

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

NOV 14 2013

RECEIVED

**Stamp & Return**

UNITED STATES COURT OF APPEALS  
FOR DISTRICT OF COLUMBIA CIRCUIT

NOV 14 2013

FILED  
CLERK

SECURUS TECHNOLOGIES, INC.,

Petitioner,

v.

FEDERAL COMMUNICATIONS COMMISSION  
and the UNITED STATES OF AMERICA,

Respondents.

13-1280

No. 13-\_\_\_\_\_

**PETITION FOR REVIEW**

Securus Technologies, Inc. (“Securus”), through counsel and pursuant to 47 U.S.C. § 402, 28 U.S.C. § 2344, Fed. R. App. P. 15(a), and Circuit Rule 15, files this Petition for Review of an order of the Federal Communications Commission (“FCC”) titled *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375, Report and Order and Further Notice of Proposed Rulemaking, FCC 13-113, released September 26, 2013 (“*Inmate Rate Order*”). This order was published on November 14, 2013, at 78 Fed. Reg. 67956. A true and correct copy of that order is provided herewith.

Specifically, Securus seeks review of the findings, conclusions, rates, and rules contained in the *Inmate Rate Order* pending the Court’s substantive review, specifically Paragraphs 1 through 127, Paragraphs 187 through 189, and Rules 64.6000 through 64.6060.

These portions of the *Inmate Rate Order* should be vacated, set aside, and held unlawful on the ground that they are: (a) “arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law;” (b) “contrary to constitutional right, power, privilege, or

immunity;” (c) “in excess of statutory jurisdiction, authority, or limitations, or short of statutory right;” and (d) “without observance of procedure required by law.” 5 U.S.C. § 706(2).

Venue in this Court is appropriate pursuant to 47 U.S.C. § 402(b).

Securus shall move to stay the *Inmate Rate Order* pending this appeal pursuant to Fed. R. App. P. 18 after the agency resolves the Petition for Stay that Securus filed October 22, 2013, with a requested decision date of November 21, 2013.

Dated: November 14, 2013

Respectfully submitted,

By:   
Stephanie A. Joyce  
G. David Carter  
Arent Fox LLP  
1717 K Street, N.W.  
Washington, D.C. 20036  
Telephone 202.857.6081  
Facsimile 202.857.6395  
Stephanie.Joyce@arentfox.com  
David.Carter@arentfox.com

*Counsel for Securus Technologies, Inc.*

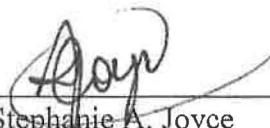
**CERTIFICATE OF SERVICE**

I hereby certify on this 14th day of November, 2013, that the foregoing Petition for Review, with the order presented for review, was served by hand on the following persons:

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20054

Donald B. Verrilli, Jr.  
Solicitor General of the United States  
United States Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20530-0001

By:

  
Stephanie A. Joyce

11/13/13

Remittance Advice

CLERK, U.S. COURT OF APPEALS

3208

Arent Fox LLP  
126737

DATE	INVOICE NUMBER	DESCRIPTION	G/L AND MATTER #	AMOUNT	INVOICE TOTAL
11/13/2013	13NOV13	PETITION FOR REVIEW FILING FEE			450.00
				TOTAL:	\$450.00

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

# Arent Fox LLP

ATTORNEYS AT LAW

1717 K Street, NW  
Washington, DC 20036-5342

PNC Bank, N.A. 040  
Washington DC

126737

15-3  
540

DATE Nov. 13 2013

NET AMOUNT \$\*\*\*\*450.00

PAY FOUR HUNDRED FIFTY AND 00/100

Arent Fox LLP

AMOUNTS OVER \$10,000 REQUIRE 2 SIGNATURES

PAY TO THE ORDER OF

CLERK, U.S. COURT OF APPEALS  
E. BARRETT PRETTYMAN US COURTHOUSE  
333 CONSTITUTION AVE NW  
WASHINGTON, DC 20001-2866



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

11 26 73 711 054000030 5559763933