

J. Phillip Carver
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BellSouth Telecommunications, Inc.
c/o Nancy H. Sims
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150 So. Monroe Street
Tallahassee, Florida 32301
Telephone: 305 347-5558

761040-72

September 4, 1996

Ms. Blanca S. Bayó
Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Betty Easley Conference Center, Rm. 110
Tallahassee, FL 32399-0850

Re: BellSouth's Petition for Waiver - 0+ local and IntraLATA Traffic

Dear Mrs. Bayó:

Enclosed please find an original and fifteen copies of BellSouth Telecommunications, Inc.'s Petition for Waiver, which we ask that you file in the captioned docket.

A copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me. Copies have been served to the parties shown on the attached Certificate of Service.

Sincerely,

J. Phillip Carver
J. Phillip Carver (P)

Enclosures

cc: All Parties of Record
R. G. Beatty
A. M. Lombardo
William J. Ellenberg II

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RECEIVED & FILED

FLORIDA PUBLIC SERVICE COMMISSION

DOCUMENT NUMBER-DATE

09434 SEP-4 96

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of BellSouth for)
Waiver of Rules 25-24.515(7) and)
25-24.620(2)(c) and (d), F.A.C.)
regarding 0+ Local and 0+)
IntraLATA traffic.)
_____)

Docket No. 961040-

Filed: September 4, 1996

PETITION FOR WAIVER

BELLSOUTH TELECOMMUNICATIONS, INC. ("BellSouth"), pursuant to Rule 25-22.036, Florida Administrative Code, petitions the Florida Public Service Commission (the "Commission") for a waiver of Rules 25-24.515(7) and 25-24.620(2)(c) and (d), F.A.C., regarding 0+ local and 0+ intraLATA traffic, and in support of its Petition, states as follows:

1. BellSouth is a telephone company lawfully doing business in the State of Florida, the regulated operations of which are subject to the Commission pursuant to Chapter 364, Fla. Stat. BellSouth is certificated to provide pay telephone services within the area in which it is franchised to provide local exchange service in Florida, as well as outside its franchise area.

2. BellSouth's principal place of business in Florida is 150 W. Flagler Street, Suite 1910, Miami, Florida 33130.

DOCUMENT NUMBER-DATE

09434 SEP-4 96

FPSC-RECORDS/REPORTING

3. Pleadings and process in this matter may be served upon

Robert G. Beatty
J. Phillip Carver
Stephen M. Klimacek
c/o Nancy Sims
BellSouth Telecommunications, Inc.
150 W. Monroe Street, Suite 400
Tallahassee, FL 32301

1. BellSouth's pay telephones contain store-and-forward technology, which enables those telephones to provide and bill for 0+ local and 0+ intraLATA calls placed by end users.

2. Store-and-forward technology is particularly well-suited to the provision of inmate service. The person who receives the call will receive an announcement that the call is from a confinement facility, thus giving that person additional information from which to make an informed choice about whether to accept the call. The technology also eliminates the opportunity for harassment of a live operator.

3. Pursuant to Rules 25-24.515(7) and 25-24.620(2)(c) and (d), 0+ local and 0+ intraLATA toll calls must be routed to the local exchange company. These rules thus prohibit pay telephone providers, as well as operator service providers, from handling 0+ local and 0+ intraLATA calls.

4. Granting BellSouth an exemption that would allow it to use its store-and-forward technology is consistent with the legislature's intent to encourage the introduction of "new experimental telecommunications services free of unnecessary regulatory restraints." Section 364.01(4)(e).

5. Moreover, in light of the Commission's order mandating intraLATA presubscription (Order No. 95-0203-FOF-TP, issued February 11, 1995), it is evident

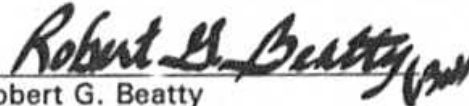
that the rationale underlying Rules 25-4.515(7) and 25-24.620(2)(c) and (d) no longer exists. Compare Order No. 95-0203 with Order Nos. 16343, 20489, 21614, 22243 and 24101.

6. Finally, the Commission has already granted the same exemption to three independent pay telephone providers: Global Tel' Link, Order No. 96-0867-FOF-TC, issued on July 2, 1996, T-Netix, Order No. 96-0868-FOF-TP, issued July 2, 1996; Invision, Order No. 96-1009-FOF-TL, issued on August 7, 1996.

WHEREFORE, BellSouth respectfully requests that it be granted a waiver of the applicable rules and orders currently prohibiting it from providing and billing 0+ local and 0+ intraLATA calls placed by inmates of confinement facilities through BellSouth's pay telephones using store-and-forward technology.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.



Robert G. Beatty
J. Phillip Carver
Stephen M. Klimacek
c/o Nancy H. Sims
150 S. Monroe St., Ste. 400
Tallahassee, Florida 32301
(305) 347-5561

CERTIFICATE OF SERVICE
DOCKET NO. _____

I HEREBY CERTIFY that a copy of the foregoing has been furnished by U.S. Mail this

4th day of September, 1996 to:

Staff Counsel
Florida Public Service Commission
2540 Shumard Oak Blvd.
Betty Easley Conference Center, Rm. 110
Tallahassee, FL 32399-0850

J. Phillip Carver (sw)
J. Phillip Carver