

BellSouth Telecommunications, Inc. Fax 904 222-8640
Suite 400 904 222-1201
150 South Monroe Street
Tallahassee, Florida 32301

Nancy H. Sims
Director - Regulatory Relations

May 30, 1996

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. 960686-TOL
Waiver of Rule 25-4.076(6), F.A.C.

Enclosed please find the original and fifteen copies of our request for waiver of Rule 25-4.076(6), F.A.C. which we ask that 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 25-4.076(6), 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 public telephones are as follows:

560 Ballough Road	(904) 254-8901
Daytona Beach, Florida	(904) 254-8140
1275 Duval Street	(305)296-8573
Key West, Florida	

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo
May 30, 1996
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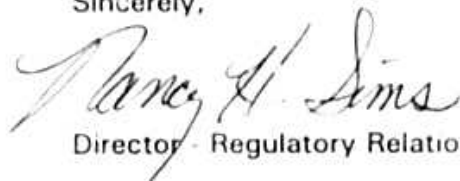
The Deputy City Manager and the Police Department has requested that we submit these requests for a waiver of the rule because of the use of the pay telephones at these locations for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones for these individuals. These locations do not fit within the delineated exceptions to the rule and therefore these requests for waiver are appropriate.

The location provider for the location identified above has either joined in or agreed to this request for waiver which is attached.

The Commission has previously granted a waiver of this Rule in Order No. 23762, issued November 15, 1990, approving Southern Bell's petition for waiver of the rule for pay telephones located at three laundromats owned by Mr. Patrick Collins in Miami, Florida. The owner had requested blocking of incoming calls to restrict the usefulness of the public phone for drug dealers and prostitutes.

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

Sincerely,


Director - Regulatory Relations

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 904-254-8901
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Salvation Army - 1st Flr.
560 Ballough Rd., Dayt. Bch., FL. County: Volusia

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(B) 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 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: James B. Hawkins DATE 5-24-96
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications
 MAILING ADDRESS: 2nd Floor, 75 Bagby Drive
Homewood, AL 35209

X 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 company 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 3-21-96
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): The SALVATION ARMY
 MAILING ADDRESS: 560 BALLOUGH RD., DAYTONA BEACH, FL. 32114

✓ 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 the 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 3-28-96
 NAME & POSITION/TITLE (PRINT OR TYPE): Deputy City Manager/Director of Public Safety
 NAME OF LAW ENFORCEMENT AGENCY: City of Daytona Beach Public Safety Department
 MAILING ADDRESS: 990 Orange Avenue, Daytona Beach, FL 32114

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 904-254-8140
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): SALVATION Army - 2nd Flr.
560 Ballough Rd. Dayt. Bch., FL County: Volusia

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 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: James B. Hawkins DATE 5 24 96
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications
 MAILING ADDRESS: 2nd Floor, 75 Bagby Drive
Homewood, AL 35209

X 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 company 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 3-21-96
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): THE SALVATION ARMY
 MAILING ADDRESS: 560 BALLOUGH RD., DAYTONA BEACH, FL 32114

X 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 the 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 3-28-96
 NAME & POSITION/TITLE (PRINT OR TYPE): Deputy City Manager/Director of Public Safety
 NAME OF LAW ENFORCEMENT AGENCY: City of Daytona Beach Public Safety Department
 MAILING ADDRESS: 990 Orange Avenue, Daytona Beach, FL 32114

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 305-296-8573
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1275 Duval Street, Key West, Florida 33040
 County: Monroe

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 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: James B. Hawkins DATE 5/24/96
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications
 MAILING ADDRESS: 2nd Floor, 75 Bagby Drive
Homewood, AL 35209

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: Gary Addleman DATE 5-7-96
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Gary Addleman, Chief Code Enforcement Officer
 MAILING ADDRESS: P.O. Box 1409, Key West, FL 33041-1409

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: E. Ray Peterson DATE 5/1/96
 NAME & POSITION/TITLE (PRINT OR TYPE): E. Ray Peterson, Chief of Police
 NAME OF LAW ENFORCEMENT AGENCY: City of Key West Police Department
 MAILING ADDRESS: P.O. Box 1409, Key West, FL 33041-1409

State of Florida

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF RECORDS &
REPORTING
BLANCA S. BAYÓ
DIRECTOR
(904) 413-6770

Public Service Commission

June 4, 1996

Ms. Nancy H. Sims
BellSouth Telecommunications, Inc.
Suite 400
1500 South Monroe Street
Tallahassee, Florida 32301

Docket No. 960686-TC

Dear Ms. Sims:

This will acknowledge receipt of a request for exemption for requirement that all telephone stations shall allow incoming calls by BELLSOUTH TELECOMMUNICATIONS, INC., which was filed in this office on May 31, 1996 and assigned the above-referenced docket number. Appropriate staff members will be advised.

A tentative schedule of events in your docket (referred to as a Case Assignment and Scheduling Record or CASR) should be available, upon request, ten (10) working days after establishment of the docket. You may contact the Records Section at (904) 413-6770 or by fax at (904) 413-7118 to request that a copy of the case schedule be faxed or mailed to you. The schedule of events provides you with an opportunity to anticipate completion stages of work in the docket. These dates are subject to change; therefore, you may wish to call the Records Section periodically to obtain revised schedules for your docket. For firm dates of hearings or other activities, please look to the Commission's official notices and orders. You can also obtain information on your docket by accessing the PSC HomePage on the Internet, at <http://www.state.fl.us/psc/>.

Sincerely,

A handwritten signature in cursive script that reads "Linda C. Williams".

Linda C. Williams
Commission Deputy Clerk Supervisor