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## FCC Fact Sheet

### Federal Communications Commission (“FCC”) Interim Rates in Effect for Inmate Calling Service (“ICS”)

#### Current FCC Interstate Rates:

The FCC interim rate caps – \$0.21 per-minute for debit and prepaid ICS calls and \$0.25 per-minute for collect ICS calls – are in effect for all “interstate” ICS calls.

#### Understanding the Difference Between Interstate vs. In-state Calls:

The FCC “interstate” rates for inmate calling services, effective February 11, 2014, applies to calls originating in one state and terminating in another state. Interstate prepaid and debit calling rates are \$0.21 per minute and Interstate collect calling rates are \$0.25 per minute. A provider’s rates are compliant if the total charge for a 15-minute interstate calls does not exceed \$3.75 for a 15-minute call using collect calling, or \$3.15 for a 15-minute call using debit calling, prepaid calling, or prepaid collect calling. The FCC interstate rates do not apply to calls that originate in one state and terminate within the same state.

#### In-State (Intrastate) Calling Rates:

In-state (Intrastate) calls are calls within the same state. Calls within a state can also be referred to as Local, interLATA or intraLATA calls within the state . The FCC interstate ICS calling rates do not apply to in-state calls.

#### Status of Court Action:

On March 7, 2016, the United States Court of Appeals for the District of Columbia Circuit (D.C. Circuit) stayed two provisions of the FCC’s ICS rules: setting caps on ICS calling rates that vary based on the size and type of facility being served and setting caps for single-call services. The D.C. Circuit’s March 7 Order denied motions for stay of the Commission’s ICS rules “in all other respects.” On March 23, 2016, the D.C. Circuit modified the stay imposed in the March 7 Order to provide that imposing interim rate caps be stayed as applied to “intrastate calling services.”

#### Permitted Ancillary Services Charges and Taxes:

The rules limiting charges for ancillary services—other than the rule related to single-call services, which the D.C. Circuit stayed—took effect on March 17, 2016 for all ICS calls from prisons, and will take effect on June 20, 2016 for all ICS calls from jails (see chart below). Those same effective dates also apply to the rates for ICS calls involving TTY devices, the rule governing the treatment of taxes and fees, the rule prohibiting per-call or per-connection charges, the rule prohibiting flat-rate calling, and the rules governing minimum and maximum calling account balances.

#### Permitted Ancillary Service Charges and Taxes

#### Monetary Cap Per Use / Instruction

Applicable taxes and regulatory fees

Provider shall pass these charges through to consumers directly with no markup

Automated payment fees<sup>1</sup>

\$3.00

Live agent fee, i.e., phone payment or account set up with optional use of a live operator

\$5.95

Paper bill/statement fees (no charge permitted for electronic bills/statements)

\$2.00

Prepaid account funding minimums and maximums

Prohibit prepaid account funding minimums and prohibit prepaid account funding maximums under \$50

Third-party financial transaction fees, e.g., MoneyGram, Western Union, credit card processing fees and transfers from third party commissary accounts

Provider shall pass this charge through to end user directly, with no markup

<sup>1</sup> Automated payments include payments by interactive voice response (IVR), web, or kiosk.

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