REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Docket No. 000760-TC

1. Division Name/Staff Name Competitive Services/Isler

2. OPR <u>Competitive Services/Isler</u>

3. OCR Legal Services

Date June 22, 2000

4. Suggested Docket Title ____Request for Exemption from Requirement of Rule 25-24.515(13), Florida

Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth Public____

<u>Communications, Inc.</u>

5. Suggested Docket Mailing List (attach separate sheet if necessary)

A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.

- B. Provide COMPLETE name and address for all others. (<u>Match representatives to clients.</u>)
 - 1. Parties and their representatives (if any)

Richard H. Holmes

2. Interested Persons and their representatives (if any)

6. Check one:

<u>XX</u> Documentation is attached.

_____ Documentation will be provided with recommendation.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE 07617 JUN 228 FPSC-RECORDS/REPORTING

BELLSOUTH

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DIVISION OF COMPETITIVE SERVICES

June 9, 2000

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:

BellSouth Public Communications, Inc.

75 Bagby Drive

Homewood, Alabama 35209

RE: Docket No.______ Waiver of Rule 25-24.515(13), F.A.C.

Enclosed please find the original and 5 copies of our request for a two-year waiver of Rule 25-24.515(13), F.A.C. which we ask you file in the above captioned matter.

We request that the pay telephones located at the addresses below be exempt for a period of two years from the provisions of Rule 25-24.515(13), 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 locations and numbers of the public telephones are as follows:

Royal Pointe Apartments 7507 Beach Blvd. Jacksonville, FL 32216

Royal Pointe Apartments 7507 Beach Blvd. Jacksonville, FL 32216 (904) 725-9867

(904) 724-9842

Ms. Blanco S. Bayo June 9, 2000 Page 2

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 these locations 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 locations identified above has either joined in or agreed to this request for waiver which is attached.

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

Sincerely,

Carol Bradford

Manager – Business Office BellSouth Public Communications, Inc.

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

(7 Original Request) (check one) 7 Subsequent Request

PHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-1725-9867

1507 BEACH BING JACKSONVILLE FL Royal Pointe Family

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I request that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(13), F.A.C. I agree to provide central office based intercept at no charge to the end-user and to prominently display a written notice directly above or below the telephone number which states: "Incoming calls blocked at request of law enforcement."

t, the undersigned owner or officer of the pay telephone company named below, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Fiorida Statutes, whoever knowingly makes a faise statement in writing with the intent to mislead a public-servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

	SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: 1 which Hitch DATE: 1/12/01	
	NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes	
	NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.	
	MARLING ADDRESS & TELEPHONE NUMBER 75 Bagby Drive, Homewood, AL 35209 -	
	•	
L	I, the undersigned owner of the above referenced pay telephone location, declare that to the best of	
K.	I, the undersigned owner of the above referenced pay telephone location, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone will eliminate or help control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public-servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree. signature of Location owner: JUSLI JAANJU - Agust for Currer DATE: 3/30 00 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Royal Oak L.LC. dba Royal Pointe Aparth MALING ADDRESS & TELEPHONE NUMBER:	
	calls to be blocked at the pay telephone will eliminate or help control that activity and attest to this fact by	
	my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly	
	official duty shall be guilty of a misdemeanor of the second degree.	
	BIGNATURE OF LOCATION OWNER: RUND, AND MUS - Agent for Quiner DATE: 3/30/00	
	NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Reg 101 Dak 1 LC dba Royal Printe Aparts	next
	MAILING ADDRESS & TELEPHONE NUMBER:	
	7507 Beach Blvd. Jacksonwille, Florida 32216 (904) 727-6484	
Ļ	I, the undersigned Chief of the law enforcement agency in the jurisdiction in which the above- referenced pay telephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone will eliminate or help control that activity and attest to this fact by my signature below. I am sware that pursuant to Section 537.06, Florida Statutes, wheever knowingly makes a false statement in writing with the intent to mislead a public-servant in the performance of his official duty shall be cullty of a misdemeanor of	
•	associated with and facilitated by incoming calls being received at the pay telephone number and location	
	referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone will	
	pursuant to Section 837.06, Fioride Statutes, whoever knowingly makes a false statement in writing with the	
	SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: MUL DATEL 5/8/00	
	NAME & POSITION/TITLE (PRINT OR TYPE): Net Glover, Sheriff	
	NAME OF LAW ENFORCEMENT AGENCY: Office of the Gheriff	
	MARLING ADDRESS & TELEPHONE NUMBER: SUIE. Bay St. 630-2120	
	Sol C. Mry OI. WS alay	

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Form PSC/CMU-2 (02/99)

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FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

(? Original Request (check one) ? Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-724.9842 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1507 Reach Blud. Jocksonville FC NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Royal Pointe Family

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I request that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(13), F.A.C. I agree to provide central office based intercept at no charge to the end-user and to prominently display a written notice directly above or below the telephone number which states: "incoming calls blocked at request of law enforcement."

I, the undersigned owner or officer of the pay telephone company named below, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to Section \$37.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public-servent in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

	SIGNATURE OF OWNER/OFFICER OF PAY TELE	PHONE COMPANY: Auchal & Ital DATE: //2/12
	NAME OF OWNER/OFFICER OF PAY TELEPHON	E COMPANY (PRUNY OR TYPE): Richard H. Holmes
	NAME OF PAY TELEPHONE COMPANY:	BellSouth Public Communications, Inc.
	MAILING ADDRESS & TELEPHONE NUMBER	75 Bagby Drive, Homewood, AL 35209 -
		•
	I the understaned owner of the	above referenced new telephone location, declare that to the best of
K	my knowledge and belief, criminal a	above referenced pay telephone location, declare that to the best of ctivity is associated with and facilitated by incoming calls being and location referenced above. It is my belief that allowing incoming will eliminate or help control that activity and attest to this fact by t pursuant to Section 837.06, Florida Statutes, wheever knowingly the intent to mislead a public-servant in the performance of his earner of the second degree.
	received at the pay telephone number a calls to be blocked at the pay telephon	and location referenced above. It is my belief that allowing incoming a will aliminate or help control that activity and attest to this fact by
	my signature below. I am aware that	t pursuant to Section 637.06, Florida Statutes, whoever knowingly
	BIGNATURE DE LOCATION GADIER RUD	IPRINT ON TYPE: Royal Oak L.L.C. doa Royal Pointe Apartment
	NAME OF BAY TELEPHONE & OCATION OWNER	(PRINT CH TYPE): POULAL DOKING OF POULA POINT ANTI- TON ON T
	MAILING ADDRESS & TELEPHONE NUMBER:	minimum regar war h.L.C. alla hoyar pointe appuliteet
		KONINAL THE OWN FOR HUGH
		LSONVILLE FL 322110 (904) 727-10484
-	I, the undersigned Chief of th	ie law enforcement agency in the jurisdiction in which the above- sciare that to the best of my knowledge and belief, criminal activity is ming calls being received at the pay telephone number and location at allowing incoming calls to be blocked at the pay telephone will and attest to this fact by my signature below. I am aware that tutes, whoever knowingly makes a false statement in writing with the e performance of his official duty shall be guilty of a misdemeanor of
•	referenced pay telephone is located, de	iciare that to the best of my knowledge and belief, criminal activity is mind calls being received at the new telephone number and location
	referenced above. It is my belief that	it allowing incoming calls to be blocked at the pay telephone will
	isliminate or help control that activity pursuant to Section 837 08 Florida Stat	and attest to this fact by my signature pelow. I am aware that tutes, whoever knowingly makes a false statement in writing with the
	intent to mislead a public-servant in the	e performance of his official duty shall by guilty of a misdemeanor of
	BIGNATURE OF CHIEF OF RESPONSIBLE LAW	ENFORCEMENT AGENCY: DATE: 5/8/00
	NAME & POSITION/TITLE (PRINT OR TYPE):	ENFORCEMENT AGENCY: Mat Glover, Shell ff
	NAME OF LAW ENFORCEMENT AGENCY:	o mee of me shauft
	Mailing Address & Telephone Number:	Sul E. Buy St. 630-2120

Form PSC/CMU-2 (02/95)

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