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DEC 23 2008

PUBLIC SERVICE
COMMISSION

TO: KENTUCKY PUBLIC SERVICE COMMISSION
211 Sower Blvd.
P.O. Box 615
Frankfort, Kentucky 40601
Telephone No. (502) 2008-00565

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DEC 23 2008

PUBLIC SERVICE
COMMISSION

FROM: Ms. Elberta Jones
3437 Newburg Road Apt. #3
Louisville, Kentucky 40218
Phone No. (502) 452-1554 or 712-6779

DATE: December 9, 2008

RE: REQUEST FOR REFUND FROM CORRECTIONAL BILLING
FOR MONEY OVER-CHARGED ME (THE RECIPIENT)
FOR CALLS FROM KY DEPT. OF CORRECTIONS INMATES
THIS REQUEST IS MADE PURSUANT TO KRS 278.

RECEIVED

DEC 29 2008

PSC Consumer Services

Dear Sir, or Madam:

I'm writing to lodge a formal complaint against Correctional Billing Services concerning Correctional Billing Services "OVER-CHARGING" the undersigned for inmates phone calls from facilities operated by the KY. Dept. of Corrections.

The undersigned states on October 16, 2008, she wrote and call Correctional Billing Services and asked to be provided with an "[INVOICE]" concerning her payment to them. Correctional Billing Services, has refused to provide the undersigned with an Invoice concerning her payment to them (Correctional Billing Services).

The underisgned states that her personal records and Bank account shows that the undersigned has paid Correctional Billing Services "OVER" twenty-seven hundred dollars \$2,700.00 since the month of April 2008, for inmates telephone calls from facilities operated by the Kentucky Dept. of Corrections. Thus, the undersigned requests a full refund of her money for the following reasons:

The legal rate for inmates collect telephone calls is set at \$1.50 per call for the (sub-charge) and the intraLATA \$0.28 and the interLATA \$0.23. In ORDER NO.378 of this Public Service Commission, stated that "no-set use fees could be assessed against inmates calls. The undersigned for one fifteen (15) minute inmate telephone call is charged \$5.00 whether she gets to talk the whole 15 minutes or not.

On December 6, 2008 between 12:00 A.M. and 1:00 A.M. she was disconnected after about one minute on the phone with inmate

Joseph L. Silverburg#151608 at the Eastern KY Correctional Complex, located in West Liberty, KY.

On Dec. 6, 2008, at approximately 11:50 P.M. she was again disconnected after about one minute of talking with inmate Silverburg, and on December 7, 2008, at approximately 6:20 P.M. She was again disconnected after only talking to inmate Silverburg, for about five minutes.

Correctional Billing Services, refuses to credit her for those calls, notwithstanding, the calls were not of the fifteen (15) minutes duration.

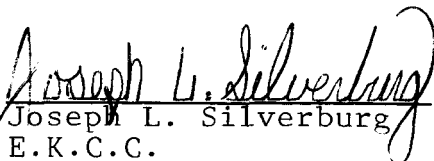
In the past the undersigned has been wrongfully charged by Correctional Billing Services for first \$30.00 and again for \$70.00 dollars of calls she did not receive.

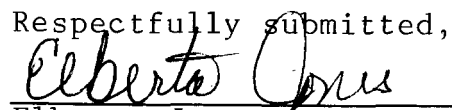
On December 8, 2008, at approximately 9:55 P.M. the undersigned and inmate Silverburg, were disconnected after talking for about thirty (30) seconds. Inmate Silverburg, called the undersigned back, and was unable to speak with the undersigned at approximately 9:59 P.M. The undersigned called Correctional Billing on December 9, 2008, complaining about the problems Eastern KY Correctional Complex, were having with their telephone system, and asked that she be credited with those calls. Correctional Billing Services, refuses to credit the undersigned with those telephone calls she did not receive.

The undersigned requests that she be refunded the \$125.00 dollars she has been deprived of by Correctional Billing Services for telephone calls she did not receive.

Attached with this letter/PETITION is the undersigned's letter of October 16, 2008, in support of her claim that she has asked Correctional Billing Services, to provide her with an "[INVOICE]" in order for her to Petition this Commission for a refund of her money.

Thus, the undersigned requests that she be refunded in full all the money she has been overcharged by Correctional Billing Service.


Joseph L. Silverburg
E.K.C.C.

Respectfully submitted,

Elberta Jones
3437 Newburg Rd. Apt.3
Louisville, KY 40218

Cc: Jefferson Circuit Court
Hon. Jack Conway
Attorney General

AFFIDAVIT

I, Elberta Jones, reside at 3437

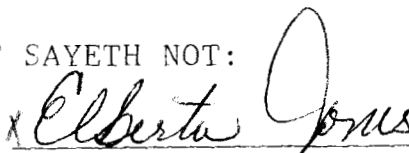
Newburg Road Apt.3 Louisville, Kentucky 40218-2419

and I have lived here from _____ to October 16, 2008. I declare under the penalty of perjury that the following statements are true and correct to the best of my knowledge and belief, on this 16th day of October, 2008.

COMMONWEALTH OF KENTUCKY ATTORNEY GENERAL CONSUMER PROTECTION DIVISION

1. Affiant states that the statements made in the attached letter are true and correct and she believes that she as well as all other citizens of the Commonwealth of Kentucky are being "OVER-CHARGED" by Kentucky Dept. of Corrections and Correctional Billing Services, and that the same constitute criminal and civil Racketeer Influence Corrupt Organization Activities.
2. Affiant thus, wishes to file and bring a citizen's complaint, and law-suit against Kentucky Dept. of Corrections and Correctional Billing Services, and the Kentucky Public Service Commission, concerning this matter.
3. Affiant requests that Correctional Billing Services refund her in full for the "OVER-CHARGING" of her collect calls from her family and friends incarcerated in the custody of the KY Dept. of Corrections. Affiant affirmatively state that she has paid over \$1,300,00 (thirteen Hundred Dollars) on collect calls from her family and friends incarcerated in the custody of the Kentucky Dept. of Corrections.
4. Affiant states that in Daleure v. Kentucky, 119 F.Supp. 2d 683 (W.D.Ky.2000), the Federal Court stated a request for refunding is the first step in such matter. Thus, I request that Correctional Billing Services, refund me the money "OVER-CHARGED ME."

FURTHER AFFIANT SAYETH NOT:


Signature Of Affiant
Elberta Jones

TO: Correctional Billing Services
P.O. Box 1010
Selma, AL 36702;

KY Public Service Commission
211 Sower Blvd.
P.O. 615
Frankfort, KY 40601; and

Commonwealth of Kentucky
ATTORNEY GENERAL OFFICE
Consumer Protection Division
8911 Shelby Road
Louisville, KY 40222 Telephone No. (502) 429-7134

FROM: Ms. Elberta Jones
3437 Newburg Road Apt. 3
Louisville, Kentucky 40218
Phone No. (502) 452-1554 or 712-6779

DATE: October 16, 2008

RE: REQUEST FOR FULL REFUND AND CRIMINAL R.I.C.O.
INVESTIGATION BY THE KY ATTORNEY GENERAL'S
OFFICE

Dear Sir, or Madam:

I, am writing to vehemently complain of KY. Dept. of Corrections and Correctional Billing Services OVER-CHARGING the public for telephone services from inmates incarcerated in the Kentucky Dept. of Corrections custody.

I, am also writing to request that I be "REFUNDED IN FULL" the money I have paid for the services. See Daleure v. Kentucky 119 F.Supp.2d 683 (W.Dist.Ky.2000).

In 1999, the Kentucky Public Services Commission in **CASE NO. 368** directed the Kentucky Dept. of Corrections and then MCI to lower its rates for collect calls from inmates in correctional facilities in Kentucky. In **CASE NO. 378** the Kentucky Public Service Commission directed the Kentucky Dept. of Corrections to also make available calling cards/debit cards for the inmates within the custody of the Kentucky Dept. of Corrections.

This, has not been done by the KY. Dept. of Corrections or Correctional Billing Services, instead the public is being charged a high excessive rates for telephone calls from inmates in the KY. Dept. of Corrections custody, while inmates in the

custody of local jail with felony convictions are being charged a much lower rates for their telephone calls.

Since, the month of April or May, 2008, the undersigned has paid over \$1,300.00 (Thirteen Hundred Dollars) for collect calls from KY. Dept. of Corrections facilities. The undersigned **NOW DIRECTS** Correctional Billing to provide the undersigned, the KY. Public Service Commission and the Kentucky Attorney General's Office **INVOICE** of her prepaid account.

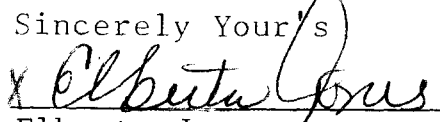
In CASE NO.378 the Kentucky Public Service Commission **ESTABLISHED A SUR-CHARGE RATE** for collect calls from confinement facilities **"NOT TO EXCEED"** \$1.50, which is the same rate that is applied to the General Public, the **ORDER** also stipulated that no-set use fees could be assessed against inmates calls and capped the intraLATA and interLATA toll charges on inmates calls. The carrier may charge up to \$0.28 for interLATA inmates calls and \$0.23 for interLATA inmates calls.

Recently the undersigned was charged \$30.00 dollars for calls not called for in her billing agreement with Correctional Billing Services, the undersigned has a prepaid advance connection. The undersigned was charged \$30.00 dollars for on the credit plan. The undersigned requests that her \$30.00 dollars be refunded immediately by Correctional Billing Services, or she be given credit for those calls.

Nevertheless, the undersigned would respectfully request that KY. Dept. of Corrections and Correctional Billing Services **RE-FUND HER IN FULL** the money **"OVER-CHARGED"** the undersigned.

The undersigned also requests that the Kentucky Attorney General's Office conduct a Full investigation into this matter as the matter is one of Great Importance to the Citizens of the Commonwealth of Kentucky where the citizens of Kentucky are being charged a high excessive **RATE** for telephone calls from their loved ones incarcerated in the KY. Dept. of Corrections custody.

Should any questions of the undersigned be needed she can be reached at the above telephone numbers or address.

Sincerely Yours

Elberta Jones

Cc: Bert, & J.L.S.

Instructions

NOTE: To receive calls from a correctional facility, you must use a touch-tone telephone.

1. When you answer a call from a correctional facility, you will hear an automated voice. Wait for the voice to finish speaking, and then follow the instructions to accept or reject the call.

2. If you either do nothing or select the option to reject the call, the phone will hang up without a charge to your telephone number.

NOTE: The facility reserves the right to limit the number of times a called number may be rejected or accepted within a given time period.

3. If you choose to accept the call, begin speaking after selecting this option.

NOTE: To protect you and provide equitable telephone access for all inmates, the correctional facility may place a time limit on calls. Many facilities provide a warning tone 30 seconds before a call is terminated.

4. The call will either appear on your local telephone company bill or arrive separately in the mail. If using a prepaid account you must request an invoice. **NOTE:** If you do not pay this bill within 30 days, your telephone number may be restricted from receiving calls from any facility served by CBS.

If you do not wish to receive calls from a correctional facility, contact CBS Customer Service.

Questions? Contact CBS Customer Service at:

1-800-844-6591

or

www.CorrectionalBillingServices.com

WE APPRECIATE YOUR BUSINESS AND
LOOK FORWARD TO SERVING YOU

... A Helping Hand When You Need it Most

Friends & Family Telephone Service Guide



General Instructions and Credit Policy

CBS
Correctional Billing Services

Part of the SECURUS Family

CBS
Correctional Billing Services

P.O. Box 1010
Selma, AL 36702