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@ BELLSOUTH

BellSouth Telecommunications, Inc. Suite 400 Fax 904 222-8640 904 222-1201 Nancy H. Sims Director - Regulatory Relations

150 South Monroe Street Tallahassee, Florida 32301

April 25, 1997

Ms. Blanca S. Bayo
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Rm. 110
Tallahassee, Florida 32399-0850

Dear Ms. Bayo:

RE: Docket No. <u>970518 - 7L</u> Waiver of Rule 25-24.515(8), F.A.C.

On behalf of BellSouth Public Communications, Inc., enclosed please find the original and five copies of our request for waiver of Rule 25-24.515(8), F.A.C. which we ask that you file in the above captioned matter.

We request that the pay telephones located at the address below be exempted from the provisions of Rule 25-24.515(8), Florida Administrative Code, which requires that all pay telephone stations must allow incoming calls to be received "with the exception of those located at penal institutions, hospitals and schools and at locations specifically exempted by the Commission." The location and numbers of the public telephones are as follows:

513 Northwest Lucy Street Florida City, Florida 33034

(305)246-9942

(305)246-9943

(305)246-9967

DOCUMENT NUMBER-DATE

04324 APR 30 5

FPSC-RECORDS/REPORTING

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This waiver is being requested in accordance with the requirements of Florida State Statutes Section 120.542(2). Granting this waiver will not impede the continued provision of pay telephone service to the using public as intended by the underlying Statute (section 364.345).

In addition, as explained below, granting this waiver will lift the "substantial hardship" that the rule imposes on law enforcement, the location provider and the law abiding using public.

The Police Department has requested that we submit this request for a waiver of the rule because of the use of the pay telephones at this location for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones for these individuals. This location does not fit within the delineated exceptions to the rule and therefore this request for waiver is appropriate.

The location provider for the location identified above has either joined in or agreed to this request for waiver which is attached.

The Commission has previously granted a waiver of this Rule in Order No. 97-0425, issued April 16, 1997, approving Southern Bell's petition for waiver of the rule for pay telephones located in Orlando and Melbourne. The owners had requested blocking of incoming calls to restrict the usefulness of the public phone for unlawful activity.

Please advise by Order if our request for the waiver has been accepted.

Sincerely,

Director - Regulatory Relation

Enclosures

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST	THO POST INVISIT		270	/ 10	
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):	513 Northw	est Lu	cy St	reet,	
County: DADE	Florida Ci	ty, Fl	orida	33034	
To deter criminal activity facilitated by Individual 1 be granted an exemption from the requirement 24.515(8) or 25-4.076(6), F.A.C., as appropriate). User and to prominently display a written notice displaced at request of law enforcement."	ent that incoming call I agree to provide of	is be reci	elved at t	he pay telepi i intercept at	none location (Rule 25 no charge to the end
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MALE OF OWNER/OFFICER OF PAY TELEPHONE COMPAN	Y (PRINT OR TYPE):	Jame	8 B. I	lawkins	
AME OF PAY TELEPHONE COMPANY:	al Marin	Bell	South	Pub.Com	n., Inc.
WLING ADDRESS:				75 Bag	by Drive
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PAY TELEPHONE NUMBER: (ONE NUMBER PER REQU	EST, NO EXCEPTIONS!	(305) 246-9943	
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS)	513 Northwe	st Lucy Street,	
County: Dade		y, Florida 33034	
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SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE	COMPANY:	ares B. Alas	DATE 4.20.9
NAME OF OWNER/OFFICER OF PAY TELEPHONE COM	PANY (PRINT OR TYPE)	James B. Hawki	ns
NAME OF PAY TELEPHONE COMPANY:		BellSouth Pub.	Comm., Inc.
MAILING ADDRESS:		2nd Floor, 75	
		Homewood, AL	35209
Statutes, whoever knowingly makes a false state of his official duty shall be guilty of a misdement signature of Location owner:	anor of the second	degree.	DATES-10-97
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT	OR TYPE): / No	hammad Mas	surd
MAILING ADDRESS: 513 NW Lu	en st Flo	rida ave. Ho	uda 33034
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		City Florida 22	034
AMUNG ADDRESS: 404 West Palm Driv	e Florida	City, Florida 33	034

THOOK DOOMON OF THE TEST HOME POSICEON	13 Northwest				
County: Dade F.	lorida City,	Florida	33034		
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NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE):	James B.	Hawki	ns	
NAME OF PAY TELEPHONE COMPANY:		BellSout	h Pub.	Comm.,	Inc.
MAILING ADDRESS:		2nd Floo			Drive
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