

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Proposed amendment of Rule 25-24.515,  
F.A.C., Pay Telephone Service.

DOCKET NO. 041304-TC  
ORDER NO. PSC-05-0117-NOR-TC  
ISSUED: January 27, 2005

BRAULIO L. BAEZ, Chairman  
J. TERRY DEASON  
RUDOLPH "RUDY" BRADLEY  
CHARLES M. DAVIDSON  
LISA POLAK EDGAR

NOTICE OF RULEMAKING

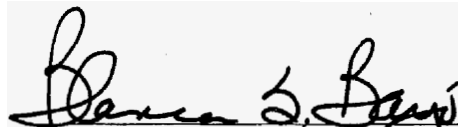
NOTICE is hereby given that the Florida Public Service Commission, pursuant to Section 120.54, Florida Statutes, has initiated rulemaking to amend Rule No. 25-24.515, Florida Administrative Code, relating to pay telephone service.

The attached Notice of Rulemaking will appear in the February 4, 2005, edition of the Florida Administrative Weekly.

If timely requested, a hearing will be held at a time and place to be announced in a future notice.

Written requests for hearing and written comments or suggestions on the rule must be received by the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862, no later than February 25, 2005.

By ORDER of the Florida Public Service Commission this 27th day of January, 2005.



BLANCA S. BAYO, Director  
Division of the Commission Clerk  
and Administrative Services

(SEAL)

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WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THESE PROPOSED RULE IS: Ray Kennedy, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6584.

THE FULL TEXT OF THE PROPOSED RULE IS:

**25-24.515 Pay Telephone Service.**

(1) – (9) No Change.

(10) Each pay telephone station ~~that~~ ~~which~~ provides access to any interexchange company shall provide coin free access, except for Feature Group A access, to all locally available interexchange companies. The pay telephone station shall provide such access through the forms of access purchased by locally available long distance carriers such as 10XXX+0, 10XXXX+0, 101XXXX+0, 950, toll free (e.g., 800, 877, and 888) access.

(11) –(17) No Change.

(18)(a) Except as provided in paragraphs (18)(b)-(d) below, each pay telephone station shall conform to sections 4.1.3(17), 4.2.4, 4.2.5, 4.2.6, 4.5.1, 4.31.2, 4.31.3, and 4.31.5 ~~703.7.2.3~~ and ~~704~~ of the ADA Accessibility Guidelines for Buildings and Facilities, Appendix A to 28 CFR Part 36, (July 1, 2003 Edition) ~~American National Standards Accessible and Usable Buildings and Facilities, approved, by the American National Standards Institute, Inc. (ANSI~~

~~A117.1-1998~~), which sections are is incorporated by reference into this rule. This rule does not apply to public text telephone and closed circuit telephones.

~~(b) Where there are two or more pay telephone stations located in a group, there shall be a minimum of one telephone per group of ten which conforms to the ANSI standards listed in paragraph (18)(a). The conforming station must be physically located in the group of pay telephone stations or must be installed within a clear line of sight within 15 feet of the group and the route to the conforming station must be free from wheelchair barriers.~~

~~(c) Except for locations on floors above or below entry level in buildings not serviced by a ramp or elevator, pay telephone stations shall be placed in areas accessible to the physically handicapped.~~

~~(b)(d)~~ Pay telephones shall not be installed where the required “clear floor or ground space” provided for in ADA Accessibility Guidelines for Buildings and Facilities ANSI sections 4.2.4.1, 4.2.4.2, and 4.31.2 ~~704.2.1~~ would be reduced by a vehicle parked in a designated parking space.

(19) No Change.

(20) Toll Fraud Liability.

(a) A company providing interexchange telecommunications services or local exchange telecommunications services shall not collect from a pay telephone provider for charges billed to a line for calls that ~~which~~ originated from that line through the use of access codes such as 10XXX, 10XXXX, 101XXXX, 950, and toll free (e.g., 800, 877, 888) access codes, or when the call originating from that line otherwise reached an operator position, if the originating line is subscribed to outgoing call screening and the call was placed after the effective date of the outgoing call screening order.

(b) – (23) No Change.

Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.035, 364.063, 364.337, 364.3375, 364.345 FS. History–New 1-5-87, Amended \_\_\_\_\_  
4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94, 9-5-95, 2-1-99, 12-23-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Kennedy

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:  
Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: January 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 30,  
Number 32, August 6, 2004.

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).