

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date February 8, 2001

Docket No. 010187-R

- 1. Division Name/Staff Name Competitive Services/Isler
- 2. OPR Competitive Services/Isler
- 3. OCR Legal Services
- 4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-24.515(13), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth Public Communications, 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>Richard H. Holmes</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

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

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

01890 FEB-80

FPSC-RECORDS/REPORTING

BellSouth Public Communications, Inc.
75 Bagby Drive
Homewood, Alabama 35209

January 26, 2001

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. _____
Waiver of Rule 25-24.515(13), F.A.C.

Enclosed please find the original and 5 copies of our request for a two-year waiver of Rule 25-24.515(13), F.A.C. which we ask you file in the above captioned matter.

We request that the pay telephones located at the addresses below be exempt for a period of two years from the provisions of Rule 25-24.515(13), 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:

Unique Electronics, Inc. (407) 425-8896
1320 26th Street
Orlando, FL 32805

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Florida Public Service Commission
Division of Regulatory Oversight

Ms. Blanco S. Bayo
January 26, 2001
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Oak Ridge Apartments (352) 376-9302
1120 N.W. 45th Avenue
Gainesville, FL 32609

Town of Pembroke Park (954) 983-9608
3150 S.W. 52nd Avenue
Pembroke Park, FL 33023

Town of Pembroke Park (954) 983-9432
3150 S.W. 52nd Avenue
Pembroke Park, FL 33023

This waiver is being requested in accordance with the requirements of Florida State Statutes Section 120.542(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 these locations for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones 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(s) 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 accepted.

Sincerely,



Manager – Business Office
BellSouth Public Communications, Inc.

Enclosure

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 407-425-8896

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Unique Electronics, Inc. (Inside)
1320 26th St. Orlando, FL 32805

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Unique Electronics, Inc.

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(13), F.A.C. 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: [Signature] DATE: 1/24/01
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communicatons
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive, Homewood AL 35209
800-451-2646

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: 2/12/00
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): James A. Giuliano
MAILING ADDRESS & TELEPHONE NUMBER: Unique Electronics, Inc. P.O. Box 0550860
Orlando, FL 32855 407-422-3051

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE: 01/11/01
NAME & POSITION/TITLE (PRINT OR TYPE): Kevin Beary Sheriff
NAME OF LAW ENFORCEMENT AGENCY: Orange County Sheriff's Office
MAILING ADDRESS & TELEPHONE NUMBER: 2400 W. 33rd St. Orlando, FL 32839
407-737-2400

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

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 PUBLIC SERVICE OFFICE

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-376-9302

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1120 NW 45 AVE GAINESVILLE FL 32609

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: OAK RIDGE APTS

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(13), F.A.C. 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: Richard H. Holmes DATE: 1/22/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.

MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive

Homewood, AL 35209 (205) 943-2500

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: Robert W. Newman - CC owner DATE: 12-08-00

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): PARADISE PROP. INC.

MAILING ADDRESS & TELEPHONE NUMBER: 1120 NW 45 AVE OFFICE

GAINESVILLE FL 32609

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Norman B. Botsford DATE: 12/22/00

NAME & POSITION/TITLE (PRINT OR TYPE): Norman B. Botsford, Chief of Police

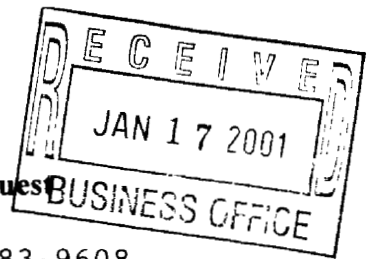
NAME OF LAW ENFORCEMENT AGENCY: Gainesville Police Department

MAILING ADDRESS & TELEPHONE NUMBER: P.O. Box 1250, Gainesville, FL 32602 352-334-2411

(*)

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 954-983-9608

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 3150 S.W. 52nd Avenue
Pembroke Park, Florida 33023

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Town of Pembroke Park

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(13), F.A.C. 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: [Signature] DATE: 1/22/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.

MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500

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: 1/4/01

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Robert A. Levy, Town Manager

MAILING ADDRESS & TELEPHONE NUMBER: 3150 S.W. 52nd Avenue
Pembroke Park, Florida 33023 954-966-4600

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE: 1/10/01

NAME & POSITION/TITLE (PRINT OR TYPE): Chief Andy Koerick

NAME OF LAW ENFORCEMENT AGENCY: Broward Sheriffs Office

MAILING ADDRESS & TELEPHONE NUMBER: 3201 W. Hallandale Beach Blvd.
Pembroke Park, Florida 33023 954-985-1953

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 954-983-9432

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 3150 S.W. 52nd Avenue
Pembroke Park, Florida 33023

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Town of Pembroke Park

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(13), F.A.C. 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: Richard H. Holmes DATE: 1/24/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.

MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500

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: Robert A. Levy DATE: 1/4/01

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Robert A. Levy, Town Manager

MAILING ADDRESS & TELEPHONE NUMBER: 3150 S.W. 52nd Avenue
Pembroke Park, Florida 33023 954-966-4600

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Chief Andy Koerick DATE: 1/24/01

NAME & POSITION/TITLE (PRINT OR TYPE): Chief Andy Koerick Broward Sheriffs Office

NAME OF LAW ENFORCEMENT AGENCY: 3201 W. Hallandale Beach Blvd.

MAILING ADDRESS & TELEPHONE NUMBER: Pembroke Park, Fla. 33023 954-985-1953