



March 11, 1997  
Via Overnight

210 N. Park Ave.  
P.O. Drawer 200  
Winter Park, FL  
32790-0200

Florida Public Service Commission  
Division of Communications  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399-0850

970333-JC

Tel: 407-740-8575  
Fax: 407-740-0613

Re: Petition for Waiver of Rules and Requirements  
Prohibiting Provision of 0+ Local and IntraLATA Calls  
From Store and Forward Pay Telephones Located in  
Confinement Institutions by Gateway Technologies, Inc.

Dear Sir/Madam:

Enclosed for filing are the original and fifteen (15)  
copies of the above-referenced petition of Gateway  
Technologies, Inc. for waiver of Commission rules and  
requirements related to 0+ local and intraLATA calls from  
confinement institutions.

Please acknowledge receipt of this filing by date-stamping  
the extra copy of this cover letter and returning it to me  
in the self-addressed, stamped envelope provided for this  
purpose.

Questions regarding this filing may be directed to my  
attention at (407) 740-8575.

Yours truly,

Hal Stringer  
Consultant to  
Gateway Technologies, Inc.

cc: Nancy Lee - Gateway  
file: Gateway - FL  
tms: FL97001

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition for waiver of rules and )  
requirements prohibiting provision of )  
0+ local and 0+ intraLATA calls from )  
store-and-forward pay telephones located )  
in confinement institutions by )  
Gateway Technologies, Inc. )  
\_\_\_\_\_ )

Docket No. 970333-TC

PETITION FOR WAIVER

Pursuant to Commission Rule 25-24.505(3), Florida Administrative Code, Gateway Technologies, Inc. ("Gateway") petitions the Florida Public Service Commission ("Commission") for a waiver of those rules and requirements prohibiting Gateway from providing 0+ local and 0+ intraLATA calls using store-and-forward pay telephones located in confinement institutions within the state of Florida. In support of its petition, Gateway states:

1. Petitioner's name and address are:

Gateway Technologies, Inc.  
1544 Valwood Parkway  
Suite 102  
Carrollton, Texas 75006  
Telephone: (972) 241-1535  
Facsimile: (972) 241-1537

2. All notices, orders or documents regarding this petition should be directed to:

Nancy Lee  
Treasurer  
Gateway Technologies, Inc.  
1544 Valwood Parkway, Suite 102  
Carrollton, Texas 75006  
Telephone: (972) 241-1535  
Facsimile: (972) 241-1537

and Hal Stringer  
Consultant to Gateway  
Technologies Management, Inc.  
P.O. Drawer 200  
Winter Park, FL 32790-0200  
Telephone: (407) 740-8575  
Facsimile: (407) 740-0613

3. Gateway Technologies, Inc. is incorporated under the laws of the State of Texas. Gateway filed an application for Certificate to Provide Pay Telephone Service on January-31, 1997 in Docket No. 97-0132-TC. Gateway's application is currently pending. At this time, the company does not provide service within the State of Florida.

4. Gateway proposes in its application for a Certificate to Provide Pay Telephone Service to offer telecommunications services to inmates of confinement institutions within the state of Florida similar to services it currently offers in other jurisdictions. The Company installs sophisticated premises equipment in confinement institutions that permits inmates to make outgoing, collect-only calls without the assistance of a live operator. The company's services are provided through telephone instruments connected to a centralized call processing unit with store-and-forward capability.

Through this equipment, the company provides a number of controls and restrictions that serve to reduce or eliminate fraudulent use of telephone services. These restrictions also provide the confinement institution with increased control over the use of the telecommunications services used by inmates of the institution.

5. Gateway seeks waivers of Rules 25-24.515(7) and 25-24.620(2)(c) and (d). These rules prohibit Gateway from providing and billing for 0+ local and 0+ intraLATA calls placed by inmates of confinement institutions. Specifically, Gateway seeks authority to provide and bill for 0+ local and intraLATA calls placed by inmates using its store-and-forward pay telephones. Gateway believes that the benefits afforded to confinement institutions and the general public, such as call screening and blocking, currently proposed with its interLATA service will be enhanced if Gateway is allowed to handle 0+ local and 0+ intraLATA calls as well.

6. Waivers requested by Gateway Technologies are similar to those already granted by the Commission to other pay telephone providers including Ameritel Pay Phones, Inc.<sup>1</sup>, ATN, Inc.<sup>2</sup>, Global Tel\*Link<sup>3</sup>, InVision Telecom, Inc.<sup>4</sup>, and T-Netix, Inc.<sup>5</sup> In its orders granting waivers similar to those requested by Gateway, the Commission recognized that no reason could be found to prevent NPATS from carrying 0+ local and 0+ intraLATA calls. In addition, the Commission found that allowing NPATS to carry such calls is a step toward a more competitive market place.

7. Should these waivers be granted, Gateway agrees to charge no more than the serving local exchange carrier for local and intraLATA 0+ calls placed from confinement institutions.

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<sup>1</sup> In Re: Petition for waiver of Rules 25-24.620(2)(c) and (d) and 25-24.515(7), F.A.C., by Ameritel Pay Phones, Inc., Docket No. 960570-TC, Order No. PSC-96-1063-FOF-TC, Issued August 20, 1996.

<sup>2</sup> In Re: Request for waiver of rules and policies which prohibit provision of 0+ local and 0+ intraLATA calls from store-and-forward pay telephones located in confinement facilities, by ATN, Inc., Docket No. 960603-TC, Order No. PSC-96-1062-FOF-TC, Issued August 20, 1996.

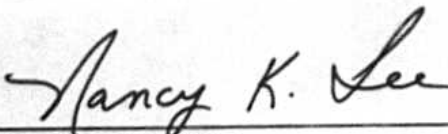
<sup>3</sup> In Re: Petition for waiver of rules and policies to permit provision of 0+ local and 0+ intraLATA utilizing store and forward technology at pay telephones located in correctional institutions and other confinement facilities, by Global Tel\*Link Corporation, Docket No. 951198-TC, Order No. PSC-96-0867-FOF-TC, Issued July 2, 1996.

<sup>4</sup> In Re: Petition for waiver of requirement prohibiting provision of 0+ local and 0+ intraLATA calls from store-and-forward pay telephones located in confinement facilities, by InVision Telecom, Inc., Docket No. 960407-TC, Order No. PSC-96-1009-FOF-TC, Issued August 7, 1996.

<sup>5</sup> In Re: Petition for waiver of Rule 25-24.515 (7), F.A.C., and Rule 25-24.620(2)(c) and (d), F.A.C., regarding 0+ local and 0+ intraLATA traffic, by T-Netix, Inc., Docket No. 95-1456-TP, Order No. PSC-96-0868-FOF-TP, Issued July 2, 1996.

WHEREFORE, Gateway Technologies, Inc. respectfully requests, subject to approval of its application for certification in Docket No. 97-0132-TC, that it be granted a waiver of the applicable rules, orders and policies currently prohibiting it from providing and billing for 0+ local and 0+ intraLATA calls made from store-and-forward pay telephones located in confinement institutions, and for such other relief as may be appropriate.

Respectfully submitted this 4<sup>th</sup> day of March, 1997.



Nancy Lee, Treasurer  
Gateway Technologies, Inc.  
1544 Valwood Parkway  
Suite 102  
Carrollton, Texas 75006