



# PUBLIC NOTICE

Federal Communications Commission  
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DA 24-267

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**WIRELINE COMPETITION BUREAU AND OFFICE OF ECONOMICS AND  
ANALYTICS MAKE INCARCERATED PEOPLE'S COMMUNICATIONS  
SERVICES 2023 MANDATORY DATA COLLECTION DATABASE AVAILABLE  
TO ELIGIBLE INDIVIDUALS PURSUANT TO PROTECTIVE ORDER**

**WC Docket Nos. 23-62, 12-375**

By this Public Notice, the Wireline Competition Bureau (Bureau) and the Office of Economics and Analytics (OEA) announce the availability, under the terms of the *2023 IPCS Protective Order*, of the preliminary Incarcerated People's Communications Services (IPCS) Database (2023 IPCS Database).<sup>1</sup> The Commission staff developed this database to help analyze data and other information that IPCS providers submitted in response to the Commission's 2023 Mandatory Data Collection.<sup>2</sup> That analysis facilitates the Commission's implementation of the Martha Wright-Reed Just and Reasonable Communications Act of 2022.<sup>3</sup>

The preliminary 2023 IPCS Database contains IPCS providers' confidential information, including cost and revenue information.<sup>4</sup> The preliminary 2023 IPCS Database also includes geocoding information on facility locations added by the Commission staff to facilitate outside parties' review of the data submissions. Making this preliminary database available at this time will allow interested parties whose counsel and outside consultants comply with the terms of the *2023 IPCS Protective Order* to rely on a common dataset in evaluating the Commission's proposals in this proceeding, while ensuring providers remain protected against the unwarranted disclosure of their confidential information. It will also allow those parties to provide feedback on the preliminary 2023 IPCS Database and to recommend

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<sup>1</sup> *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Protective Order, DA 23-298 (WCB Apr. 5, 2023) (*2023 IPCS Protective Order*).

<sup>2</sup> *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Order, DA 23-638 (WCB July 26, 2023) (adopting instructions, a reporting template, and a certification form for the 2023 IPCS Mandatory Data Collection).

<sup>3</sup> Martha Wright-Reed Just and Reasonable Communications Act of 2022, Pub. L. No. 117-338, 136 Stat. 6156; see *Incarcerated People's Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Notice of Proposed Rulemaking and Order, FCC 23-19, at 20-21, paras. 47-51 (Mar. 17, 2023) (*2023 IPCS Notice* or *2023 IPCS Order*). Twenty-one providers submitted responses to the 2023 Mandatory Data Collection. The preliminary 2023 IPCS Database consolidates data from twelve of these responses into a single set of spreadsheets and provides the original or first revised versions from the other nine providers.

<sup>4</sup> This information in the preliminary database was initially due on October 31, 2023 and was supplemented or revised by providers through March 5, 2024.

any potential modifications to the database. Commission staff will continue to refine this database to ensure that it accurately and reliably accounts for the data and related information submitted by providers.

To request access to the preliminary 2023 IPCS Database, interested individuals must first satisfy the requirements of the *2023 IPCS Protective Order*. Under the terms of that Order, access to information submitted under a claim of confidentiality is limited to counsel and outside consultants who are not involved in competitive decision-making, who have executed either the Acknowledgement of Confidentiality appended to the *2023 IPCS Protective Order* or the Acknowledgement of Confidentiality appended to the *2013 ICS Protective Order*,<sup>5</sup> and who meet the other requirements of those two protective orders.<sup>6</sup> Individuals who qualify thereunder should contact the Bureau's staff, as set forth below. Before making the database available, Bureau staff will require each qualified person seeking access to execute a separate Recipient Acknowledgment, attached hereto as Appendix A, governing use of the preliminary 2023 IPCS Database.<sup>7</sup> As detailed more fully in the Recipient Acknowledgment, recipients will be obligated to ensure that their copies of the database are not duplicated (whether in full or in part) and that there will be no disclosure of any of the confidential information in the database except as specifically permitted by the *2023 IPCS Protective Order*. Any other use of any confidential information contained in the preliminary 2023 IPCS Database will constitute a violation of an order of the Commission.<sup>8</sup>

*Additional Information.* For further information and to request access to the database, please contact Erik Raven-Hansen, Pricing Policy Division, Wireline Competition Bureau, at 202-418-1532 or via e-mail at [Erik.Raven-Hansen@fcc.gov](mailto:Erik.Raven-Hansen@fcc.gov), and Stephen Meil, Pricing Policy Division, Wireline Competition Bureau, at 202-418-7233 or via e-mail at [Stephen.Meil@fcc.gov](mailto:Stephen.Meil@fcc.gov).

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<sup>5</sup> *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Protective Order, 28 FCC Rcd 16954, 16960, Appx. A (WCB 2013) (*2013 ICS Protective Order*). The *2023 IPCS Protective Order* stated that individuals that had previously obtained access to confidential information pursuant to the *2013 Protective Order* did not need to resubmit executed Acknowledgments of Confidentiality. Instead, those prior Acknowledgements of Confidentiality were incorporated by reference into WC Docket No. 23-62. *2023 IPCS Protective Order* at 3-4, para. 6.

<sup>6</sup> *2023 IPCS Protective Order* at Appx. A; *2013 ICS Protective Order* at Appx. A.

<sup>7</sup> Individuals requesting access are hereby directed to email the Bureau at [Erik.Raven-Hansen@fcc.gov](mailto:Erik.Raven-Hansen@fcc.gov) and at [Stephen.Meil@fcc.gov](mailto:Stephen.Meil@fcc.gov) with the subject line "IPCS 23-62, 12-375 – Request for IPCS Database" and must likewise submit an executed copy of the Recipient Acknowledgment via email to the same addresses.

<sup>8</sup> See *2023 IPCS Protective Order* at 6, para. 18; *2013 ICS Protective Order* at 5, para. 16.

## APPENDIX A

## Recipient Acknowledgment

**Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services****WC Docket Nos. 23-62, 12-375**

By signing below, I certify that I am Counsel or Outside Consultant, as such terms are defined in the *2023 IPCS Protective Order* in WC Docket Nos. 23-62 and 12-375.<sup>1</sup> I further certify that I am a signatory of the Acknowledgement of Confidentiality appended either to the *2023 IPCS Protective Order* or the *2013 ICS Protective Order*, and that I understand it.<sup>2</sup> I acknowledge that I will be receiving instructions that will allow me to download a database (the preliminary IPCS Database) with data submitted to the Commission in WC Docket Nos. 23-62 and 12-375. I also acknowledge that the IPCS Database contains information that is not publicly available and that constitutes Confidential Information under the terms of the *2023 IPCS Protective Order*.

I agree that I will download no more than one copy of the Commission’s preliminary 2023 IPCS Database and will delete the preliminary 2023 IPCS Database upon completion of this proceeding in accordance with the terms of the *2023 IPCS Protective Order*. I acknowledge that it is my obligation to ensure that my copy of the preliminary 2023 IPCS Database is not duplicated (in whole or in part) except as specifically permitted by the terms of the *2023 IPCS Protective Order*. I also acknowledge that it is my obligation to ensure that there is no disclosure of any Confidential Information in the preliminary 2023 IPCS Database except as specifically permitted by the terms of the *2023 IPCS Protective Order*. I further acknowledge that any use of any Confidential Information contained therein other than as permitted under the terms of the *2023 IPCS Protective Order* constitutes a violation of an order of the Commission.<sup>3</sup> I further acknowledge that the provisions of the *2023 IPCS Protective Order* and the *2013 Protective Order* do not terminate at the conclusion of this proceeding.<sup>4</sup>

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<sup>1</sup> *Incarcerated People’s Communications Services; Implementation of the Martha Wright-Reed Act; Rates for Interstate Inmate Calling Services*, WC Docket Nos. 23-62 and 12-375, Protective Order, DA 23-298, at para. 2 (WCB Apr. 5, 2023) (*2023 IPCS Protective Order*).

<sup>2</sup> *2023 IPCS Protective Order* at Appx. A; *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Protective Order, 28 FCC Rcd 16954, 16960, Appx. A (WCB 2013) (*2013 ICS Protective Order*). Individuals that have previously executed and filed with the Commission the Acknowledgement of Confidentiality appended to the *2023 IPCS Protective Order* or the Acknowledgement of Confidentiality appended *2013 ICS Protective Order* and meet the other requirements of those orders do not need to refile those executed Acknowledgements. See *2023 Protective Order* at 3, para. 6.

<sup>3</sup> *2023 IPCS Protective Order* at 4-6, paras. 9, 18; *2013 ICS Protective Order* at 4-5, paras. 7, 16.

<sup>4</sup> *2023 IPCS Protective Order* at 6-7, para. 19; *2013 ICS Protective Order* at 5-6, para. 17.

I acknowledge that I have read the above paragraph and agree to its terms. I attach a copy of my signed Acknowledgment from the *2023 IPCS Protective Order* or *2013 ICS Protective Order*. I confirm that with regard to Confidential Information, any objection to such Acknowledgment pursuant to the *2023 IPCS Protective Order* or the *2013 ICS Protective Order* has been resolved in my favor and the Acknowledgment remains in full force and effect.<sup>5</sup>

Executed this \_\_\_ day of \_\_\_\_\_, 2024.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Organization: \_\_\_\_\_  
Party Representing: \_\_\_\_\_  
Telephone: \_\_\_\_\_

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<sup>5</sup> *2023 IPCS Protective Order* at 3-4, para. 6-7; *2013 Protective Order* at 3, para. 5.