

MEMORANDUM

951560-TP

April 3, 1996

TO: Patti Daniel, Division of Research and Regulatory Review
Craig Hewitt, Division of Research and Regulatory Review

FROM: Mary Anne Helton, Division of Appeals *MAH*

SUBJECT: Proposed amendments to Rules 25-24.505, 25-24.511, 25-24.515, 25-24.520, 25-4.076, and 25-4.003, Florida Administrative Code.

A final consensus draft of the recommended amendments to Rule Nos. 25-24.505, 25-24.511, 25-24.515, 25-24.520, 25-4.076, and 25-4.003 regarding pay telephone service are attached. As we have discussed, the following major substantive changes have been made:

- The references to the ANSI standards have been updated to the most recent version. In addition, for the first time, pay telephone providers are being required to comply with the ANSI standards concerning hearing impaired accessibility.
- The rules are being changed to specifically bring wireless pay telephone providers within their scope.
- Language is being added so that call blocking exemptions will expire at the end of one year.
- For non-local exchange pay phone providers, where the present rules state access must be provided to the local exchange company, the rules have been changed so that access must be to the operator of the provider of local exchange telecommunications services instead.
- A provision has been added so that pay telephone calls from confinement facilities may be terminated in 10

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FPSC-RECORDS/REPORTING

minutes rather than 15 minutes.

As agreed at our meeting, the EIS due date will be May 31, 1996.

cc: Blance Sayó (RAR) ✓
Michael Billmeier (LEG)
Laura King (CMU)
Kathy Lewis (CMU)
Rick Moses (CMU)
Hurd Reeves (RRR)
Richard Tudor (CMU)

Attachments

1 PART XI

2 RULES GOVERNING PAY TELEPHONE SERVICE PROVIDED
3 BY OTHER THAN LOCAL EXCHANGE TELEPHONE COMPANIES

- 4 25-24.500 Reserved
5 25-24.505 Scope
6 25-24.510 Certificate of Public Convenience and Necessity
7 Required
8 25-24.511 Application for Certificate
9 25-24.512 Improper Use of a Certificate
10 25-24.513 Application for Approval of Sale, Assignment or
11 Transfer of Certificate (Repealed)
12 25-24.514 Cancellation of a Certificate
13 25-24.515 Pay Telephone Service
14 25-24.516 Non-Local Exchange Company Pay Telephone Rate Caps
15 25-24.520 Reporting Requirements

16
17 25-24.505 Scope.

18 (1) Except as specified herein, this part applies to any
19 person other than a local exchange company providing wireline or
20 wireless pay telephone service. As provided by Rules 25-4.002, 25-
21 9.001, and 25-14.001, no provision of Chapters 25-4, 25-9, or 25-14
22 shall apply to pay telephone service companies, except the
23 following: 25-4.003 (Definitions), 25-4.0161 (Regulatory
24 Assessment Fees; Telecommunications Companies), 25-4.019 (Records
25 and Reports In General), 25-4.020(2) (Location and Preservation of

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1 Records), and 25-4.043 (Response to Commission Staff Inquiries).

2 (2) To the extent these rules are inconsistent with
3 provisions of Chapter 364, Florida Statutes, as regards pay
4 telephone service, companies subject to this part are exempted from
5 such provisions or are subject to different requirements than
6 otherwise prescribed for telephone companies under the authority of
7 Section 364.3375, Florida Statutes.

8 (3) Any applicant may petition for exemption from applicable
9 portions of Chapter 364, Florida Statutes, or for application of
10 different requirements than otherwise prescribed for telephone
11 companies by Chapter 364, Florida Statutes, under the authority of
12 Section 364.3375, Florida Statutes.

13 Specific Authority: 350.127(2), F. S.

14 Law Implemented: 350.113, 350.115, 350.117, 364.01, 364.016,
15 364.02, 364.17, 364.18, 364.183, 364.185, 364.32, 364.337,
16 364.3375, F.S.

17 History: New 1/5/87. Amended 11/13/95, _____.

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1 25-24.511 Application for Certificate.

2 (1) An applicant shall submit an application on Form PSC/CMU
3 32 (1/91), entitled "Application Form for Certificate to Provide
4 Pay Telephone Service Within the State of Florida." which is
5 incorporated into this rule by reference ~~and Form PSC/CMU 32~~
6 ~~(1/91), entitled "Application Form for Certificate to Provide Pay~~
7 ~~Telephone Service Within the State of Florida,"~~ may be obtained
8 from the Commission's Division of Communications. An non-
9 refundable application fee of \$100.00 must accompany the filing of
10 all applications. ~~This is a non-refundable fee to cover the costs~~
11 ~~of processing the application and it has no relevance on the~~
12 ~~approval or denial of a certificate.~~

13 (2) An original and three five-(5) copies of the application
14 shall be filed with the Division of Records and Reporting.

15 (3) Any pay telephone service authority previously granted or
16 granted hereafter is subject to the following:

17 (a) Authority granted is statewide.

18 (b) Authority is to provide both local and intrastate toll
19 pay telephone service. A certificate to provide pay telephone
20 service does not carry with it the authority to provide local
21 exchange or interexchange service. A separate application must be
22 made for such authority.

23 (4) A certificate will be granted if the Commission
24 determines that grant of the application is in the public interest.
25 One certificate per applicant will be granted unless the applicant

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1 shows that granting of additional certificates is in the public
2 interest. A new certificate will not be granted to any applicant
3 who has previously had a certificate involuntarily cancelled unless
4 the applicant shows that granting of the new certificate is in the
5 public interest.

6 Specific Authority: 350.127(2), F.S.

7 Law Implemented: 364.32, 364.33, 364.35, 364.337, 364.3375,
8 364.345, F.S.

9 History: New 1/5/87. Amended 9/28/89, 4/8/91, 11/20/91, 12/21/92,
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1 25-24.515 Pay Telephone Service.

2 (1) Pay ~~telephone~~ stations shall be lighted during the hours
3 of darkness when light from other sources is not adequate to read
4 instructions and use the instrument.

5 (2) Each pay telephone station shall return any deposited
6 amount if the call is not completed, except messages to a Feature
7 Group A access number.

8 (3) Each pay telephone station shall permit access to the
9 universal telephone number "911" where operable, without requiring
10 the use of a coin, paper money, or a credit card. Where "911" ~~such~~
11 ~~number~~ is not operable, the station shall permit access to the
12 operator of the provider of a local exchange telecommunications
13 services company call operator under the same conditions.

14 (4) Each pay telephone station shall, without charge, permit
15 access to local directory assistance and the telephone number of
16 any person responsible for repairs or refunds, but may provide
17 access by coin return. Any long distance directory assistance
18 charges applied to the pay telephone service company may be passed
19 on to the customer.

20 (5) Each pay telephone station shall be equipped with a
21 legible sign, card, or plate of reasonable permanence which shall
22 identify the following: telephone number and location address of
23 the ~~such~~ station, name of the certificate holder and the party
24 responsible for repairs and refunds, address of responsible party,
25 free phone number of responsible party, and clear dialing

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1 instructions (including notice of the lack of availability of local
2 or toll services), ~~and, where applicable, a statement that the~~
3 ~~phone is not maintained by the local exchange company.~~ For those
4 pay telephone stations that will terminate local calls ~~converation~~
5 after a minimum elapsed time of 15 minutes, notice shall be
6 included on the sign card as well as an audible announcement 30
7 seconds prior to termination of the phone call.

8 (6) Each pay telephone station which provides access to any
9 interexchange company shall provide coin free access, except for
10 ~~Feature G~~ group A access, to all locally available interexchange
11 companies. For pay telephone stations in equal access areas, ~~such~~
12 access shall be provided through the forms of access purchased by
13 locally available long distance carriers and shall include 10XXX-0,
14 950, and 800 access. For those pay telephone stations located in
15 non-equal access areas, 102880 may be translated to 00 to directly
16 access AT&T. Otherwise, in non-equal access areas, 00 shall
17 directly route to an AT&T operator and the instruction card shall
18 so indicate. Where 00 is not available, 0- shall route to the ~~LSC~~
19 operator of the provider of local exchange telecommunications
20 services for transfer to AT&T and the instruction card shall so
21 indicate. No sales solicitation shall be allowed during the
22 interval between the last digit dialed by the end user and
23 connection with the interexchange carrier.

24 (7) All wireline intralATA ~~intralata~~ calls, including
25 operator service calls, shall be routed to the provider of local

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1 exchange telecommunications services company, unless the end user
2 dials the appropriate access code for their carrier of choice, by
3 using an access code such as 950, 800, or 10XXX.

4 (8)(a) Each wireline pay telephone station shall allow
5 incoming calls to be received, with the exception of those located
6 at confinement facilities, hospitals, and schools, and ~~at~~ locations
7 specifically exempted by the Commission. There shall be no charge
8 for receiving incoming calls. A pay telephone provider may
9 petition the Commission to be exempt from the incoming call
10 requirement for a period that shall not exceed one year. Requests
11 for exemption from the requirement that each pay telephone station
12 allow incoming calls shall be accompanied by a completed Form ~~FORM~~
13 PSC/CMU-2 (x/xx) (10/94), entitled "Request to Block Incoming
14 Calls," which is incorporated into this rule by reference and
15 ~~FORM PSC/CMU-2 (10/94), entitled Request to Block Incoming Calls,~~
16 may be obtained from the Commission's Division of Communications.
17 The form requires an attestation from the owner of the pay
18 telephone, the owner of the pay telephone location, and the gchief
19 of the responsible law enforcement agency that the request is
20 sought in order to deter criminal activity facilitated by incoming
21 calls being received at the specified pay telephone. A separate
22 form shall be filed for each telephone number for which an
23 exemption is sought. Exemptions which were granted prior to the
24 one-year limitation will expire one year from the effective date of
25 the amendment establishing the one-year limitation. The Commission

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1 may grant additional requests for another one year exemption if the
2 provider of the pay telephone files another Form PSC/CMU-2 on
3 which, in addition to the signatures of the property owner and pay
4 telephone provider, the chief of the responsible law enforcement
5 agency attests that criminal activity associated with the pay
6 telephone has been reduced because incoming calls were blocked at
7 the pay telephone location. Where incoming calls are not received,
8 central-office based intercept shall be provided at no charge to
9 the ~~and user~~ end-user and a written notice shall be prominently
10 displayed on the instrument directly above or below the telephone
11 number which states: "Incoming calls blocked at request of law
12 enforcement."

13 (b) Each wireless pay telephone provider that will not allow
14 incoming calls shall display a notice that the pay telephone
15 station does not allow incoming calls.

16 (9) Each wireline pay telephone station must be connected to
17 an individual access line ~~as provided in the pay telephone access~~
18 ~~tariff offered by the local exchange company.~~

19 (10) (a) Each pay telephone service company shall make all
20 reasonable efforts to minimize the extent and duration of
21 interruptions of service. Service repair programs should have as
22 their objective the restoration of service on the same day that the
23 interruption is reported to the company. (Sundays and holidays
24 excepted).

25 (b) Each telephone utility shall conduct its operations in

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1 such manner to ensure that, in each exchange, ~~ninety-five (95)~~
2 percent of all interruptions in telephone service occurring in any
3 calendar month shall be cleared and service restored within
4 ~~twenty-four (24)~~ hours (Sundays and holidays excepted) after the
5 trouble is reported to the company, except where such interruptions
6 are caused by emergency situations, unavoidable casualties, and
7 acts of God affecting large groups of subscribers.

8 (11) Where there are fewer than three telephones located in a
9 group, a directory for the entire local calling area shall be
10 maintained at each pay telephone station. Where there are three or
11 more telephones located in a group, a directory for the entire
12 local calling area shall be maintained at every other station.
13 However, where telephone stations are fully enclosed, a directory
14 shall be maintained at each station.

15 (12) Normal maintenance and coin collection activity shall
16 include a review of the cleanliness of each pay telephone station
17 and reasonable efforts shall be made to ensure that 95 percent of
18 all stations are clean and free of obstructions.

19 (13) Except as provided in paragraphs subsections (13)(a),
20 (13)(b), and (13)(c) below, each pay telephone station
21 ~~installed after January 5, 1987~~ shall conform to subsections
22 4.28.8.4 and 4.29 4.29.3 4.29.4 and 4.29.7 4.29.8 of the American
23 National Standards Accessible and Usable Buildings and Facilities,
24 approved December 15, 1992. Specifications for Making Buildings and
25 Facilities Accessible and Usable by Physically Handicapped People,

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1 ~~approved February 5, 1986~~ by the American National Standards
2 Institute, Inc. (ANSI A117.1-~~1992~~906), which is incorporated by
3 reference into this rule. ~~Each telephone station installed prior~~
4 ~~to January 5, 1987 shall conform to the above standards by January~~
5 ~~5, 1995.~~

6 (a) ~~Where Effective June 1, 1993,~~ where there are two or more
7 pay telephone stations located in a group, there shall be a minimum
8 of one telephone per group of ten which conforms to the ANSI above
9 mentioned standards listed in subsection (13). The conforming
10 station must be physically located in the group of pay telephone
11 stations or must be installed within a clear line of sight within
12 15 feet of the group and the route to the conforming station must
13 be free from wheelchair barriers.

14 (b) Except for locations on floors above or below entry level
15 in buildings not serviced by a ramp or elevator, ~~each~~ pay telephone
16 stations shall be placed in areas accessible to the physically
17 handicapped.

18 (c) Pay telephone stations located in buildings which are
19 not wheelchair accessible ~~to physically handicapped persons~~ must
20 comply with all ANSI provisions cited in subsection (13) except
21 that these stations are exempt from complying with ANSI subsections
22 4.29.2 through 4.29.4, 4.29.7, and 4.29.8 until the building is
23 modified to make it wheelchair accessible to the above mentioned
24 standards upon modification of the building to make it handicap-
25 accessible, according to the Americans with Disabilities Act.

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1 (14) ~~Effective September 1, 1993,~~ Each pay telephone station
2 shall permit end users to input unlimited ~~the additional~~ digits for
3 the duration of the call necessary to complete calling card calls,
4 ~~using any locally available carrier, without operator intervention,~~
5 ~~and to utilize features such as voice mail box and menu driven~~
6 ~~answering devices. This requirement shall not be applicable to pay~~
7 ~~telephones located in confinement facilities.~~

8 ~~(15) Pay stations located in confinement facilities shall be~~
9 ~~except from the requirements of above subsections (1), (3), (4),~~
10 ~~(6), and (11). Such pay stations shall also be exempt from the~~
11 ~~requirements of subsection (5), except for the audible and written~~
12 ~~15 minute disconnect notification.~~

13 (15) (16) Toll Fraud Liability.

14 (a) A company providing interexchange telecommunications
15 services or local exchange telecommunications services shall not
16 collect from a pay telephone provider for charges billed to a line
17 for calls which originated from that line through the use of
18 10XXX+0, 10XXX+01, 950-1/0XXXX+0, or 1-800 access codes, or when
19 the call originating from that line otherwise reached an operator
20 position, if the originating line is subscribed to outgoing call
21 screening and the call was placed after the effective date of the
22 outgoing call screening order.

23 (b) A company providing interexchange telecommunications
24 services or local exchange telecommunications services shall not
25 collect from a pay telephone provider for charges for collect or

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1 third number billed calls, if the line to which the call was billed
2 was subscribed to incoming call screening and the call was placed
3 after the effective date of the incoming call screening order.

4 (c) Any calls billed through the provider of local exchange
5 telecommunications services company or directly by an interexchange
6 company, or through a billing agent, which have been identified as
7 not collectible as described in paragraphs (15)(a) and (15)(b)
8 above, must be removed from any pay telephone provider's bill after
9 the pay telephone provider gives notice of the fraudulent charges
10 to the billing party. Such notice shall be provided to the provider
11 of local exchange telecommunications services LSC and the
12 interexchange company IXC in writing no later than the due date of
13 the bill.

14 (d) The provider of local exchange telecommunications
15 services LSC is responsible for charges described in paragraph
16 (15)(c) that are associated with the failure of the provider of
17 local exchange telecommunications services' LSC's screening
18 services.

19 (e) The interexchange company IXC is responsible for charges
20 described in paragraph (15)(c) that are associated with the failure
21 to properly validate calls via the appropriate provider of local
22 exchange telecommunications services company data base.

23 (f) Definitions: For purposes of subsection (15) ~~this rule~~
24 the term:

25 (i) "Effective Date" shall mean the date after the call

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1 screening order was placed and associated charges apply.

2 (g) Any charges accrued to a subscriber's line when the
3 subscriber has paid the provider of local exchange
4 telecommunications services company to screen calls described in
5 paragraphs (15)(a) and (15)(b) above shall not be the basis for
6 discontinuance of local and intrastate service.

7 ~~(16)(13)~~ Providers serving confinement facilities shall
8 provide for completion of all inmate calls allowed by the
9 confinement facility.

10 (17) Pay telephone stations located in confinement facilities
11 shall be exempt from the requirements of above subsections (1),
12 (3), (4), (6), (11), and (14). Such pay telephone stations shall
13 also be exempt from the requirements of subsection (5), except that
14 outgoing local and long distance calls may be terminated after a
15 minimum elapsed time of 10 minutes and the audible and written
16 disconnect notification shall apply.

17 Specific Authority: 350.127(2), F. S.

18 Law Implemented: 364.03, 364.035, 364.063, 364.337, 364.345, F.S.

19 History: New 1/5/87, Amended 4/14/92, 12/21/92, 2/3/93, 10/10/94,
20 12/27/94, 9/5/95, _____.

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1 25-24.520 Reporting Requirements.

2 ~~(4)~~ Each pay telephone service company shall file with the
3 Commission's Division of Communications updated information for the
4 following items within 10 days after a change occurs:

5 (1)~~(a)~~ The street address of the certificate holder
6 including number, street name, city, state and zip code, and the
7 mailing address if it differs from the street address also.

8 (2)~~(b)~~ Name, title, and phone number of the individual
9 responsible for contact with the Commission.

10 ~~(2) Each pay telephone service company shall by January 31 of~~
11 ~~each year provide a report to the local exchange companies listing~~
12 ~~the station number and location of all of its pay telephones.~~

13 Specific Authority: 350.127(2), F. S.

14 Law Implemented: 350.115, 350.117, 364.17, 364.18, 364.185,
15 364.3375, F.S.

16 History: New 1/5/87, Amended 1/1/91, 12/29/91, _____.

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1 25-4.076 Wireline and Wireless Pay Telephone Service Provided
2 By Local Exchange Companies.

3 (1) ~~Each local exchange company shall, where practical,~~
4 ~~supply at least one coin telephone in each exchange that will be~~
5 ~~available to the public on a twenty four (24) hour basis. This~~
6 ~~coin telephone shall be located in a prominent location in the~~
7 ~~exchange. Except as provided herein, a telephone company may not~~
8 be required to provide pay telephone service at locations where the
9 revenues derived therefrom are insufficient to support the required
10 investment if unless reasonable public requirements will be served.
11 Pay telephone stations shall be lighted during the hours of
12 darkness when light from other sources is not adequate to read
13 instructions and use the instrument.

14 (2) Each pay telephone station shall return any deposited
15 amount if the call is not completed, except messages to a Feature
16 Group A access number.

17 (3) Each pay telephone station shall have the capability of
18 coin free access to a local exchange company toll operator and the
19 universal emergency telephone number "911" where operable, and
20 coin free or coin return access to local directory assistance,
21 intercept, repair service, and calls to the business office of the
22 company.

23 (4) Each pay telephone station shall be equipped with a
24 legible sign, card, or plate of reasonable permanence which shall
25 identify the following: the telephone number and location address

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1 of ~~the~~ each station, the name of the certificate holder, ~~and~~ the
2 party responsible for repairs or refunds, free telephone number of
3 responsible party, ~~and~~ clear dialing instructions (including notice
4 of the lack of availability of local or toll service). The
5 identification of the location address for local exchange and pay
6 telephone companies shall be coordinated with the appropriate "911"
7 or emergency center where applicable. For those pay telephone
8 stations that will terminate a local call conversation after a
9 minimum elapsed time of +15+ minutes, notice shall be included on
10 the sign card as well as an audible announcement 30 seconds prior
11 to termination of the phone call.

12 (5) Each pay telephone station which provides access to any
13 long distance carrier shall provide coin free access, except for
14 ~~Feature Group A~~ Group A access, to all locally available interexchange
15 companies. For pay telephone stations in equal access areas, ~~such~~
16 access shall be provided through the forms of access purchased by
17 locally available long distance carriers and shall include 10XXX+0,
18 950, and 800 access. For those pay telephone stations located in
19 non-equal access areas, 00 shall directly access the AT&T operator.
20 Where 00 is not available, 0- to the local exchange company LSC
21 operator shall be transferred upon request to an AT&T operator, and
22 the instruction card shall so indicate. No sales solicitation
23 shall be allowed during the interval between the last digit dialed
24 by the end user and connection with the interexchange carrier.

25 (6) (a) Each wireline pay telephone station shall allow

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1 incoming calls to be received, with the exception of those located
2 at confinement facilities, hospitals, and schools, and at locations
3 specifically exempted by the Commission. There shall be no charge
4 for receiving incoming calls. A pay telephone provider may
5 petition the Commission to be exempt from the incoming call
6 requirement for a period that shall not exceed one year. Requests
7 for an exemption from the requirement that each pay telephone
8 station allow incoming calls shall be accompanied by a completed
9 Form FORM PSC/CMU-2 (x/xx) (+0/04), entitled "Request to Block
10 Incoming Calls," which is incorporated into this rule by reference,
11 ~~and, FORM PSC/CMU-2 (10/04), entitled Request to Block Incoming~~
12 ~~Calls,~~ may be obtained from the Commission's Division of
13 Communications. The form requires an attestation from the owner of
14 the pay telephone, the owner of the pay telephone location, and the
15 ~~Chief~~ of the responsible law enforcement agency that the request
16 is being sought in order to deter criminal activity facilitated by
17 incoming calls being received at the specified pay telephone. A
18 separate form shall be filed for each telephone number for which an
19 exemption is being sought. Exemptions which were granted prior to
20 the one-year limitation will expire one year from the effective
21 date of the amendment establishing the one-year limitation. The
22 Commission may grant an additional request for another one year
23 exemption if the provider of the pay telephone files another Form
24 PSC/CMU-2 on which, in addition to the signatures of the property
25 owner and pay telephone provider, the chief of the responsible law

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1 enforcement agency attests that criminal activity associated with
2 the pay telephone has been reduced because incoming calls were
3 blocked at the pay telephone location. Where incoming calls are
4 not received, central-office based intercept shall be provided at
5 no charge to the ~~and user end-user~~ and a written notice shall be
6 prominently displayed on the instrument directly above or below the
7 telephone number which states: "Incoming calls blocked at request
8 of law enforcement."v

9 (b) Each wireless pay telephone station that will not allow
10 incoming calls shall display a notice that the instrument does not
11 allow incoming calls.

12 (7) Where there are fewer than three telephones located in a
13 group, a directory for the entire local calling area shall be
14 maintained at each pay telephone station. Where there are three or
15 more telephones located in a group, a directory for the entire
16 local calling area shall be maintained at every other station.
17 However, where telephone stations are fully enclosed, a directory
18 shall be maintained at each station.

19 (8) Normal maintenance and coin collection activity shall
20 include a review of the cleanliness of each pay telephone station
21 and reasonable efforts shall be made to ensure that 95 percent of
22 all stations are clean and free of obstructions.

23 (9) Except as provided in paragraphs (9) (a), (9) (b), and 9 (c)
24 below, each pay telephone station ~~installed after January 5, 1987~~
25 shall conform to subsections 4.22.8.4 and 4.22 ~~4.22-2 4.22-4 and~~

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1 ~~4.29.7-4.29.8~~ of the American National Standards Accessible and
2 Usable Buildings and Facilities, approved December 15, 1992.
3 ~~Specifications for Making Buildings and Facilities Accessible and~~
4 ~~Usable by Physically Handicapped People, approved February 5, 1986~~
5 by the American National Standards Institute, Inc. (ANSI
6 A117.1-~~1992-1986~~), which is incorporated by reference into this
7 rule. ~~Each telephone station installed prior to January 5, 1987~~
8 ~~shall conform to the above standards by January 1, 1995.~~

9 (a) ~~Effective June 1, 1993, where~~ Where there are two or
10 more pay telephone stations located in a group, there shall be a
11 minimum of one telephone per group of ten which conforms to ~~the~~
12 ~~ANSI above mentioned standards listed in subsection (9).~~ The
13 conforming station must be physically located in the group of
14 telephone stations or must be installed within a clear line of
15 sight within ~~fifteen~~ (15) feet of the group and the route to the
16 conforming station must be free from wheelchair barriers.

17 (b) Except for locations on floors above or below entry level
18 in buildings not serviced by a ramp or elevator, ~~each~~ pay telephone
19 stations shall be placed in areas accessible to the physically
20 handicapped.

21 (c) Pay telephone stations located in buildings which are
22 not wheelchair accessible ~~to physically handicapped persons~~ must
23 comply with all ANSI provisions cited in subsection (9) except that
24 these stations are exempt from complying with ANSI subsections
25 4.29.2 through 4.29.4, 4.29.7, and 4.29.8 until the building is

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1 ~~modified to make it wheelchair accessible the above mentioned~~
2 ~~standards upon modification of the building to make it handicap~~
3 ~~accessible, according to the Americans with Disabilities Act.~~

4 (10) ~~Effective September 1, 1993, each~~ Each pay telephone
5 shall permit end users to input unlimited ~~the additional~~ digits for
6 the duration of the call necessary to complete calling card calls,
7 ~~using any locally available service, without operator intervention,~~
8 ~~and to utilize features such as voice mail box and menu driven~~
9 ~~answering devices. This requirement shall not be applicable to pay~~
10 ~~telephones located in confinement facilities.~~

11 ~~(11) Pay stations located in confinement facilities shall be~~
12 ~~exempt from the requirements of above subsections (1), (3), (5),~~
13 ~~and (7). Such pay stations shall also be exempt from the~~
14 ~~requirements of subsection (4), except for the audible and written~~
15 ~~15 minute disconnect notification.~~

16 ~~(11)(12)~~ Toll Fraud Liability.

17 (a) A company providing interexchange telecommunications
18 services or the local exchange company ~~services~~ shall not collect
19 from a pay telephone provider for charges billed to a line for
20 calls which originated from that line through the use of 10XXX+0,
21 10XXX+01, 950-1/0XXXX+0, or 1-800 access codes, or when the call
22 originating from that line otherwise reached an operator position,
23 if the originating line is subscribed to outgoing call screening
24 and the call was placed after the effective date of the outgoing
25 call screening order.

CODING: Words underlined are additions; words in
~~struck-through~~ type are deletions from existing law.

1 (b) A company providing interexchange telecommunications
2 services or ~~the local exchange company services~~ shall not collect
3 from a pay telephone provider for charges for collect or third
4 number billed calls, if the line to which the call was billed was
5 subscribed to incoming call screening and the call was placed after
6 the effective date of the incoming call screening order.

7 (c) Any calls billed through the local exchange company or
8 directly by an interexchange company, or through a billing agent,
9 which have been identified as not collectible as described in
10 paragraphs (11)(a) and (11)(b) above, must be removed from any pay
11 telephone provider's bill after the pay telephone provider gives
12 notice of the fraudulent charges to the billing party. Such notice
13 shall be provided to the local exchange company LSC and
14 interexchange company IXC in writing no later than the due date of
15 the bill.

16 (d) The local exchange company LSC is responsible for charges
17 described in paragraph (11)(c) that are associated with the failure
18 of the local exchange company's LSC's screening services.

19 (e) The interexchange company IXC is responsible for charges
20 described in paragraph (11)(c) that are associated with its failure
21 to properly validate calls via the appropriate local exchange
22 company data base.

23 (f) Definitions: For purposes of subsection (11) ~~this rule~~
24 the term:

25 (i) "Effective Date" shall mean the date after the call

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1 screening order was placed and associated charges apply.

2 (g) Any charges accrued to a subscriber's line when the
3 subscriber has paid the local exchange company to screen calls
4 described in paragraphs (11)(a) and (11)(b) above shall not be the
5 basis for discontinuance of local or intrastate service.

6 ~~(12)433+~~ Providers serving confinement facilities shall
7 provide for completion of all inmate calls allowed by the
8 confinement facility.

9 (13) Pay telephone stations located in confinement facilities
10 shall be exempt from the requirements of above subsections (1),
11 (3), (5), (7), and (10). Such pay telephone stations shall also be
12 exempt from the requirements of subsection (4), except that
13 outgoing local and long distance calls may be terminated after a
14 minimum elapsed time of 10 minutes and the audible and written
15 disconnect notification shall apply.

16 Specific Authority: 350.127(2), F.S.

17 Law Implemented: 364.03, F.S.

18 History: New 12/1/68, Amended 3/31/76, formerly 25-4.76, Amended
19 1/5/87, 4/14/92, 12/21/92, 2/3/93, 10/10/94, 12/27/94, _____.

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~~struck-through~~ type are deletions from existing law.

1 25-4.003 Definitions.

2 For the purpose of these rules, the following definitions apply:

3 (1) - (51) No change.

4 (52) "Wireless Pay Telephone Service." Any pay telephone
5 service not connected by any physical means to the Public Switched
6 Network and is available to the public for hire, except pay
7 telephone stations located inside vehicles providing public
8 transportation for hire.

9 (53) "Wireline Pay Telephone Service." Any pay telephone
10 service connected by any physical means to the Public Switched
11 Network.

12 Specific Authority: 350.127(2), F.S.

13 Law Implemented: 364.01, 364.02, 364.32, 364.335, 364.337,
14 364.3375, F.S.

15 History: Revised 12/1/68, Amended 3/31/76, formerly 25-4.03,
16 Amended 2/23/87, 3/4/92, 12/21/93, 3/10/96, _____.

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FLORIDA PUBLIC SERVICE COMMISSION
REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: _____

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): _____

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I request that I be granted a 12 month exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-54.516(5) or 25-4.076(5), F.A.C., as appropriate). 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 understand that, if granted, this exemption will only be in effect for 12 months. If any party wishes for the exemption to continue longer than 12 months, this 2 of this form must be completed and returned to the Commission staff prior to the end of the 12 month period.

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: _____

DATE: _____

NAME AND TITLE (PRINT OR TYPE): _____

NAME OF PAY TELEPHONE COMPANY: _____

MAILING ADDRESS: _____

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: _____

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

MAILING ADDRESS: _____

I, the undersigned Chief of the law enforcement agency of 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 this 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: _____

DATE: _____

NAME AND TITLE (PRINT OR TYPE): _____

NAME OF LAW ENFORCEMENT AGENCY: _____

MAILING ADDRESS: _____

REQUEST TO BLOCK INCOMING CALLS
(for an additional 12 months)

PAY TELEPHONE NUMBER: _____

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): _____

To continue deterring criminal activity at the pay telephone listed above, I request that I be granted an additional 12 month exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-34.515(3) or 25-4.076(5), F.A.C., as appropriate). 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: _____ DATE _____

NAME AND TITLE (PRINT OR TYPE): _____

NAME OF PAY TELEPHONE COMPANY: _____

MAILING ADDRESS: _____

I, the undersigned owner of the above-referenced pay telephone location, declare that to the best of my knowledge and belief, criminal activity has been reduced at the pay telephone number and location referenced above because incoming calls were blocked for the previous 12 months. It is my belief that allowing incoming calls to be blocked at the pay telephone for an additional 12 months will continue to 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 _____

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

MAILING ADDRESS: _____

I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above-referenced pay telephone is located, declare that to the best of my knowledge and belief, criminal activity has been reduced at the pay telephone location referenced above because incoming calls were blocked for the previous 12 months. Therefore, I believe it will be in the public interest to continue the blocking of incoming calls for an additional 12 months 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: _____ DATE _____

NAME AND TITLE (PRINT OR TYPE): _____

NAME OF LAW ENFORCEMENT AGENCY: _____

MAILING ADDRESS: _____