REQUEST TO ESTABLISH DOCKET

				(PLEASE TYPE)	OMILLIO.TO
Date	_	10/24/97			Docket to. 971412-70
	Di	vision Name/Staff No	o Comunication	ne/Isler	
2.	OP	R Communications/Is	ler		
3.	00	R_Legal			
۷.	Вц	ggested Dock: t Title	Request for E	xemption from Requirement s	f Rule 25-24,515(8), florida
Adm	ini	strative Fode. That I	Each Pay Telephon	e Station Shall Allow Incom	ing Calls by PellSouth Public
Com	un	ications, Inc.			
5.	Su	ggested Docket Hailin	ng List (attach s	eparate sheet if necessary)	
		as shown in Rule 25-	22.104. F.A.C.	panies or ACRONYMS ONLY reg r all others. (<u>Match repre</u>	
		1. /arties and their	r representatives	(if any)	
Se	US	outh Public Communica	ations. Inc.		
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		2. Interested Person	ns and their repr	esentatives (if any)	
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6. (Chec	ck one:			
		XX Document	ation is attached	d.	
		Document	ation will be pro	ovided with recommendation.	

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE 10997 OCT 24 5



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

October 16, 1997

17:

Ms. Blanca S. Bayo
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Eculevard
Betty Easley Conference Center, Rm. 110
Tallahassee, Florida 32399-0850

REC! YED

Dear Ms. Bayo:

OCT : 11 125/

 CMU

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 telephones located at the addresses 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:

4021 Lake Worth Road (561) 439-8970 Lake Worth, FL 33461

4021 Lake Worth Road (561) 439-9544 Lake Worth, FL 33461

4021 Lake Worth Road (561) 439-9545 Lake Worth, FL 33461 Ms. Blanco S. Bayo October 16, 1997 Page 2

4021 Lake Worth Road Lake Worth, FL 33461 (561) 439-9550

4021 Lake Worth Road Lake Worth, FL 33461 (561) 969-9297

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.

Sincerely, Robert w Button

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

PAY TELEPHONE NUMBER; 561-439-8970
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): CIRCLE K NO 08538
1021 Lake Worth Rd., Lake Worth, Florida 33461 COUNTY: Palm Beach
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 ocation(Rule 25-24.515(8) or 25-4.076(8), 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 tastes: "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 decinat 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, First a 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 misdemeans of the second degree
BIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: One B. A DATE: 10-154
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS: 75 Bagby Drive, Homewood, AL 35209
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 337.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public-ser in the performance of his official duty shall be guilty of a misdemeanor of the second degree. SIGNATURE OF LOCATION OWNER: DATE: 9-24-
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Alex Brethauer, Division Manager
MAILING ADDRESS: 551 N. W. 77th Street, Suite 111, Boca Raton, FL 33487
I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above-referenced pay selephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with and actilitated by incoming calls being received at the pay telephone i umber 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 this fact by my signature below. I am aware that pursuant to Section 837.08, Florida Statutes whoever knowingly make also statement in writing with the intent to mislead a public-servant in the performance of his official daty shall be got a misdemeanor of the second degree.
SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: KOLEUS W DAFELIMAN
AME & POSITION/TITLE (PRINT OR TYPE): Robert Neumann, Sheriff
IAME OF LAW ENFORCEMENT AGENCY: Palm Beach County Sheriff's Office
MAILING ADDRESS: 3228 Gun Club Rd., West Palm Beach, FL 33406
ORM: PSC/CMU 2 (12/94)

PAY TELEPHONE NUMBER: 56	1-439-9544		
PHYSICAL LOCATION OF PAY T	ELEPHONE (ADDRESS):	CIRCLE K NO 06538	
4021 Lake Worth Rd., Lake Wort	h, Florida 33461	COUNTY: Palm Beach	
request that I be granted an exent location(Rule 25-24.515(8) or 25-4	nption from the requirement 1.076(6), F.A.C., as appropria pminently display a written n	ing incoming calls at the pay telephothat incoming calls be received at the interest of the incoming calls be received at the interest of the	ne pay telephone based intercept at no
that to the best of my knowledge pursuant to Section 837.06, Flori	and belief, the above inform da Statutes, whoever knowin	company named below, have read the structure and correct statements a false statement in writing the shall be guilty of a misdemeanor of the shall be guilty of the shall be guilty of the shall be guilty of a misdemeanor of the shall be guilty of a misdemeanor of the shall be guilty	t. I am aware that ng with the intent to
SIGNATURE OF OWNER/OFFICE	R OF PAY TELEPHONE COM	IPANY: James B Market	DATE: 10-154
NAME OF OWNER/OFFICER OF	PAY TELEPHONE COMPANY	(PRINT OR TYPE): James B. Hawki	ns
NAME OF PAY TELEPHONE COM	IPANY: BeilSouth Public Co	ommunications, Inc.	
MAILING ADDRESS: 75 Bag	by Drive, Homewood, AL 35	209	
eliminate or help control that act 837.06, Florida Statutes, whoever	ivity and attest to this fact by knowingly makes a false st duty shall be guilty of a mis	y my signature below. I am aware the pay my signature below. I am aware the atement in writing with the intent to demeanor of the second degree.	at pursuant to Section
NAME OF PAY TELEPHONE LOC	ATION OWNER (PRINT OR T	YPE): Alex Brethauer, Division I	Manager
MAILING ADDRESS: 551 N. W	. 77th Street, Suite 111, Boc	a Raton, FL 33487	
telephone is located, declare that facilitated by incoming calls bein that allowing incoming calls to be this fact by my signature below. I false statement in writing with the	t to the best of my knowledg ig received at the pay telepho e blocked at this pay telepho am aware that pursuant to e intent to mislead a public-	f the jurisdiction in which the above e and belief, criminal activity is asso one number and location referenced one will eliminate or help control that Section 837.06, Florida Statutas who servant in the performance of his off	above. It is my belief t activity and attest to ever knowingly makes a licial duty shall be guilty
SIGNATURE OF CHIEF OF RESPO	ONSIBLE LAW ENFORCEME	NT AGENCY: KOLEW W	DATE:
NAME & POSITION/TITLE (PRINT			
NAME OF LAW ENFORCEMENT	AGENCY: Palm Beach (County Sheriff's Office	
MAILING ADDRESS: 3228 G	un Club Rd., West Palm Bea	ch, FL 33406	
FORM: PSC/CMU 2 (12/94)			

PAY TELEPHONE NUMBER: 561-439-9545
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): CIRCLE K NO 08538
4021 Lake Worth Rd., Lake Worth, Florida 33461 COUNTY: Palm Beach
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(8) or 25-4.076(6), 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 declar 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 Scattles, 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.
DATE: 10-15-97
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B, Hawkins
IAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
IAIL'NG ADDRESS:75 Bagby Drive, Homewood, AL 35209
iliminate or help control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 137.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public-serva in the performance of his official duty shall be guilty of a misdemeanor of the second degree. BIGNATURE OF LOCATION OWNER: DATE: 9-2 Y-97
IAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Alex Brethauer, Division Manager
MAILING ADDRESS: 551 N. W. 77th Street, Suite 111, Boca Raton, FL 33487
I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above-referenced pay selephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with and actilitated 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 also statement in writing with the intent to mislead a public-servant in the performance of his official duty shall be guilt of a misdemeanor of the second degree.
BIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: KOLEND WILDERENMANN
AME & POSITION/TITLE (PRINT OR TYPE): Robert Neumann, Sheriff
AME OF LAW ENFORCEMENT AGENCY: Palm Beach County Sheriff's Office
IAILING ADDRESS: 3228 Gun Club Rd., West Palm Beach, FL 33406
FORM: PSC/CMU 2 (12/94)

PAY TELEPHONE NUMBER: 561-439-9550 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):	CIRCLE K NO 08538
021 Lake Worth Rd., Lake Worth, Florida 33461	COUNTY: Paim Beach
equest that I be granted an exemption from the requirem	receiving incoming calls at the pay telephone listed above, I ment that incoming calls be received at the pay telephone opriate). I agree to provide central office based intercept at no ten notice directly above or below the telephone number which thement."
nat to the best of my knowledge and builef, the above in ursuant to Section 837.06, Florida 3tatutes, whoever kn hislead a public-servant in the performance of his official	one company named below, have read the foregoing and decla formation is a true and correct statement. I am aware that owingly makes a false statement in writing with the Intent to all duty shall be guilty of a misdemeanor of the second degree.
IGNATURE OF OWNER/OFFICER OF PAY TELEPHONE	COMPANY: DATE: 10 + 5-97
AME OF OWNER/OFFICER OF PAY TELEPHONE COMP	ANY (PRINT OR TYPE): James B. Hawkins
AME OF PAY TELEPHONE COMPANY: BellSouth Publi	c Communications, Inc.
AILING ADDRESS: 75 Bagby Drive, Homewood, A	L 35209
nd location referenced above. It is my belief that allowing	telephone location, declare that to the best of my knowledge of the pay telephone number incoming calls to be blocked at the pay telephone will
nd location referenced above. It is my belief that allowing iminate or help control that activity and attest to this fator. The statutes, whoever knowingly makes a fair the performance of his official duty shall be guilty of a	by incoming calls being received at the pay telephone number ing incoming calls to be blocked at the pay telephone will but by my signature below. I am aware that pursuant to Section is statement in writing with the intent to mislead a public-serv misdemeanor of the second degree.
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PAY TELEPHONE NUMBER: 561-969-9297	
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):	CIRCLE K NO 08538
4021 Lake Worth Rd., Lake Worth, Florida 33481	COUNTY: Palm Beach
request that I be granted an exemption from the requirement location(Rule 25-24.515(8) or 25-4.076(6), F.A.C., as appropriately appropriate that I be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the requirement of the III be granted an exemption from the III be granted as a superior of the I	riste). I agree to provide central office based intercept at no notice directly above or below the telephone number which
that to the best of my knowledge and belief, the above information pursuant to Section 837.06, Florida Statutes, whoever knowledge a public-servant in the performance of his official distribution.	ringly makes a false statement in writing with the intent to duty shall be guilty of a misdemeanor of the recond degree.
SIGNATURE OF OWNER/OFFICER GP PAY TELEPHONE CO	MPANY: Jan B. Martin DATE: 10-15-97
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPAN	
NAME OF PAY TELEPHONE COMPANY: BellSouth Public C	Communications, Inc.
MAILING ADDRESS: 75 Bagby Drive, Homewood, AL 3	15200
837.06, Florida Statutes, whoever knowingly makes a false a in the performance of his official duty shall be guilty of a mi	by my signature below. I am aware that pursuant to Section statement in writing with the intent to mislead a public-servar isdemeanor of the second degree. DATE: 5-2 Y-97
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MAILING ADDRESS: 551 N. W. 77th Street, Suite 111, Bo	
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SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEM	IENT AGENCY OLEW WI CHEMANN
NAME & POSITION/TITLE (PRINT OR TYPE): Robert Neur	mann, Sheriff
NAME OF LAW ENFORCEMENT AGENCY: Palm Beach	County Sheriff's Office
MAILING ADDRESS: 3228 Gun Club Rd., West Palm Be	each, FL 33406