



CenturyLink™

Harvey L. Spears
Regulatory/Government Affairs
Southern Region

Docket Num
100276

FLTLHZ0501-5000
315 S. Calhoun Street, Suite 5000
Tallahassee, FL 32301-1872
Tel: 850.599.1401

May 12, 2010

Ms. Ann Cole, Commission Clerk
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED - FPSC
10 MAY 12 PM 12:05
COMMISSION
CLERK
-Ann

Dear Ms. Cole:

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

On behalf of Embarq Payphone Services, Inc., enclosed please find the original and five (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 address 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 location and numbers of the five (5) public telephones is as follows:

Shisa House
418 W. Virginia Street
Tallahassee, FL 32301

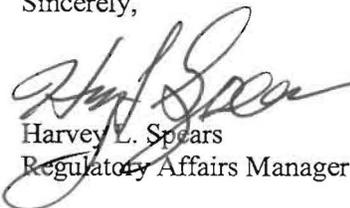
(850) 222-2397, (850) 425-8419, (850) 222-2261,
(850) 222-2553, and (850) 222-2257

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 telephone 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.

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

Sincerely,


Harvey L. Spears
Regulatory Affairs Manager

Enclosure

COM _____
APA _____
ECR _____
GCL 2
RAD 1
SSC _____
ADM _____
OPC 1
CLK Grant

DOCUMENT NUMBER-DATE
03976 MAY 12 09
FPSC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 850-222-2397

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): _____

418 W Virginia St, Tallahassee FL 32301

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Shisa House

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, 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: *Paul N Cooper* DATE: 4/22/10

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Paul N Cooper

NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 5454 W 110th Street, Overland Park KS 66211-1204

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: *Ruth Gant* DATE: 3-3-10

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Ruth Gant

MAILING ADDRESS & TELEPHONE NUMBER: 418 West Virginia St, Tallahassee FL 32301-4859

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: *CP Landrum* DATE: 3/15/10

NAME & POSITION/TITLE (PRINT OR TYPE): CP Landrum, Warden

NAME OF LAW ENFORCEMENT AGENCY: Department of Corrections

MAILING ADDRESS & TELEPHONE NUMBER: 1050 Big Joe Road Monticello, FL 32344
(850) 342-0328

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 850-425-8419

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 418 W Virginia St, Tallahassee FL 32301

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Shisa House

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, 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: *Paul N Cooper* DATE: 4/22/10

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Paul N Cooper

NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 5454 W 110th Street, Overland Park KS 66211-1204

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: *Ruth Gant* DATE: 3-3-0

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Ruth Gant

MAILING ADDRESS & TELEPHONE NUMBER: 418 W. Virginia St Tallahassee FL 32301

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: *C P Landrum* DATE: 3/15/10

NAME & POSITION/TITLE (PRINT OR TYPE): C P Landrum, Warden

NAME OF LAW ENFORCEMENT AGENCY: Florida Department of Corrections

MAILING ADDRESS & TELEPHONE NUMBER: 1050 Big Joe Road Monticello, FL 32344
(850) 342-0328

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 850-222-2261

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 418 W Virginia St, Tallahassee FL 32301

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Shisa House

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, 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: [Signature] DATE: 4/22/10

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Paul N Cooper

NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 5454 W 110th Street, Overland Park KS 66211-1204

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: [Signature] DATE: 3-3-10

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Ruth Gant

MAILING ADDRESS & TELEPHONE NUMBER: 418 W. Virginia St Tallahassee FL 32301

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE: 3/15/10

NAME & POSITION/TITLE (PRINT OR TYPE): C/P Landrum, Warden

NAME OF LAW ENFORCEMENT AGENCY: Florida Department of Corrections

MAILING ADDRESS & TELEPHONE NUMBER: 1050 Big Joe Road Monticello, FL 32344 (850) 342-0328

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 850-222-2553

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): _____

418 W Virginia St, Tallahassee FL 32301

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Shisa House

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, 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: *Paul N Cooper* DATE: 4/22/10

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Paul N Cooper

NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 5454 W 110th Street, Overland Park KS 66211-1204

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: *Ruth Gant* DATE: 3-31-10

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Ruth Gant

MAILING ADDRESS & TELEPHONE NUMBER: 418 W. VIRGINIA ST TALLAHASSEE FL 32301

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: *C. Plandrum* DATE: 3/15/10

NAME & POSITION/TITLE (PRINT OR TYPE): C. Plandrum, Warden

NAME OF LAW ENFORCEMENT AGENCY: FLORIDA Department of Corrections

MAILING ADDRESS & TELEPHONE NUMBER: 1050 Big JOE ROAD Monticello, FL 32344
(850) 342-0328

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 850-222-2257

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): _____

418 W Virginia St, Tallahassee FL 32301

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Shisa House

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, 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 OWNER/OFFICER OF PAY TELEPHONE COMPANY: *Paul N Cooper* DATE: 4/22/10

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Paul N Cooper

NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 5454 W 110th Street, Overland Park KS 66211-1204

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: *Ruth Gant* DATE: 3-3-10

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Ruth Gant

MAILING ADDRESS & TELEPHONE NUMBER: 418 W. Virginia St. Tallahassee, FL 32301

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: *C. Plauder* DATE: 3/15/10

NAME & POSITION/TITLE (PRINT OR TYPE): C. Plauder, Warden

NAME OF LAW ENFORCEMENT AGENCY: FLORIDA Department of Corrections

MAILING ADDRESS & TELEPHONE NUMBER: 1050 Big JOE ROAD Monticello, FL 32344
(850) 342-0328