**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**

 **June 12, 1997**

**TO: DIRECTOR, DIVISION OF RECORDS AND REPORTING (BAYO)**

**FROM: DIVISION OF COMMUNICATIONS (HAWKINS)**

 **DIVISION OF LEGAL SERVICES (COX)**

**RE: DOCKET NO. 961195-TL- UNITED TELEPHONE COMPANY OF FLORIDA DOCKET NO. 961323-TL- UNITED TELEPHONE COMPANY OF FLORIDA**

 **DOCKET NO. 961361-TC- BELLSOUTH TELECOMMUNICATIONS, INC. - REQUEST FOR EXEMPTION FROM REQUIREMENT THAT EACH TELEPHONE STATION ALLOW INCOMING CALLS**

**AGENDA: 06/24/97 - REGULAR AGENDA - PROPOSED AGENCY ACTION - INTERESTED PERSONS MAY PARTICIPATE**

**CRITICAL DATES:NONE**

**SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\961195.RCM**

 **CASE BACKGROUND**

 Staff received two separate requests for exemption of the incoming call requirement at pay telephones from United Telephone (Sprint). The requests are dated September 30, 1996, and November 5, 1996. Staff also received a request for exemption from BellSouth Telecommunications, Inc. (BellSouth) dated November 13, 1996. The forms had not been properly signed by the Sheriff or Chief of Police of the listed jurisdictions, as required by rule. The forms were returned to the companies requesting the proper signatures. When the forms were not returned to staff after the 15 day requested response, staff followed up with phone calls to both companies. Staff was told in each case that the forms would be returned. When the forms were not returned, staff faxed follow-up requests for proper signatures on February 10, 1997 to both companies. Both companies responded via telephone to staff and indicated that the forms would be properly signed and returned. To date, Sprint and BellSouth have not returned the forms. Therefore, staff believes the following recommendations are appropriate.

 **DISCUSSION OF ISSUES**

**ISSUE :** Should the Commission approve the incoming call blocking requests for Sprint and BellSouth?

**RECOMMENDATION:** No.

**STAFF ANALYSIS:** After receiving the incomplete call blocking forms, staff immediately returned the forms to Sprint and BellSouth amd requested the proper signatures of the jurisdicational law enforcement agencies. Staff sent two letters and faxes, as described in the Case Background; however, Sprint and BellSouth failed to re-submit the forms with the proper signatures. To date, the forms have not been re-submitted. Sprint and BellSouth have had more than four months to respond to staff's request.

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

**RECOMMENDATION:** Yes.

**STAFF ANALYSIS::** To date, Sprint and BellSouth have not submitted the forms with the proper signatures. Staff has made every effort to encourage Sprint and BellSouth to comply with staff's request. These dockets should closed unless a person whose substantial interest are affected by the Commission's decision files a protest within 21 days of the issuance of the Proposed Agency Action.