Subscribers, Customer or Billed Parties as required to meet changing regulatory rules and standards of the Missouri Public Service Commission.

**2.12 Installation**

Service is installed upon mutual agreement between the Subscriber and the Company. The service agreement does not alter rates specified in this tariff.

**2.13 Interruption of Service**

Credit allowances for interruptions of service which are not due to the Carrier's testing or adjusting, to the negligence of the Subscriber, Customer, or Billed Party or to the failure of channels, equipment, or communications systems provided by the Subscriber, Customer, or Billed Party are subject to the general liability provisions set forth in Section 2.4 herein. It shall be the obligation of the Subscriber, Customer, or Billed Party to notify Carrier immediately of any interruption in service for which a credit allowance is desired. Before giving such notice, Subscriber, Customer, or Billed Party shall ascertain that the trouble is not within his or her control, or is not in wiring or equipment, if any, furnished by Subscriber, Customer, or Billed Party and connected to Carrier's terminal.

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## SECTION 2 - RULES AND REGULATIONS, CONT.

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## 2.14 Terminal Equipment

The Company's facilities and service may be used with or terminated in Subscriber-provided terminal equipment or Customer-provided communications systems, such as a PBX, key systems or Pay Telephone. Such terminal equipment shall be furnished and maintained at the expense of the Subscriber, except as otherwise provided. The Subscriber is responsible for all costs at his or her premises, including personnel, wiring, electrical power, and the like, incurred in the use of the Company's service.

## 2.15 Inspection, Testing, and Adjustment

Upon reasonable notice, the facilities provided by the Carrier shall be made available to the Carrier for tests and adjustments as may be deemed necessary by the Carrier for maintenance. No interruption allowance will be granted for the time during which such tests and adjustments are made.

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**SECTION 2 - RULES AND REGULATIONS, CONT.**

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**2.16 Operator Service Rules**

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- 2.16.1 T-NETIX will not knowingly bill for incomplete calls and will remove any charge(s) for incomplete calls upon customer or end user notification or the Company's knowledge of the charge(s) for incomplete calls.
- 2.16.2 T-NETIX will advise the caller and billed party (if different from the end user) that T-NETIX is the operator service provider at the time of the initial contact.
- 2.16.3 T-NETIX will provide rate quotes, including all rate components and any additional charges, upon request, at no charge.
- 2.16.4 T-NETIX will allow only tariff charges approved by the commission, or otherwise allowed by law for the provision of operator services, to appear on billings rendered by local exchange companies (LECs) on behalf of T-NETIX and will not collect locations surcharges imposed by traffic aggregators.
- 2.16.5 T-NETIX will arrange for listing of its name on a LEC's billing of T-NETIX's charges, if the LEC has multi-carrier bill listing capability.

**2.17 Other Rules**

The Company reserves the right to discontinue service, limit service, or to impose requirements on Subscribers, Customers or Billed Parties as required to meet changing regulatory rules and standards of the Missouri Public Service Commission.

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SECTION 3 - DESCRIPTION OF SERVICE

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3.1 Timing of Calls

3.1.1 Usage charges are based on the actual usage of T-NETIX's network. No fixed monthly fees or installation charges apply.

3.1.2 Timing of each call begins as specified below and ends when the connection is terminated. Calls are billed in full minute increments unless otherwise specified.

Collect Calls - Timing begins when the called party accepts the responsibility for payment.

3.1.3 Unless otherwise specified in this tariff, the minimum call duration for billing purposes is one minute.

3.1.4 Unless otherwise specified in this tariff, usage is measured and rounded to the next higher full minute for billing purposes.

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## SECTION 3 - DESCRIPTION OF SERVICE, CONT.

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## 3.2 Calculation of Distance

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Where applicable, usage charges for all mileage sensitive products are based on the airline distance between the serving wire center locations associated with the originating and terminating points of the call.

The distance between the originating and terminating points is calculated by using the "V" and "H" coordinates of the serving wire centers as defined by BellCore (Bell Communications Research), in the following manner:

Step 1 - Obtain the "V" and "H" coordinates for the serving wire center of the Customer's switch and the destination point.

Step 2 - Obtain the difference between the "V" coordinates of each of the Rate Centers. Obtain the Difference between the "H" coordinates.

Step 3 - Square the differences obtained in Step 2.

Step 4 - Add the squares of the "V" difference and "H" difference obtained in Step 3.

Step 5 - Divide the sum of the square obtained in Step 4 by ten. Round to the next higher whole number if any fraction results from the division.

Step 6 - Obtain the square root of the whole number obtained in Step 5. Round to the next higher whole number if any fraction is obtained. This is the distance between the originating and terminating serving wire centers of the call.

Formula:

$$\sqrt{\frac{(V_1 - V_2)^2 + (H_1 - H_2)^2}{10}}$$

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## SECTION 3 - DESCRIPTION OF SERVICE, CONT.

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## 3.3 Description of Service

T-NETIX, Inc.'s service is provided for use by inmates at confinement facilities between points within Missouri. This service anticipates the provision of local, intraLATA and interLATA collect calling only, using automated operators. Calls are measured as described in Sections 3.1 and 3.2 of this tariff and rated based on call duration and mileage. At the request of the confinement facilities, no credit card calling, access to live operators (including emergency assistance operators) or posting is offered. Call duration may be limited at the request of the confinement facility. Other restrictions may apply.

Per-minute usage sensitive charges, as well as per-call operator surcharges apply.

At the option of the correctional facility, a call time limit can be placed on calls. If this option has been selected, a warning tone or message is given to indicate 30 to 60 seconds remaining until termination. Additionally, subscribers can elect to block calls to specific numbers, and to allow calls to certain numbers to be made free of charge. At the request of correctional facilities, no incoming calls are permitted. Similarly, access to live operators, alternative long distance providers or emergency operators is not permitted.

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SECTION 3 - DESCRIPTION OF SERVICE, CONT.

3.4 Description of Call Types

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**Operator-Assisted Station** - A service whereby caller places a station to station call which is billed collect with the assistance of an operator.

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T-NETIX, INC.

P.S.C.MO. No. 1  
Original Sheet No. 20  
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**SECTION 4 - RATES**

DEC 29 1997

**4.1 General**

Each Customer is charged individually for each call placed through the Carrier. Charges are computed on an airline mileage basis as described in Section 3.2 of this tariff.

Rates vary by mileage band and call duration.

Customers are billed based on their use of T-NETIX's long distance service.

**MISSOURI**  
Public Service Commission

ISSUED: **DEC 29 1997**

EFFECTIVE:

**FEB 13 1998**

By: Alvyn A. Schopp, Exec V.P. & CFO  
67 Inverness Drive East, Suite 100  
Englewood, Colorado 80112

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## SECTION 4 - RATES, CONT.

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## 4.2 T-NETIX Inmate Service

DEC 29 1997

## 4.2.1 Usage Rates

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	Day Rates		Evening Rates		Night Rates	
	Initial Period	Each Add'l Period	Initial Period	Each Add'l Period	Initial Period	Each Add'l Period
1-10	0.1200	0.1000	0.1000	0.0800	0.0800	0.0600
11-14	0.1700	0.1400	0.1300	0.1100	0.1100	0.0900
15-18	0.2000	0.1800	0.1600	0.1400	0.1300	0.1100
19-23	0.2300	0.1900	0.1700	0.1500	0.1600	0.1200
24-28	0.2400	0.1900	0.1900	0.1600	0.1800	0.1400
29-33	0.2400	0.2000	0.1900	0.1700	0.1900	0.1500
34-40	0.2700	0.2400	0.2000	0.1800	0.2000	0.1700
41-50	0.2700	0.2400	0.2000	0.1800	0.2000	0.1700
51-60	0.2900	0.2500	0.2100	0.1900	0.2000	0.1700
61-80	0.3000	0.2600	0.2100	0.2000	0.2000	0.1800
81-100	0.3100	0.2700	0.2300	0.2000	0.2000	0.1800
101-125	0.3400	0.2900	0.2300	0.2300	0.2000	0.1900
126-150	0.3600	0.3100	0.2500	0.2500	0.2100	0.2000
151-190	0.3700	0.3200	0.2600	0.2500	0.2100	0.2100
191-300	0.3800	0.3300	0.2700	0.2600	0.2200	0.2100
301-430	0.4400	0.3900	0.3300	0.3000	0.2800	0.2500
431+	0.4400	0.3900	0.3300	0.3000	0.2800	0.2500

## 4.2.2 Operator Surcharge

Per Call

Station to Station      \$2.25

## 4.3 T-NETIX Local Collect Calling Rates

Per Call

Per Message      \$0.25

Operator Surcharge - Station to Station      \$1.00

ISSUED: December 29, 1997

EFFECTIVE: February 13, 1998

By: Alvyn A. Schopp, Exec V.P. & CFO  
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