

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Request for exemption from requirement that each telephone station shall allow incoming calls, by Payphones Unlimited Inc.) DOCKET NO. 960422-TC))))))
In Re: Request for exemption from requirement that each telephone station shall allow incoming calls, by Coin-Tel, Inc.) DOCKET NO. 960651-TC))))))
In Re: Request for exemption from requirement that each telephone station shall allow incoming calls, by Peoples Telephone Company Inc.) DOCKET NO. 960747-TC) ORDER NO. PSC-96-1013-FOF-TC) ISSUED: August 7, 1996))))))

The following Commissioners participated in the disposition of this matter:

SUSAN F. CLARK, Chairman
J. TERRY DEASON
JOE GARCIA
JULIA L. JOHNSON
DIANE K. KIESLING

NOTICE OF PROPOSED AGENCY ACTION
ORDER APPROVING BLOCKING OF
INCOMING CALLS AT PAY TELEPHONES

BY THE COMMISSION:

NOTICE IS HEREBY GIVEN by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

Under Rule 25-24.515(8), Florida Administrative Code, pay telephones must allow incoming calls to be received unless they are located at a confinement facility, hospital, school, or another location specifically exempted by this Commission. Requests for an exemption from this requirement must be accompanied by an

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attestation by the owner of the pay telephone, the location provider, and the chief of the responsible law enforcement agency that the request is made to deter criminal activity at that pay telephone.

Each pay telephone owner listed in the caption of this order has filed a Request to Block Incoming Calls form for each of the pay telephones listed below. The request includes an attestation by each pay telephone owner listed in the caption of this order, the location provider, and the Chief of the law enforcement agency in each jurisdiction that the request is made in order to deter criminal activity facilitated by incoming calls being received at the pay telephones.

<u>LOCATION</u>	<u>CITY</u>	<u>TELEPHONE NUMBER</u>
1502 Washington Avenue	Miami Beach	(305) 531-9117 (305) 672-8045
1401 South Kirkman Road	Orlando	(407) 299-1899 (407) 299-2003
27 West Broward Boulevard	Ft. Lauderdale	(954) 763-9261
302 Tulip Boulevard	Port St. Lucie	(407) 878-8829 (407) 871-9662
301 11th Street	Naples	(941) 434-2368
444 Brickell Avenue	Miami	(305) 373-8056

Upon consideration, it appears appropriate to grant the above captioned Pay Telephone Owners' request. Pursuant to Rule 25-4.076(6), Florida Administrative Code, the above captioned Pay Telephone Owners must provide central office based intercept at no charge to the end user and must display a notice on each affected pay telephone stating "Incoming calls blocked at the request of law enforcement."

It is, therefore

ORDERED by the Florida Public Service Commission that the above captioned Pay Telephone Owners' requests to block incoming calls at the pay telephones listed in the body of this Order are approved. It is further

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ORDERED that the above captioned Pay Telephone Owners shall provide central office based intercept at no charge to the end user at the pay telephones where incoming calls cannot be received. It is further

ORDERED that the above captioned Pay Telephone Owners shall display a notice on each pay telephone at which incoming calls are blocked stating "Incoming calls blocked at the request of law enforcement." It is further

ORDERED that, unless a person whose substantial interests are affected by the action proposed herein files a petition in the form and by the date specified in the Notice of Further Proceedings or Judicial Review, these dockets shall be closed.

By ORDER of the Florida Public Service Commission, this 7th day of August, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay Flynn
Chief, Bureau of Records

(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.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7)(a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on August 28, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.