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

March 19, 2003

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. <u>630295-TC</u> 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 to file in the above captioned matter.

We request that the pay telephones located at the addresse(s) 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 location(s) and number(s) of the public telephones are as follows:

Orange Blossom Shopping Center 4550 S. Orange Blossom Trail Orlando, FL 32839 (407) 438-0948

Orange Blossom Shopping Center 4550 S. Orange Blossom Trail Orlando, FL 32839 (407) 438-1158

DOCUMENT NUMBER-DATE
02792 MAR 248

FPSC-COMMISSION CLERK

Ms. Blanco S. Bayo March 20, 2003 Page 2

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 - Busines Office

BellSouth Public Communications, Inc.

Enclosures

Flaw Enforcement | Plocation Provider

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

	Original Req				quent Request	
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have read to above information 83' writing with official du	the undersigned own the foregoing and rmation is a true 7.06, Florida St th the intent to ty shall be guilty	declare the and correction who mislead y of a misd	at to the book of the statement of the s	est of my nt. I am ingly make ervant in the second	knowledge and be a aware that puress a false state the performance degree.	lief, the rsuant to cament in of his
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NAME OF PAY TE	LEPHONE COMPANY:		Public Com	unication	s, Inc.	
MATLING ADDRES	\$ 6 TELEPHONE HONGER:	Homewood	AL 35209		(205) 943-2606	
		Homewood,	AL 33203		(203) 343-2000	
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Flaw Enforcement | Plocation Provider

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

	Original Request (check one) Subsequent Request
J	PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) $(407-438-1158)$
	PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 4550 S. Orange Blossom Trail
	Orlando, Fl., 32839
•	WANG OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Orange Rlossom Shopping Center Ltd.
•	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 CHARM/OFFICER OF PAY TELEPHORE COMPANY: Warful would pare: 03/19/03
	MANNE OF CHMER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Rachel K. Russell, Pres & COO BellSouth Public Communications, Inc.
	MANGE OF PAY TELEPHONE COMPANY: BELISOUTH Public Communications, Inc. 75 Bagby Drive
	Homewood, AL 35209 (205) 943-2606
	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-servent in the performance of his official duty shall be guilty of a misdemeanor of the second degree.
/	SIGNATURE OF LOCATION CHIER: WWW. DATE: 3(3(03)
	MANGE OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): OPANGE BLOSSOM SHOPPING CENTUR, LTD.
J	MATLING ADDRESS & TELEPHONE HUMBER: 10866 WILSHIRE BLUD, 11TH FL. LOS ANGILLES
_	CA 90824
	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.
V,	SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: DATE:
V	MAME & POSITION/TITLE (PAINT OR TYPE): Kevin Beary Sheriff ∮f Orange County, Florida
✓	NAME OF LAW ENFORCEMENT ACENCY: Orange County Sheriff's Office
	MAILING ADDRESS & TELEPHONE NUMBER: P.O. Box 1440 Orlando, FL 32802-1440 407-254-7000 X 70500