

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**



FILED
09/18/23
04:23 PM
A2210018

Application of)
Smart Communications Holding, Inc.)
for Registration as an Interexchange Carrier) **Application 22-10-018**
Telephone Corporation Pursuant to the)
Provisions of Public Utilities Code Section 1013.)

**Smart Communications Holding, Inc.'s
Notice of Ex Parte Communication**

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September 18, 2023

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Pursuant to Rule 8.4 of the Commission’s Rules of Practice and Procedure and Public Utilities Code Section 1701.3(h)(2), Smart Communications Holding, Inc. (“Applicant” or “Smart Communications”) hereby provides notice of a meeting with Inna Vinogradov, Advisor to Commissioner Karen Douglas on Application (A.) 22-10-018. The meeting took place on September 13, 2023 at 2:00 PM over Webex. The following representatives of Smart Communications attended: David Gann (General Counsel at Smart Communications), Lisa Eddy (Vice President of Operations at Smart Communications), Sharon Warren (Consultant at Inteserra Consulting Group, Inc.), Jonathan Choi (Attorney at TAS STRATEGIES), and Timothy Alan Simon (Attorney at TAS STRATEGIES). The meeting lasted approximately 25 minutes.

Smart Communications requested the meeting and no written materials were provided. Smart Communications shared how the company’s founding in 2009 was informed by the incarcerated experience of Jon Logan and his uncle. While Mr. Logan was incarcerated, he had a hard time communicating with family. Other than phone calls, they were limited to 3x5 postcards that were frequently lost or delivered in a non-sequential manner. As such, Smart Communications has empathy for those who are incarcerated and was the first incarcerated communication service provider to offer electronic messaging on its platform. Because Smart Communication services only enable outgoing calls originating from the incarcerated facilities, Smart Communication provides services via Non-Interconnected Voice over Internet Protocol.

The County of San Diego awarded the Applicant with a contract to provide a “No Cost Communication” model for the San Diego County incarcerated population. In other words, the incarcerated population are allowed calls and video visits at no cost to them. The County of San Diego absorbs the cost associated with this call model. Connections to family and community are

key to successful reentry. Incarcerated individuals who maintain ties with their support networks have higher success rates and lower recidivism rates upon release. In this way, by providing a “No Cost Communication” model for San Diego County’s incarcerated population, Smart Communication is helping to facility greater connection between the incarcerated and their families and community – serving the public interest and providing a public benefit.

Smart Communications distinguished its pre-paid calling from prepaid phone calls. The pre-paid calling services provided to the incarcerated are different than (1) telephone prepaid debit cards and (2) prepaid wireless services with assigned telephone number. If the incarcerated wants to make a phone call, they have their trust or custodian account pre-funded by family and friends; they then use these funds to make outbound phone calls on Smart Communications’ platform. Unlike prepaid phone calls, the incarcerated may not use these pre-paid calling funds from any phone nor on any carrier. They may only use these pre-paid calling services on Smar Communication’s platform. Moreover, calls are only outbound. As such, no member of the incarcerated population is given an assigned phone number.

Smart Communications noted that there is an ongoing Interconnected Voice Over Internet Protocol (VoIP) Carriers Rulemaking (R.) 22-08-008 considering changes to address the license status of interconnected Voice over Internet Protocol (VoIP) carriers in California.

Smart Communications discussed restitution of surcharges and associated late fee payments, as well as a potential stipulation to a violation without prejudice while reserving the right to seek remuneration for additional penalties paid if the R. 22-08-008 determines that Smart Communications is not required to be a CPCN holder.

Smart Communication stated its desire for an expedited proceeding and request for a waiver or reduction of the Proposed Decision’s comment period.

Respectfully submitted.



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