

## BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petitions by Southern Bell	)	
Telephone and Telegraph Company and	)	DOCKET NO. 910204-TP
the Florida Pay Telephone Association	)	
for amendment of Rules 25-4.076(9)	)	ORDER NO. 24348
and 25-24.515(13), F.A.C. regarding	)	
accessibility of pay telephone	)	ISSUED: 4-11-91
stations to the physically handicapped	)	

The following Commissioners participated in the disposition of this matter:

THOMAS M. BEARD, CHAIRMAN  
 J. TERRY DEASON  
 BETTY EASLEY  
 GERALD L. GUNTER  
 MICHAEL WILSON

ORDER GRANTING PETITIONS FOR AMENDMENT OF  
RULES 25-4.076(9) AND 25-24.515(13), F.A.C.,  
REGARDING ACCESSIBILITY OF PAY TELEPHONE  
STATIONS TO THE PHYSICALLY HANDICAPPED

BY THE COMMISSION:

By petitions filed on February 21, 1991, the Southern Bell Telephone Company and the Florida Pay Telephone Association asked the Commission to amend rules governing handicap access to pay telephones. Petitioners also proposed specific amendments to the rules.

The petitions alleged that the amendments will assure easy access to public telephones to both the handicapped and the non-handicapped public. Both petitioners also maintain that concurrence with the present rule requirement that the telephones be placed at a height of 54 inches makes it difficult for some non-handicapped individuals to read instructions and dial the phones. The specific amendments to the rules allow some telephones to be non-conforming to the standards where the pay telephones are located in a group.

We concur in the need to amend the present rules to assure easy access to pay telephones for all individuals. Therefore, we approve the initiation of rulemaking to address those issues.

We also note that granting this petition does not operate to adopt the amendments suggested by petitioners. Those proposed

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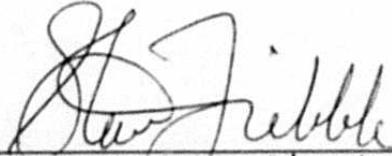
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rules are subject to the rulemaking process, including the review and suggestions of other interested persons.

In view of the above, it is

ORDERED by the Florida Public Service Commission that the Petitions for Amendment of Rules 25-4.076(9) and 25-24.513(13), F.A.C., by Southern Bell Telephone and Telegraph Company and the Florida Pay Telephone Association are hereby granted.

By ORDER of the Florida Public Service Commission this 11th day of APRIL, 1991.

  
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STEVE TRIBBLE, Director  
Division of Records and Reporting

(S E A L)

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request:

- 1) reconsideration within 10 days pursuant to Rule 25-22.038(2), Florida Administrative Code, if issued by a Prehearing Officer;
- 2) reconsideration within 15 days pursuant to Rule 25-22.060,

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Florida Administrative Code, if issued by the Commission; or 3) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or sewer utility. A motion for reconsideration shall be filed with the Director, Division of Records and Reporting, in the form prescribed by Rule 25-22.060, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.