REQUEST	TO	ESTABLISH	DOCKET
	1	(PLEASE TYPE)	

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DateJune 20, 2001	Docket No. 010872-7C
1. Division Name/Staff Name <u>Competitive Services/Isler</u>	
2. OPR <u>Competitive Services/Isler</u>	
3. OCRLegal_Services	
4. Suggested Docket Title <u>Request for Exemption from Req</u> u	uirement of Rule 25-24.515(13), Florida
Administrative Code, That Each Pay Telephone Station Shall A	llow Incoming Calls by BellSouth Public
Communications, Inc.	
5. Suggested Docket Mailing List (attach separate sheet if a	necessary)
A. Provide NAMES ONLY for regulated companies or ACRONYM as shown in Rule 25-22.104, F.A.C. B. Provide COMPLETE name and address for all others. ( <u>Ma</u>	
1. Parties and their representatives (if any)	
Richard H. Holmes	
2. Interested Persons and their representatives (if a	ny)
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<ol> <li>Check one:</li> <li>XX_ Documentation is attached.</li> </ol>	
Documentation will be provided with recom	mendation.
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PSC/RAR 10 (Revised 01/96)	DOGUMENT NUMBER-DATE
	07686 JUN 20 5

FPSC-RECORDS, REPORTING



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

June 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:

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 to 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:

Non-Secure Programs, Inc. (850)494-9392 5445 Duval Street Pensacola, FL 32444

NUDLIC SERVICE COMMISSION co 0

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Ms. Blanco S. Bayo June 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,

Carol Bradford

Manager – Business Office BellSouth Public Communications, Inc.

Enclosures

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ALLING ADDRESS & TELEPRONE NUMBER: 75 Bagby Drive HOMEWOOD, AL 35209 (205) 943-2606 I, the undersigned curve of by unmission tells, criminal activity is asso- sith and facilitated by incomine calls being received at the pay telephone loc incontrol referenced above. It is to relief. criminal activity and location referenced above. It is to relief that allowing incoming calls blocked at the pay telephone will eliminate or halp control that activity and location referenced above. It as aware that pursuant to Section for Ploride Statutes, whoever knowingly makes a felse statement in writing will intent to mislend a public servant in the performance of his official dury sh publicy of a misdemeanor of the second degree. MIGNATURE OF LOCATION OWNER: DIVER THE THE STATEMENT ACSOLOTION AND ADDRESS & TELEPHONE LOCATION OWNER: PP. BOX 1317 (850)271-000 LYNN HAVEN FL 32444 I, the undersigned Chief of the law enforcement agency in the jurisdict which the above-referenced pay telephone is located, declare that to the best incoming calls being receiver . the pay telephone number and location reference bove. It is my belief the allowing incoming with and facilitas incoming calls being receiver . the pay telephone number and location reference with show facility of the second degree. MIGNATURE OF CHIEF OF RESERVER IN WIGHT AND THE STORE AND BE AVENT THE STORE AND	The ADDRESS & TELEPICON NUMBER: 75 Bagby Drive HOMEWOOD, AL 35209 (205) 943-2606 I, the undersigned event of my unomicage and belief. criminal activity is asso- cation referenced above. It is ny while the allowing incoming calls locked at the pay telephone will eliminate or help control that activity and o this fact by my signature below. I as sware that pursuant to Saction 6 lorida Statutes, whoever knowingly makes a false statement in writing will locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone will eliminate or help control that activity and locked at the pay telephone is fact by KINN HAVEN FL 32444 I, the undersigned Chief of the law enforcement agency in the jurisdict hich the above-referenced pay telephone is located, declars that to the best newledge and beliaf, crimin <sup>2</sup> activity is associated with and facility bove. It is my belief the allowing incoming uslls to be blocked at the indement of the second degree. Identure below. It as aware that purstant to Section 837.06, Florida State bover knowingly makes a false statement in writing with the intent to associated with the intent to associated with the intent to associated and belief at the performance of his official dury shall be guilty indement of RESPONSIBLE LAN ENFORCEMENT ALTHOR MARKER (ARGE) ME or LAN ENFORCEMENT ALTHOR TIPS): Ton MAKES K. ME or LAN ENFORCEMENT ALTHOR TIPS): Ton MAKES K. ME or LAN ENFORCEMENT ALTHOR WERE: PO Bord (200		BellSouth Public Communic					
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CAILING ADDRESS 6 TELEPHONE MUMER: <u>PO. Box 1317</u> (850)271-000 <u>LYNN HAVEN FL 32444</u> I, the undersigned Chief of the law enforcement agency in the jurisdict which the above-referenced pay telephone is located, declare that to the best incoming calls being receiver . the pay telephone number and location references with and facilitation bove. It is my belief the allowing incoming calls to be blocked at the relephone will eliminate or help control that activity and attest to this fact incoming the eliminate or help control that activity and attest to this fact bignature below. I as aware that purswant to Section 637.06, Florida Sta whoever knowingly makes a false statement in writing with the intent to mise bublic-servant in the performance of his official dury shall be guilty aisdemeandr of the second degree. HIGRATURE OF CHIEF OF RESPONSIBLE LAW ENVORCEMENT ACENT: <u>AMMARE DATE: 5-31-C</u> TAME & POSITION/TITLE (FRINT OR TIFE): <u>Low Medication File Control</u> Statement AGENCY EANE OF LAW ENFORCEMENT AGENCY: <u>ESCA MABIA COUNTY</u> SHERVER OF ALL CALLED ADDRESS & TELEPHONE MUMER: <u>for Book 18,170</u> Prisher FL 32514 850 436	AILING ADDRESS & TELEPECHE NUMBER: PO. BOX 317 (850)271-000 LYNN HAVEN FL 32444 I, the undersigned Chief of the law enforcement agency in the jurisdict hich the above-referenced pay telephone is located, declare that to the best nowledge and belief, crimins" activity is associated with and facilitat nooming calls being receiver , the pay telephone number and location refe bove. It is my belief this allowing incoming calls to be blocked at the lephone will eliminate or help control that activity and strest to this fact ignature below. I am aware that pursuant to Section 837.06, Florida Sta hoever knowingly makes a false statement in writing with the intent to mis ublic-servant in the performance of his official dury shall be guilty isdameance of the second degree. IGNATURE OF CHIEF OF RESPONSIBLE IAM ENFORCEMENT ACTION FLORENCE UNITS AN ENFORCEMENT ACTION FLORENCE TO BE SAME TO SHERE WARE SAME SAME SAME SAME SAME SAME SAME SAM	with and facilitated by inco location referenced above. blocked at the pay telephone to this fact by my signatu Florida Statutes, whoever intent to mislead a public- guilty of a misdemeanor of t	pring while being received It is my belief that e will eliminate or help ine below. I as sware t knowingly makes a false servant in the performance the second degree.	at the pay tele allowing incomi control that act hat pursuant to statement in w of his officia	phone numb ng calls ivity and a Section 8. riting wit a duty sha			
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