

ORIGINAL

STATE OF FLORIDA



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DIVISION OF COMPETITIVE MARKETS &  
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BETH W. SALAK NOV -3 AM 11:10  
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Public Service Commission

November 1, 2005

CERTIFIED MAIL 7004 1160 0004 5749 8170

Mr. Eugene W. Kligmann, President  
Commercial Pay Phones, Inc.  
8510 NW 56th Street  
Miami, FL 33166-3329

Re: Docket No. 050411-TC

Dear Mr. Kligmann:

On June 13, 2005, this Commission received a "Request to Block Incoming Calls" form for the BP Oil #5369 located at 850 NE 62<sup>nd</sup> Street, Fort Lauderdale, Florida, Telephone No. (954) 489-9064. On June 16, 2005, I e-mailed you the form back, along with a sample letter that uses the correct legal language to request a rule waiver, and asked for a properly completed form and letter. The form originally received was not completed properly by the location owner and by the Broward County Sheriff. I asked you to let me know of any delays by July 8, 2005.

On June 22, 2005, I received a telephone call from Enma Del Aguila in your office, who stated that she was asked to handle this and asked me to e-mail her the information I had e-mailed you on June 16<sup>th</sup>. I did this on the same day, June 22<sup>nd</sup>. I called Ms. Del Aguila on August 2<sup>nd</sup> and was advised that she had talked with BP corporate that day. Ms. Del Aguila said she was told that they were working on getting the signatures. On September 15, 2005, I e-mailed Ms. Del Aguila for the status as I had not received the completed form and letter requesting the rule waiver.

On October 11, 2005, I received e-mail from Ms. Amy Snider (who I believe is with BP). She requested a clear copy of the "Request to Block Incoming Calls" form because the copy she has that needs to be signed is not legible. She advised that BP's legal team needed to review the form prior to signing. I e-mailed her the form we originally received and faxed her a blank form. As of this date, the Commission has not heard anything else.

It has been well over five months since this case was docketed. At this point, Commerical Pay Phones has three options. One, the company can provide the Commission with the properly completed form, along with its letter requesting the rule waiver, by December 1, 2005. Two, the company can write the Commission a letter by December 1, 2005, asking that its request to block telephone number (954) 489-9064 be withdrawn at this time. Staff would then close this docket.

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DOCUMENT NUMBER-DATE

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FPSC-COMMISSIONAL STAFF

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Commercial Pay Phones could resubmit the properly completed form, along with its rule waiver request at any time in the future. Or, three, staff can take a recommendation to the Commissioners to deny the company's request.

If Option one or two is not received by December 1, 2005, staff will go forward with its recommendation to deny Commercial Pay Phones, Inc.'s request for an incoming call blocking for the BP in Fort Lauderdale.

In the meantime, if you have any questions, just let me know. I can be reached at (850) 413-6502-phone, (850) 413-6503-fax, by internet e-mail at PIsler@psc.state.fl.us, or at the address at the bottom of Page One.

Sincerely,



Paula J. Isler  
Bureau of Telecommunications Service Quality,  
Certification and Enforcement

cc: Docket No. 050411-TC  
Office of the General Counsel (Scott)