

SECRETARY'S RECORD, PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of the)	Application No. C-5170
Application of Legacy Long)	
Distance International, Inc.,)	
Cypress, California, Seeking)	
Approval to Assign its Existing)	GRANTED
Inmate Calling Services)	
Contracts to Network)	
Communications International)	
Corp d/b/a NCIC Inmate)	
Communications, Longview,)	Entered: November 4, 2020
Texas.)	

BY THE COMMISSION:

On September 9, 2020, an application was filed with the Nebraska Public Service Commission ("Commission") by Legacy Long Distance International, Inc. ("Legacy"), of Cypress, California, and Network Communications International Corp. d/b/a NCIC Inmate Communications ("NCIC"), of Longview, Texas, seeking approval of assignment of Legacy's consumer contracts to NCIC. The contracts include existing inmate calling service contracts.

Notice of the application was published in The Daily Record, Omaha, Nebraska, on September 14, 2020. No protests were filed; therefore, this application is processed pursuant to the Commission's Rule of Modified Procedure.

O P I N I O N A N D F I N D I N G S

The Parties:

Legacy, a California corporation with headquarters located in Cypress, California, is a wholly owned subsidiary of Jail Education Solutions, Inc. d/b/a Edovo, a Delaware corporation, with its principal office located in Chicago, Illinois. Legacy is a full-service provider of inmate communications and investigative technology services. Legacy is authorized in the State of Nebraska to provide competitive intra-LATA/inter-LATA resold telecommunications services pursuant to authority granted in Application No. C-1606.

NCIC is a Texas S Corporation with headquarters located in Longview, Texas. NCIC specializes in the provision of inmate communications services to the correctional industry utilizing a combination of various systems to include voice biometrics, call thresholding, and three-way call detection. NCIC is authorized in

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the State of Nebraska to provide competitive intra-LATA/inter-LATA resold telecommunications services pursuant to authority granted in Application No. C-1915.

Description of the Transaction:

On April 22, 2020, Legacy entered into an Asset Sale and Assignment Agreement (the "Agreement") with NCIC. Under the terms of the Agreement, NCIC will acquire specific inmate communications services currently held by Legacy. Upon consummation of the transaction contemplated by the Agreement, NCIC will own 100% of the contracts listed in the Agreement and will become the provider of service to these facilities.

The Applicants state that under the terms of the proposed agreement, NCIC's customers will continue to receive service on substantially the same terms and conditions from Legacy without interruption or disruption. The Applicants further state that the transaction is expected to occur following the satisfaction of customary closing conditions, including the receipt of all required regulatory approvals. The proposed transaction raises no competitive issues and will have no adverse impact on Legacy's customers.

The Applicants state that the transaction is in the public interest because it will permit the continued, uninterrupted provision of service to the correctional facilities, inmates and their families. Approval will promote competition in the inmate telecommunications marketplace, allowing NCIC to become a stronger competitor, which will result in the continued aspiration to provide fair and reasonable rates, low fees and live, friendly customer support to the family and friends of the incarcerated. The effect of the transaction and transfer of customers from Legacy to NCIC will not result in an interruption, reduction, loss or impairment of services to any customer. The financial and managerial support of NCIC will further the development of new and better services for the benefit of the customers. Petitioners are not aware of any harm to customers or to the market that would occur as a result of the transaction. The transaction is transparent to customers and will not have a negative impact on the public interest, services to customers, or competition.

Following the completion of the transfer of customer contracts, Legacy will no longer operate within Nebraska and an application will be submitted to the Commission to cancel Legacy's authority and any tariffs on file with the Commission.

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Based upon the evidence presented, the Commission finds the application to be fair and reasonable and in the public interest. The application should be granted.





O R D E R


IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-5170 be, and it is hereby, granted.

ENTERED AND MADE EFFECTIVE at Lincoln, Nebraska, this 4th day of November, 2020.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:


Chair

ATTEST:


Executive Director