

cmj/hubert
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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

January 8, 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. 970066-TC
Waiver of Rule 25-4.076(6), F.A.C.

Enclosed please find the original and five 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 locations and numbers of the public telephones are as follows:

ACK _____
AFA _____
ATP _____
CAF _____
CMU _____
CTR _____
FAG _____
LEJ _____
LHM _____
OFC _____
PFA _____
SFC _____
WFS _____
JHA _____

2130 NW 31st Avenue	(352) 372-9406
Gainesville, Florida	(352) 372-9439
1024 NW 5th Avenue	(352) 372-9437
Gainesville, Florida	

RECEIVED & FILED

FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

00449 JAN 14 97

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo
January 8, 1997
Page 2

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 these waivers 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



GAINESVILLE POLICE DEPARTMENT

Tony R. Jones
Chief of Police

Post Office Box 1250
Gainesville, FL 32602
(352) 334-2400

December 9, 1996

Public Service Commission
Attn: Brenda Hawkins

Dear Ms. Hawkins:

At the request of the PSC, please be advised that I am currently filling the role of Interim Police Chief for the Gainesville Police Department, having been appointed to this position by City Manager Wayne Bowers on 5/31/96. Although the interim position was to have been through the period October 1st, the City Manager has not yet selected a permanent police chief for our department, and has not given us a second anticipated date for filling this.

I have been told by the City Manager that I will remain as the Interim Police Chief until such time as the permanent Chief has been selected.

Sincerely,

A handwritten signature in black ink, appearing to be "T. Jones", enclosed in a hand-drawn oval.

Tony R. Jones
Interim Police Chief

TRJ/mrh

To Protect and to Serve.
In Partnership with the Community



FLORIDA PUBLIC SERVICE COMMISSION
REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-372-9406
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS) 2130 NW 31ST AVE
GAINESVILLE, FL. County: ALACHUA

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 12-2-96
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.
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: Joseph Ramsey DATE 10/28/96
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Glen Springs Manor
MAILING ADDRESS: GLEN SPRINGS MANOR APARTMENTS
2130 N.W. 31st AVE.
GAINESVILLE, FL. 32605

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: _____ DATE 10-28-96
NAME & POSITION/TITLE (PRINT OR TYPE): Tony R. Jones, Interim Chief of Police
NAME OF LAW ENFORCEMENT AGENCY: Gainesville Police Department
MAILING ADDRESS: P.O. Box 1250, Gainesville, FL 32602

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-372-9439
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2130 NW 31st AV
GAINESVILLE, FL County: ALACHUA

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 12-29-96
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
 NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.
 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: Petrah James agent for owner DATE 10/28/96
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Glen Springs Manor
 MAILING ADDRESS: GLEN SPRINGS MANOR APARTMENTS
2130 N.W. 31st AVE.
GAINESVILLE, FL. 32605

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: _____ DATE 10-28-96
 NAME & POSITION/TITLE (PRINT OR TYPE) Tony R. Jones, Interim Chief of Police
 NAME OF LAW ENFORCEMENT AGENCY: Gainesville Police Department
 MAILING ADDRESS: P.O. Box 1250 Gainesville, FL 32602

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-372-9437
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS) 1024 NW 5TH AV, GAINESVILLE, FL.
 County: ALACHUA

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 11-18-96
 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: [Signature] DATE [Signature]
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) CITY OF GAINESVILLE
 MAILING ADDRESS: P.O. Box 490 Gainesville, FL 32602

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: [Signature] DATE 11-04-96
 NAME & POSITION/TITLE (PRINT OR TYPE) Ch. Acting Chief of Police Tony R. Jones
 NAME OF LAW ENFORCEMENT AGENCY: Gainesville Police Department
 MAILING ADDRESS: P.O. Box 1250 Gainesville, FL 32602