## REQUEST TO ESTABLISH DOCKET

Dat	Docket No. 47/07/
1.	Division Name/Staff Name Communications / Natalie Monteiro
	OPR_Matalie M. Monteiro (CMU)
	OCR_ John Bowmen (LEG)
۷.	Suggested Docket Title Request for exemption from requirement of Rule 25-24.515(8), Florida Administrative
<u>Cos</u>	se, that each pay telephone station shall allow incoming calls, by BellSouth Public Communications, inc.
5.	Suggested Docket Hailing List (attach separate sheet if necessary)
	A. Provide NAMES ONLY for regulated companies or ACRCHTHS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.  B. Provide COMPLETE name and address for all others. ( <u>Match representatives to clients</u> .)
	1. Parties and their representatives (if any)
	ellSouth Public Communications, Inc.
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	2. Interested Persons and their representatives (if any)
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6.	Check one:
	X_ Documentation is attached.
	Documentation will be provided with recommendation.

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Bell South Public Communications, Inc. 75 Bagby Drive Homewood, Alabama 35209

July 21, 1997

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(8), F.A.C.



Enclosed please find the original and 5 copies of our request for waiver of Rule 25-24.515(8), F.A.C. which we ask you file in the above captioned matter

We request that the pay telephone located at the address below be exempted from the provisions of Rule 25-24.515(8), 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:

5757 South Semoran Blvd. Orlando, FL 32822 (407) 277-9675

Ms. Blanco S. Bayo July 21, 1997 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 locations 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.

Roll W / ....

Assistant Vice-President - Regulatory BellSouth Public Communications, Inc.

Please acknowledge receipt of this request for waiver by signing and returning the extra copy of this letter in the enclosed stamped, self addressed envelope.

Florida Puhfic Service C Tallahassee, Florida	ommission	1997
Tallallassee, Florida _	(Date)	,
BY:		

Enclosures

## FLORIDA PUBLIC SERVICE COMMISSION

## REQUEST TO BLOCK INCOMING CALLS

CMATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE):  BellSouth Public Communications,  75 Bagby Drive	PAY TELEPHONE HUMBER:	407-277-9675
deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed ove, 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(3) or 25-4,076(6),1.A.C., as appropriate). I sorre to provide central office seed intercept at no charge to the end user and to prominently display a uniter-uniter display above or below telephone number which states: "Incoming calls blocked at leagues or law wiferoments."  the undersigned owner or officer of the pay telephone company named below, have read the foregoing and clare that to the best of my knowledge and belief, the above information is a true and correct statement, as some that pursuant to Section 837.06, Florida Statutes, whoever knowledgy makes a false statement, as some that pursuant to Section 837.06, Florida Statutes, whoever knowledgy makes a false statement in liting with the intent to mislead a public servant in the performance of his official duty shall be quility of misleadesmore of the second degree.  DARTURE OF OAMER/OFFICER OF PAY TELEPHONE COMPANY:  DARTURE OF OAMER/OFFICER OF PAY TELEPHONE COMPANY:  TO GRANTER COMPANY:  TO BE OF PAY TELEPHONE COMPANY:  TO PAY TELEPHON	PHYSICAL LOCATION OF PAY TELEPHONE	(ADDRESS): 5757 South Semoran Boulevard
the undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, original activity is associated with and facilitated by incoming calls believed to the pay telephone runber which states: "Incoming calls blocked at age, the surface and correct statement. The undersigned owner or officer of the pay telephone company named below, have read the foregoing and clare that to the best of my knowledge and belief, the above information is a true and correct statement. In ting with the intent to misised a public servant in the performance of his official duty shall be guilty of misdemeanor of the second degree.  CMATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYP):  WE OF PAY TELEPHONE COMPANY:  TO OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYP):  WE OF PAY TELEPHONE COMPANY:  TO Begby Drive  THE undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, criminal activity is associated with and facilitated by incoming calls being received at a pay telephone number and location referenced above. It is my belief that allowing incoming calls to be ocked at the pay telephone-emmany will eliminate or help control that activity and sitest to this fact by signature below. I measure that pursuant to Section 837.06, florids statutes, whoever knowlingly makes a size statement in writing with the intent to mislead a public servant in the performance of his official duty all being received at the pay telephone calls to be ocked at the pay telephone calls to be ocked at the pay telephone declare that to the best of my knowledge and belief, criminal activity is associated with an original duty of a misdemeanor of the segmend degree of the segment of the segment degree of the segment of the segment degree of the segment of the seg	ATTENDED CONTRACTOR OF PART TECEPORATE	Orlando, FL County: Orange
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James B. Hawkins  BellSouth Public Communications,  BellSouth Public Communications,  75 Bagby Drive  Homewood, AL 35209  The undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, criminal activity is associated with and facilitated by incoming calls being received at e pay telephone number and location referenced above. It is my belief that allowing incoming calls to be ocked at the pay telephone-emmanay will eliminate or help control that activity and attest to this fact by ocked at the pay telephone-emmanay will eliminate or help control that activity and attest to this fact by sile belief to be sold degree in the process of the second degree is a statement in writing with the intent to misled a public servant in the performance of his official duty all be quitty of a misdemeanor of the aspond degree in the pay telephone (CRATURE OF LOCATION OWNER;  CHATURE OF LOCATION OWNER;  CHATURE OF LOCATION OWNER;  The OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) LARRY N. EVES  TILING ADDRESS: 5757 SEMDERN Avg. Defended in which the above referenced pay telephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with do facilitated by incoming calls to be blocked at this pay telephone rumber and location referenced above. It is my belief that allowing incoming calls to be blocked at this pay telephone rumber and location referenced above. It is my belief that allowing incoming calls to be blocked at this pay telephone rumber or help control at activity and attest to the fact by my signature below. I an aware that pursuant to Section 837.00, flored activity and attest to the fact by my signature below. I an aware that pursuant to Section 837.00, flored activity and attest to the fact by my signature below. I an aware that pursuant to Section 837.00, flored activity and attest to the fact by my signature below. I an aware that pursuant to Section 837.00, flored activity and attest to the fact by my signature b	eclare that to the best of my kno am sware that pursuant to Section riting with the intent to misleed misdemeanor of the second degree.	wiedge and belief, the above information is a true and correct statement.  M 837.06, Florida Statutes, whoever knowingly makes a false statement in a public servant in the performance of his official duty shall be guilty of
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ME OF LAW ENFORCEMENT AGENCY: Orlando Police Department	AME & POSITION/TITLE (PRINT OR TY	PE): William E. Kennedy, Jr., Chief of Police
	AME OF LAW ENFORCEMENT AGENCY: OF	lando Police Department