



Agenda Date: 6/18/14
Agenda Item: IVC

STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION SEEKING)
RULEMAKING AND ORDER REGULATING RATES) ORDER
CHARGED BY GLOBAL TEL*LINK AND SECURUS)
FOR PHONE CALLS FROM NEW JERSEY)
CORRECTIONAL FACILITIES) DOCKET NO. TX14040385

Parties of Record:

Stefanie A. Brand, Esq., Director, New Jersey Division of Rate Counsel
Juan Cartagena, Esq., LatinoJustice PRLDEF, New York, NY
Alina Das, Esq., Washington Square Legal Services, Inc., New York, NY
Craig Levine, Esq., New Jersey Institute for Social Justice, Newark, NJ
B. John Pendleton, Jr., Esq., DLA Piper LLP (US), Short Hills, NJ

BY THE BOARD:

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 Whetsone, 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 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 et seq. On or about May 21, 2014, the Board filed with the Office of Administrative Law ("OAL") the petition for rulemaking.

By motion dated April 30, 2014, B. John Pendleton, Jr., Esq., of DLA Piper LLP (US) on behalf of Alina Das, Esq., Washington Square Legal Services, Inc., pursuant to N.J.A.C. 1:1-5.2 and Rule 1:21-2, seeks to permit the appearance *pro hac vice* of Alina Das, Esq., a member in good standing of the bar of New York.

Ms. Das filed an affidavit with the motion asserting that she is an attorney in good standing admitted to practice in New York and various federal courts; she is associated in this matter with Mr. Pendleton; there is good cause for her admission in that she is significantly involved, through the Washington Square Legal Services organization, in the area of reforms to phone rates from New Jersey correctional facilities which are the subject of this petition; and, she has agreed upon admission to satisfy all of the conditions for admission, abide by all court and OAL rules, and pay the New Jersey Lawyers' Fund for Client Protection and Ethics Financial Committee fees required by R. 1:20-1(b) and R. 1:28-2.

Having reviewed the above referenced *pro hac vice* motion and supporting affidavits of Mr. Pendleton and Ms. Das, and **FINDING** that Ms. Das has satisfied the conditions for admission and will submit to the Board proof of payment to the New Jersey Lawyers' Fund for Client Protection of the fees required by R. 1:20-1(b) and R. 1:28-2, the Board **HEREBY GRANTS** the motion for admission of Ms. Das to practice before the Board *pro hac vice* in the above-captioned matter provided that she shall:

- (1) abide by the Board's rules and all applicable New Jersey court rules, including all disciplinary rules;
- (2) pay to the New Jersey Lawyers Fund for Client Protection the fees required by R. 1:20-1 (b) and R. 1:28-2 and submit proof of same to the Board;
- (3) consent to the appointment of the Clerk of the Supreme Court as agent upon whom service of process may be made for all actions against each of them that may arise out of her participation in this matter;
- (4) notify the Board immediately of any matter affecting her standing at the bar of any other jurisdiction; and
- (5) have all pleadings, briefs and other papers filed with the Board signed by an attorney of record authorized to practice in this State, who shall be held responsible for her and for the conduct of this cause and the admitted attorney therein.

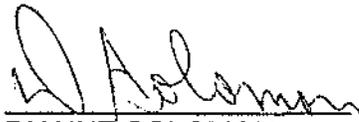
In the interests of economy, all parties are **HEREBY DIRECTED** to serve all documents electronically, while still providing hard copies to the Board for those documents that must be filed with the Board, with hard copies to each party upon request.

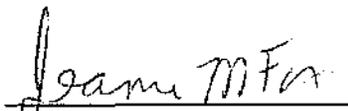
The Board **HEREBY DIRECTS** Staff to post this Order on the Board's website and serve a copy of the Order to the service list electronically.

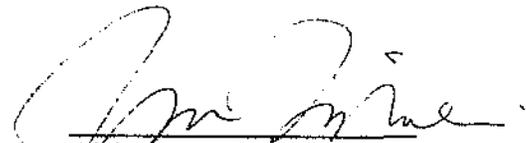
This Order shall be effective June 30, 2014.

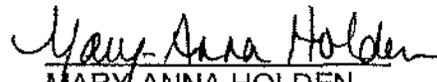
DATED: 6/18/14

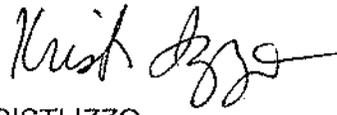
BOARD OF PUBLIC UTILITIES
BY:


DIANNE SOLOMON
PRESIDENT

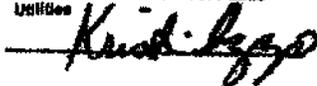

JEANNE M. FOX
COMMISSIONER


JOSEPH L. FIORDALISO
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST: 
KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



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NEW JERSEY CORRECTIONAL FACILITIES - BPU DOCKET NO. TX14040385

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