

FLORIDA PUBLIC SERVICE COMMISSION  
Capital Circle Office Center, 2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

M E M O R A N D U M

August 1, 1996

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING  
FROM : DIVISION OF COMMUNICATIONS [K. LEWIS] *KL*  
DIVISION OF LEGAL SERVICES [LUGO] *scl/mb*  
RE : REQUEST FOR EXEMPTION FROM REQUIREMENT THAT EACH  
TELEPHONE STATION SHALL ALLOW INCOMING CALLS.

DOCKET NO. 960839-TL - BELLSOUTH TELECOMMUNICATIONS, INC.  
DOCKET NO. 960849-TL - GTE FLORIDA INCORPORATED  
DOCKET NO. 960855-TC - PEOPLES TELEPHONE COMPANY, INC.  
DOCKET NO. 960856-TC - ABTEL COMMUNICATIONS, INC.

AGENDA: 08/13/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -  
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960839.RCM

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CASE BACKGROUND

Each of the providers listed on page 4 have submitted one or more requests to block incoming calls at their pay telephones. Each of the requests were submitted on a properly completed Form PSC/CMU 2 (12/94). Staff believes the following recommendation is appropriate.

DOCUMENT NUMBER-DATE

08061 AUG-1 1996

FPSC-RECORDS/REPORTING

DISCUSSION OF ISSUES

**ISSUE 1:** Should the Commission grant each of the providers listed on page 4 an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed?

**RECOMMENDATION:** Yes, the Commission should grant each of the providers listed on page 4 an exemption from the requirement that each telephone station shall allow incoming calls for the pay telephone numbers at the addresses listed.

**STAFF ANALYSIS:** Rules 25-24.515(8), and 25-4.076(6), Florida Administrative Code, provide in pertinent part;

Each telephone station shall 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. There shall be no charge for receiving incoming calls. Requests for exemption from the requirement that each telephone station allow incoming calls shall be accompanied by a completed FORM PSC/CMU-2 (12/94), which is incorporated into this rule by reference.

Each company has submitted a properly completed Request to Block Incoming Calls form for each of the instruments identified on page 4. Staff has reviewed each form and found each to have been signed by the owner or officer of the pay telephone company, the location owner, and the chief of the law enforcement agency of the jurisdiction in which the pay telephone is located.

By signing FORM PSC/CMU-2 (12/94), each pay telephone company has agreed 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 the request of law enforcement." Furthermore, there is language on the form above each of the three party's signatures which states "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."

Staff is satisfied that the forms have been completed properly. Staff is not aware of any unusual circumstances that would require further investigation in any of these cases, consequently, staff recommends approval of each of the requests.

DOCKETS NOS. 960829-TL, 960849-TL, 960855-TC & 960856-TC  
DATE: August 1, 1996

**ISSUE 2:** Should these dockets be closed?

**RECOMMENDATION:** Yes, if no timely protest to the proposed agency action is filed within 21 days of the date of issuance of the Order, these dockets may be closed.

**STAFF ANALYSIS:** Whether staff's recommendation on issue 1 is approved or denied, the result will be a proposed agency action order. If no timely protest to the proposed agency action is filed within 21 days of the date of issuance of the Order, these dockets may be closed. A protest filed in one docket shall not affect the closing of the other dockets.

DOCKETS NOS. 960829-TL, 960849-TL, 960855-TC & 960856-TC  
 DATE: August 1, 1996

<u>DOCKET NO.</u>	<u>PROVIDER</u>	<u>PHONE NUMBER</u>	<u>ADDRESS</u>	<u>CITY</u>
960829-TL	BELLSOUTH	407/282-9701	3100 S SEMORAN BLVD	ORLANDO
960829-TL	BELLSOUTH	407/282-9705	2255 S SEMORAN BLVD	ORLANDO
960849-TL	GTE FLORIDA	813/884-9069	8060 WEST WATERS AVE	TAMPA
960849-TL	GTE FLORIDA	813/884-9855	8060 WEST WATERS AVE	TAMPA
960855-TC	PEOPLES TELEPHONE	407/788-8815	250 WYMORE ROAD	ALTA MONTE SPGS
960855-TC	PEOPLES TELEPHONE	407/788-8805	250 WYMORE ROAD	ALTA MONTE SPGS
960855-TC	PEOPLES TELEPHONE	407/788-6050	250 WYMORE ROAD	ALTA MONTE SPGS
960855-TC	PEOPLES TELEPHONE	407/788-8827	250 WYMORE ROAD	ALTA MONTE SPGS
960855-TC	PEOPLES TELEPHONE	904/752-9658	1611 N. FIRST STREET	LAKE CITY
960855-TC	PEOPLES TELEPHONE	904/752-9670	1611 N. FIRST STREET	LAKE CITY
960855-TC	PEOPLES TELEPHONE	904/752-9748	441 NORTH & 100 STREET	LAKE CITY
960855-TC	PEOPLES TELEPHONE	904/752-9924	441 NORTH & 100 STREET	LAKE CITY
960855-TC	PEOPLES TELEPHONE	904/752-9780	2136 E. DUVAL STREET	LAKE CITY
960855-TC	PEOPLES TELEPHONE	904/752-9891	2136 E. DUVAL STREET	LAKE CITY
960856-TC	ABTEL COMMUNICATIONS	941/772-2742	2301 DEL PRADO BLVD	CAPE CORAL
960856-TC	ABTEL COMMUNICATIONS	941/772-2456	2301 DEL PRADO BLVD	CAPE CORAL
960856-TC	ABTEL COMMUNICATIONS	941/772-2387	2301 DEL PRADO BLVD	CAPE CORAL
960856-TC	ABTEL COMMUNICATIONS	941/772-3526	2301 DEL PRADO BLVD	CAPE CORAL
960856-TC	ABTEL COMMUNICATIONS	941/772-8653	2301 DEL PRADO BLVD	CAPE CORAL