REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date January 19, 2001 Docket No. 010077-TC
1. Division Name/Staff Name Competitive Services/Isler
2. OPR Competitive Services/Isler
3. OCR Legal Services
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
Communications, Inc.
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. (Match representatives to clients.)
1. Parties and their representatives (if any)
Richard H. Holmes
Interested Persons and their representatives (if any)
6. Check one:
XX Documentation is attached.
Documentation will be provided with recommendation.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

00866 JAN 22 =

FPSC-RECORDS/REPORTING

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BellSouth Public Communications, Inc. 75 Bagby Drive Homewood, Alabama 35209

January 15, 2001

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:

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:

Omega I (954) 341-9165

1801 University Drive Coral Springs, FL 33071

City of Miami Beach (305)868-9296 6401 Collins Avenue

Miami Beach, FL 33141

Ms. Blanco S. Bayo January 15, 2001 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 location(s) 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,

Manager - Business Office

Carel Bradford'

BellSouth Public Communications, Inc.

Enclosure

FLORIDA PUBLIC SERVICE COMMISSION

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	REQUES	г то вгоск	INCOMIN	G CALLS	JAN 1 2 2001
					uestBUSINESS OFFI
PAY TELEPHONE	NUMBER: (ONE NUMI	BER PER REQUES	ST, NO EXCEPT	rions) <u>(954</u>	341-9165
PHYSICAL LOCAT	TION OF PAY TELEPH PRINGS, FL SS WHERE PAY TELE	ONE (ADDRESS): 3307/	_1801	UNIVERS	ITY DRIVE,
NAME OF BUSINE	SS WHERE PAY TELE	PHONE IS LOCAT	TED: OM	FGA I	
I request that I be location (Rule 25- and to prominent)	granted an exemption 24.515(13), F.A.C. I as	from the requirengree to provide ce see directly above	nent that incom ntral office bas	ing calls be rece sed intercept at i	ay telephone listed above, sived at the pay telephone no charge to the end-user which states: "Incoming
declare that to the aware that pursuant the intent to misles second degree.	e best of my knowledg at to Section 837.06, Fid ad a public-servant in t	e and belief, the a orida Statutes, wh he performance o	above informati oever knowing f his official du	ion is a true and ly makes a faise ty shall be guilty	ve read the foregoing and I correct statement. I am statement in writing with y of a misdemeanor of the
SIGNATURE OF OW	NER/OFFICER OF PAY TE	LEPHONE COMPA	NY: Rachel	K. Bussel	DATE: 1/15/01
NAME OF OWNER/O	FFICER OF PAY TELEPH	ONE COMPANY (PI	RINT OR TYPE):	KICHAIG H.	. normes
NAME OF PAY TELE	PHONE COMPANY:			munications	, Inc.
MAILING ADDRESS	& TELEPHONE NUMBER	: 75 Bagb	y Drive		
		Ношемоо	d, AL 352	209 (2	205) 943–2500
knowledge and bel telephone number pay telephone will that pursuant to S intent to mislead second degree. SIGNATURE OF LOCURAME OF PAY TELE	ief, criminal activity is r and location referenc	associated with all ed above. It is my roi that activity a Statutes, whoeve performance of ER PRINT OR TYP	nd facilitated by belief that all nd attest to this r knowingly makes official duty	y incoming calls owing incoming s fact by my sign akes a false stat y shall be guilty	tre that to the best of my being received at the pay calls to be blocked at the nature below. I am aware ement in writing with the of a misdemeanor of the DATE: 12/32/00 TE 20/ (954) 755-1300 EX 2/8
pay telephone is loc facilitated by inco belief that allowing attest to this fact knowingly makes official duty shall l SIGNATURE OF CHI NAME & POSITION/	ated, declare that to the ming calls being receive incoming calls to be by my signature below	e best of my knowed at the pay telelocked at the pay. I am aware that iting with the intended of the second we enforcement	viedge and belie ephone number telephone will of the pursuant to Sent to mislead a degree.	ef, criminal activer and location reliminate or help Section 837.06, public-servant	pich the above-referenced vity is associated with and eferenced above. It is my control that activity and Florida Statutes, whoever in the performance of his DATE: (-9-0)
MAILING ADDRESS	œ ielefhune number	:	47C - 176C	95	

FLORIDA PUBLIC SERVICE COMMISSION REQUEST TO BLOCK INCOMING CALLS

JAN 1 2 2001 JAN 1 2 PRISINESS OFFICE

PHOINESS OFFICE
Original Request (check one) Subsequent Request Original Request (check one)
PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 205, 869, 976
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 6401 COllins Ave, Builing Mane of Business where pay telephone is located: (1) OF Migmi Beach
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: CATY OF MIAM! 13 CACH
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 837.06, Fiorida 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: <u>Gardel K. Gunell</u> Date: 1/15/01
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500
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: DATE: 12/3/100
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): 6401 COILINS AVE MAILING ADDRESS & TELEPHONE NUMBER: 1000 WASHING TON AVE MILMING ADDRESS & TELEPHONE NUMBER: 1000 WASHING TON AVE MILMINE TO THE TELEPHONE NUMBER: 1200 WASHING TON AVE WILLIAM TO THE TELEPHONE NUMBER: 1200 WASHING TO THE TELEPH
MAILING ADDRESS & TELEPHONE NUMBER: 100 WAShington Ave, MIAMI Sexu

NAME OF LAW ENFORCEMENT AGENCY:

MAILING ADDRESS & TELEPHONE NUMBER: 100 washington