

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 12/05/97

Docket No. 971592-17

1. Division Name/Staff Name Communications/Isler

2. OPR Communications/Isler

3. OOR Legal

4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-26.515(8), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by Teleleasing Enterprises, Inc.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

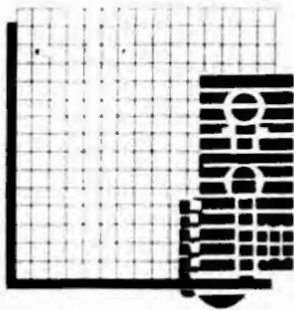
1. Parties and their representatives (if any)

<u>Teleleasing Enterprises, Inc.</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:
 Documentation is attached.
 Documentation will be provided with recommendation.



TEI *DAVEL COMMUNICATIONS GROUP*

1429 Massaro Blvd. • Tampa, Florida • 33619 • Phone (813) 623-3545 • Fax (813) 623-3546

November 22, 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: **Waiver of Rule 25-24.515(8), F.A.C.**

On behalf of Telaleasing Enterprises, Inc., enclosed please find the original and five copies of our request for waiver of Rule 25-24.515(8), F.A.C. which we ask that you file in the above captioned matter.

We request that the pay telephones located at the address below be exempted from the provisions of Rule 25-24.515(8), 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 location and numbers of the public telephones are as follows:

825 15th Street East	(941) 745-8078
Bradenton, FL 34208	(941) 745-8059

This waiver is being requested in accordance with the requirements of Florida State Statutes Section 120.642(2). Granting this waiver will not impede the continued provision of pay telephone service to the using public as intended by the underlying Statute (section 364 345)

In addition, as explained below, granting this waiver will lift the "substantial hardship" that the rule imposes on law enforcement, the location provider and the law abiding using public

The Police Department has requested that we submit this request for a waiver of the rule because of the use of the pay telephones at this location for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephone for these individuals. This location does not fit within the delineated exceptions to the rule and therefore this request for waiver is appropriate.

The location provider for the location identified above has either joined in or agreed to this request for waiver which is attached.

Please advise by Order if our request for the waiver has been approved.

Sincerely,



Jade M. Maxwell
Legal Assistant

Enclosure

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (941) 795 3078
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 825 15th Street East Bradenton, Fl 34208

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: Theodore Ramme Kamp DATE 9/26/97

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Theodore Ramme Kamp

NAME OF PAY TELEPHONE COMPANY: Telaleasing Enterprises, Inc.

MAILING ADDRESS: 1429 Massaro Blvd Tampa, Fl 33619

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: Satish Trivedi DATE 9.26.97

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): SATISH TRIVEDI

MAILING ADDRESS: Little Country Square, 825, 15th St. E. Bradenton, Fl 34208

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: D.L. Thorpe DATE 9/11/97

NAME & POSITION/TITLE (PRINT OR TYPE): _____

NAME OF LAW ENFORCEMENT AGENCY: CHIEF D.L. THORPE

MAILING ADDRESS: BRADENTON POLICE DEPT.
1004 9th AVENUE WEST
BRADENTON FL 34205

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

(941)745-8059

TELEPHONE NUMBER: ONE NUMBER PER REQUEST, NO EXCEPTIONS!!

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 825 15th Street East Bradenton, FL 34208

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: *Theodore Rammelkamp*

DATE 9/24/97

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Theodore Rammelkamp

NAME OF PAY TELEPHONE COMPANY: Telaleasing Enterprises, Inc.

MAILING ADDRESS: 1429 Massaro Blvd Tampa, FL 33619

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: *Satish Trivedi*

DATE 6-26-97

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): SATISH TRIVEDI

MAILING ADDRESS: Little Country Store, 825, 15th St. E. Bradenton FL 34208

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: *Chief D.L. Thorpe*

DATE 9/11/97

NAME & POSITION/TITLE (PRINT OR TYPE):

NAME OF LAW ENFORCEMENT AGENCY: CHIEF D.L. THORPE
BRADENTON POLICE DEPT.
1004 9th AVENUE WEST
BRADENTON FL 34205