

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date:	3/22/2005	Docket No.:	050193 - TC
Division Name/Staff Name:	Division Of Competitive Markets & Enforcement/Isler		
OPR:	Division Of Competitive Markets & Enforcement		
OCR:	Office Of The General Counsel		
Suggested Docket Title:	Request for two-year exemption from requirement of Rule 25-24.515(13), F.A.C., that each		

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

- A. Provide NAMES OR ACRONYMS ONLY if a regulated company.
- B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)

1. Parties and their representatives (if any):

2. Interested persons and their representatives (if any):

6. Check one:

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

DOCUMENT NUMBER-DATE

02808 MAR 22 '05

March 8, 2005

Ms. Beth Salak, Director
Division of Competitive Markets & Enforcements
Florida Public Service Commission
2440 Shumard Oak Blvd
Tallahassee, FL 32399-0850

Dear Ms. Salak:

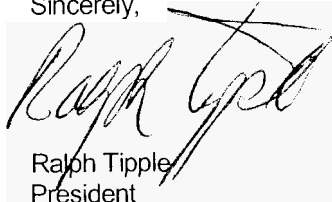
Enclosed is our request for a two-year waiver of Rule 25-24.515(13), Florida Administrative Code. We request that the pay telephone at the addresses below be exempt for a period of two years from the provisions of the Rule 25-24.515(13), F.A.C., which requires all pay telephone stations to allow incoming calls to be received at all times "with the exception of those located at hospitals, schools, and locations specifically exempt by the Commission." The locations and telephone numbers are as follows:

First Coast # 1066 780 S. Nova Rd, Daytona Beach, FL 386-252-9662 and 386-252-9661

This waiver is being requested in accordance with the requirements of Section 120.542(2), Florida Statutes. Granting this waiver will not impede the continued provisions of pay telephone service to the using public as intended by the underlying statute (Section 364.345, Florida statutes).

In Addition, 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 because of the use of the pay telephones for alleged illegal activities. They believe the waiver will restrict the usefulness of the payphones for these individuals. The above locations do not fit within the delineated exceptions to the rule; therefore, this request for a rule waiver is appropriate.

Sincerely,



Ralph Tipple
President

846-9038
BOS

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 386-252-9662
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 780 S. NOVA RD
DAYTONA BEACH, FL
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: FIRST COAST # 1066

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: Ralph P. Tiddle DATE: 1/10/05
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): RALPH TIDDLE
NAME OF PAY TELEPHONE COMPANY: COM-TECH SYSTEMS
MAILING ADDRESS & TELEPHONE NUMBER: 3709 W. WAY # A TYLER, TX 75703

X

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: Jack Vandy DATE: 1/14/05
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): FCE #1066
MAILING ADDRESS & TELEPHONE NUMBER: 7014 AC Skinner Parkway # 290
Jax FL 32256

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: Dennis V. Jones DATE: 2-25-05
NAME & POSITION/TITLE (PRINT OR TYPE): Chief Dennis Jones
NAME OF LAW ENFORCEMENT AGENCY: Daytona Beach Police Dept.
MAILING ADDRESS & TELEPHONE NUMBER: 990 Orange Avenue Daytona Beach, FL 32114
386-671-5100

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 386-352-9661

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 780 S. NOVA ROAD
DAYTONA BEACH, FL

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: FIRST COAST #1066

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: Ralph P. Tipple DATE: 1/10/06

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): RALPH TIPPLE

NAME OF PAY TELEPHONE COMPANY: COM-TECH SYSTEMS

MAILING ADDRESS & TELEPHONE NUMBER: 3709 W. WAY #A TYLER, TX 75703

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: Bayer Joel First Coast Energy DATE: 1/14/05

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): FCE #1066

MAILING ADDRESS & TELEPHONE NUMBER: 7014 AC Skinner Parkway Suite 290
Jax, FL 32256

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: Dennis M. Jones DATE: 2-25-05

NAME & POSITION/TITLE (PRINT OR TYPE): Chief Dennis M. Jones

NAME OF LAW ENFORCEMENT AGENCY: Daytona Beach Police Department

MAILING ADDRESS & TELEPHONE NUMBER: 990 Orange Avenue Daytona Beach, FL 32114
386-671-5100