

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

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IN RE:  GLOBAL TEL*LINK CORPORATION	DOCKET NOS. TF-05-104 WRU-05-24-243
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**ORDER APPROVING TARIFF AND GRANTING WAIVER**

(Issued May 24, 2005)

On April 4, 2005, Global Tel\*Link Corporation (Global), an alternative operator services company, filed with the Utilities Board (Board) a revised tariff to cancel and replace its previous tariff on file with the Board. The purpose of the revised tariff is to update Global's services, rates, rules, and regulations. Global is designated as an alternative operator service (AOS) provider pursuant to Iowa Code § 476.91 and offers operator-assisted calling to correctional facilities. Global does not currently have any operations in Iowa.

Upon initial review, Board staff found several potential errors and omissions in the revised tariff submitted by Global. On May 9, 2005, the Board issued an order docketing the tariff and requesting that Global submit corrections to its tariff in compliance with Board's tariff filing requirements.

On May 5, 2005, Global submitted a revised replacement tariff. A correction to the replacement tariff was filed on May 11, 2005. The Board has reviewed the revised replacement tariff and subsequent correction and finds that it substantially

complies with Board rules for the filing and processing of tariff pages. The Board will approve the tariff effective May 20, 2005, as requested by Global.

Also on May 5, 2005, Global filed a request for waiver of specific Board rules. Global requested the Board grant a waiver of 199 IAC 22.19(3) and (4) and 199 IAC 22.5(10)"a" and "f," which relate to call blocking, posting requirements concerning various service options, the confidential nature of operator-assisted calls, and connection to emergency services. The request has been identified as Docket No. WRU-05-24-243. No objection to the request has been filed.

In support of its request, Global states that because of the nature of the services being provided, the correctional facilities must be able to control inmate access to some services, such as call blocking and emergency services. Similarly, because of the environment in which Global will provide services, posting requirements and confidentiality requirements are inappropriate.

To grant the waiver, the Board must find, based upon clear and convincing evidence, that the request meets the four criteria in 199 IAC 1.3. The four criteria are: 1) the application of the rule would cause undue hardship, 2) the waiver would not prejudice the substantial legal rights of any person, 3) the provisions of the rule are not specifically mandated by statute, and 4) substantially equal protection of public health, safety, and welfare will be afforded by a means other than prescribed by the rules.

The Board finds that a waiver of 199 IAC 22.19(3) and (4) and 199 IAC 22.5(10)"a" and "f" should be granted, based on the Board's review of the

information provided by Global. The Board finds that it would be an undue hardship for Global to abide by these rules given the specialized nature of the offered services. The Board also finds that the waiver will not affect the substantial legal rights of any person and that equal protection of the public health, safety, and welfare have been afforded by other means unique to the particular environment being served.

**IT IS THEREFORE ORDERED:**

1. The tariff filed by Global Tel\*Link Corporation on April 4, 2005, as amended on May 5, 2005, and May 11, 2005, is approved.

2. The waiver request filed by Global Tel\*Link Corporation on May 5, 2005, is granted. The blocking requirement of 199 IAC 22.19(3), the posting requirement of 199 IAC 22.19(4), the confidentiality requirement of 199 IAC 22.5(10)"a," and the emergency services requirement of 199 IAC 22.5(10)"f" are waived, subject to future Board orders.

**UTILITIES BOARD**

/s/ John R. Norris

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper  
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 24<sup>th</sup> day of May, 2005.