

PUBLIC NOTICE

PUBLIC UTILITIES

BOARD OF PUBLIC UTILITIES

Notice of Action on Petition for Rulemaking

Telecommunications

Proposed Amendments: Just and Reasonable Rates for Intrastate Inmate Calling Service (ICS)

Petitioners: Garden State Bar Association, Crystal Gibson, Sherin Makar, Lori Monteiro, the Prison Initiative Project of the Center for Action Research, the New Jersey Advocates for Immigrant Detainees, the New Jersey Institute for Social Justice, Pauline Ndzie, Jean Ross, and Rhonda Williams Whetstone.

Take notice that on April 30, 2014, the Board of Public Utilities (Board) received a petition from the Garden State Bar Association, Crystal Gibson, Sherin Makar, Lori Monteiro, the Prison Initiative Project of the Center for Action Research, the New Jersey Advocates for Immigrant Detainees, the New Jersey Institute for Social Justice, Pauline Ndzie, Jean Ross, and Rhonda Williams Whetstone, requesting that the Board “limit the rates, terms, and conditions imposed by intrastate ICS providers to ‘just and reasonable rates’, not to exceed \$0.05 per minute, for incarcerated people, detainees, and their families in both state and county prisons and jails.” The petitioners also request that the Board hold regional public hearings to gather further public input.

The petitioners state that the Board should take into account the existence of technology and the rates available in other states when setting just and reasonable rates that reflect the costs of providing phone services in New Jersey prisons and jails.

On May 2, 2014, Board staff contacted the petitioners by electronic mail seeking clarification on the relief being sought. On May 15, 2014, the petitioners filed an amendment clarifying that the petition should be considered a petition for rulemaking pursuant to N.J.A.C. 1:30-4.

In accordance with the provisions of N.J.A.C. 1:30-4.2, the Board mailed to the petitioners and filed with the Office of Administrative Law a notice of action on the petition. Notice of the Board's receipt of the petition was published in the June 16, 2014, issue of the New Jersey Register at 46 N.J.R. 1490(b).

Take further notice that the Board has been considering this petition and is still reviewing the merits of the petitioners' suggested new rules. Therefore, pursuant to N.J.A.C. 1:30-4.2, the Board has determined to refer this matter for further deliberation and will, within 90 days, finalize a notice of action on the petition for rulemaking.

Take further notice that, on June 12, 2014, the petitioners consented by letter to extend the period for Board deliberation on the petition for rulemaking until October 31, 2014. On June 18, 2014, the Board agreed to the petitioners' request.

Take further notice that, on October 2, 2014, the petitioners consented by letter to extend the period for Board deliberation on the petition for rulemaking to January 31, 2015. On October 22, 2014, the Board agreed to the petitioners' request.

A copy of this public notice has been mailed to the petitioners consistent with the requirements set forth in N.J.A.C. 1:30-4.2.