

**MAPPING GREEN SAMS & S**

**PROFESSIONAL ASSOCIATION  
ATTORNEYS AND COUNSELORS**

**123 SOUTH CALHOUN STREET  
POST OFFICE BOX 8526  
TALLAHASSEE, FLORIDA 32314  
19041 222-7500  
FAX 19041 224-8551  
FAX 19041 425-3415**

**GARY R. HUNTER, JR.  
JONATHAN T. JOHNSON  
ROBERT A. MANNING  
ANGELA B. MORRISON  
GARY V. PERRO  
KAREN M. PETERSON  
R. SCOTT RUTH  
W. STEVE SYKES  
T. RENT WETHERELL, II  
  
OF COUNSEL  
W. ROBERT FORES**

**JAMES S. ALVES  
BRIAN H. BIBEAU  
KATHLEEN BLIZZARD  
ELIZABETH C. BOWMAN  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
RALPH A. DiMEO  
THOMAS M. DiROSE  
WILLIAM H. GREEN  
WADE L. HOPPING  
FRANK E. MATTHEWS  
RICHARD D. NELSON  
MICHAEL P. PETROVICH  
DAVID L. POWELL  
WILLIAM D. PRESTON  
CAROLYN S. RAEPPLÉ  
DOUGLAS S. ROBERTS  
GARY P. SAMS  
ROBERT P. SMITH  
CHERYL G. STUART**

**Writer's Direct Dial No.  
(904) 425-2313**

**February 5, 1997**

*970161-TC*

**Ms. Blanca S. Bayó  
Director, Records & Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850**

**Dear Ms. Bayó:**

**Enclosed for filing on behalf of MCI Telecommunications Corporation in the above docket are the original and 15 copies of MCI's Petition for Exemption from Rule 25-24.515(9).**

**By copy of this letter this document has been provided to the parties on the attached service list.**

**Very truly yours,**

*RDM*

**Richard D. Nelson**

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_ **RDM/cc**
- CAF \_\_\_\_\_ **Enclosures**
- CMU \_\_\_\_\_ **cc: Service List**
- CTR \_\_\_\_\_
- EQG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIV \_\_\_\_\_
- OPG \_\_\_\_\_
- REI \_\_\_\_\_
- SGG \_\_\_\_\_
- WAS \_\_\_\_\_ **0108.1**
- OTH \_\_\_\_\_

**DOCUMENT NUMBER-DATE**

**01360 FEB-56**

**FPSC-RECORDS/REPORTING**

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of MCI  
Telecommunications Corporation  
for Exemption from Rule 25-24.515(9),  
Florida Administrative Code. )  
Docket No. \_\_\_\_\_ )  
Filed: February 5, 1997 )

**MCI'S PETITION FOR EXEMPTION**

MCI Telecommunications Corporation ("MCI"), pursuant to Rule 25-24.505(3), Florida Administrative Code, hereby petitions the Florida Public Service Commission ("Commission") for an exemption from the provisions of Rule 25-24.515(9) to permit the use of line concentration of up to a maximum three instruments to one line, or the equivalent thereof on T-1 facilities, at its pay telephones located in confinement facilities. In support of this Petition, MCI states:

**BACKGROUND**

1. MCI's full name and business address for its Florida operations is:

MCI Telecommunications Corporation  
780 Johnson Ferry Road, Suite 700  
Atlanta, GA 30342

2. The names and addresses of the representatives of MCI to receive notices, pleadings and other materials in this docket are:

Richard D. Nelson  
Hopping Green Sams & Smith, P.A.  
P.O. Box 6526  
Tallahassee, FL 32314

Martha McMillin  
MCI Telecommunications Corp.  
780 Johnson Ferry Road, Ste. 700  
Atlanta, GA 30342

3. MCI currently holds a pay telephone certificate from the Commission. MCI provides pay telephone service at numerous locations throughout the state of Florida, including pay telephone service in confinement facilities.

4. Pursuant to Rule 25-24.505(3), MCI is seeking an exemption from Rule 25-24.515(9) to permit it to utilize line concentration up to a maximum of three instruments to one line, or the equivalent thereof on T-1 facilities, at its pay telephones located in confinement facilities.

#### **FACTS AND POLICY SUPPORTING EXEMPTION**

5. Rule 25-24.515(9) provides that each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company. These local exchange company tariffs are generally consistent with Order 14529, issued July 1, 1985, in which the Commission required that only one pay telephone instrument be installed per access line. The policy basis underlying this requirement was the Commission's concern that a payphone customer not get a busy signal when using the payphone in an emergency situation.

6. Confinement facilities present a unique situation. Such facilities have their own emergency response systems in place and Rule 25-24.515(15) exempts pay stations located in confinement facilities from the requirement to provide access to 911. For these reasons, the concern with inmates getting a busy signal when they try to reach emergency services is moot.

7. MCI uses advanced technology to provide pay telephone service in confinement facilities. This includes the use of an Automated Call Processor which is capable, for example, of screening inmate calls against an approved list of telephone numbers to ensure that the inmate's use of the telephone complies with the correctional facility's policies. This technology provides reliable call completion, without allowing inmates access to the public telephone network, thus reducing harassment and fraud.

8. The Automated Call Processor is capable of allowing concentration of more than one station to each access line or, when using T-1 facilities, each access line equivalent. By allowing any station to make use of any available access line or voice grade access channel on a first-come, first-served basis, the statistical probability of blocking is reduced, and MCI can engineer the facilities to use up to 3:1 concentration while maintaining a P.01 or better grade of service.

9. Using concentration in this manner would enable MCI to provide service more cost-effectively and to deploy a larger number of instruments per access line, improving overall access to telephone service for inmates.

10. MCI desires to employ line concentration for its pay telephones only in confinement facilities, and will not use concentration in other pay telephone applications. Rule 25-24.515(15) recognizes that regulatory requirements need to take into account the unique conditions and needs of confinement

facilities. MCI believes that no adverse service effects will be observed at confinement facilities as a result of line concentration.

11. The requested exemption is consistent with the legislative intent to avoid "unnecessary regulatory constraints" and to eliminate rules that "delay or impair the transition to competition." Sections 364.01(4)(e),(f), Florida Statutes (1995).

12. The exemption is also consistent with the exemptions granted to ATN, Inc. (Docket No. 960805-TC), InVision Telecom, Inc. (Docket No. 961289-TC), Global Tel\*Link Corporation (Docket No. 961292-TC), North American InTeleCom, Inc. (Docket No. 961363-TC).

13. By requesting this exemption, MCI seeks authority to use up to 3:1 concentration of pay stations in confinement facilities to pay station access lines or their equivalents. In particular, MCI seeks the ability to use pay phone access lines and/or T-1 access facilities in any proportion it elects, so long as the maximum concentration does not exceed three pay stations per equivalent voice grade channel.

WHEREFORE, MCI respectfully requests that it be granted an exemption from Rule 25-24.515(9) to permit it, in confinement facilities, to use up to a 3:1 concentration of pay stations to access lines, over any combination of pay phone access lines and/or equivalent voice grade channels on T-1 facilities.

RESPECTFULLY SUBMITTED this 5th day of February, 1997.

HOPPING GREEN SAMS & SMITH, P.A.

By: Richard D. Melson  
Richard D. Melson  
P.O. Box 6526  
Tallahassee, FL 32314  
(904) 425-2313

and

MARTHA MCNILLIN  
MCI Telecommunications Corporation  
780 Johnson Ferry Road, Suite 700  
Atlanta, GA 30342  
(404) 267-6375

ATTORNEYS FOR MCI

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following parties by U.S. Mail this 5th day of February, 1997.

Martha Carter Brown  
Division of Legal Services  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

*R. D. M.*

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Attorney