

pay telephones allow incoming calls. The companies are seeking exemption for the following pay telephones:

Docket No. 960849-TL
GTE Florida Incorporated:

<u>Phone Number</u>	<u>Address</u>	<u>City</u>
813-884-9069	8060 W. Waters Avenue	Tampa
813-884-9855	8060 W. Waters Avenue	Tampa

Docket No. 960855-TC
Peoples Telephone Company, Inc.:

<u>Phone Number</u>	<u>Address</u>	<u>City</u>
407-788-8815	250 Wymore Road	Altamonte Sprs.
407-788-8805	250 Wymore Road	Altamonte Sprs.
407-788-6050	250 Wymore Road	Altamonte Sprs.
407-788-8827	250 Wymore Road	Altamonte Sprs.
904-752-9658	1611 N. First Street	Lake City
904-752-9670	1611 N. First Street	Lake City
904-752-9748	441 North & 100 Street	Lake City
904-752-9924	441 North & 100 Street	Lake City
904-752-9780	2136 E. Duval Street	Lake City
904-752-9891	2136 E. Duval Street	Lake City

Docket No. 960856-TC
ABTEL Communications, Inc.:

<u>Phone Number</u>	<u>Address</u>	<u>City</u>
941-772-2741	2301 Del Prado Boulevard	Cape Coral
941-772-2456	2301 Del Prado Boulevard	Cape Coral
941-772-2387	2301 Del Prado Boulevard	Cape Coral
941-772-3526	2301 Del Prado Boulevard	Cape Coral
941-772-8653	2301 Del Prado Boulevard	Cape Coral

Rule 25-24.515(8), Florida Administrative Code, requires that pay telephones allow incoming calls unless the instrument is located at a hospital, school, confinement facility, or other location specifically exempted by this Commission. Each request for an exemption from this requirement must be accompanied by a completed Request to Block Incoming Calls form (Form PSC/CMU-2 (12/94)), signed by the owner of the pay telephone, the owner of

the pay telephone location, and the chief of the responsible law enforcement agency.

The companies have submitted properly completed forms for each of the pay telephones listed herein. The forms have been reviewed and found to be signed by the owner or officer of the pay telephone company, the location owner, and the chief of the law enforcement agency of the jurisdiction in which the pay telephone is located attesting that the request is made to deter criminal activity at that pay telephone.

By signing Form PSC/CMU-2 (12/94), each pay telephone company has agreed 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 the request of law enforcement." In addition, the companies have also acknowledged that they are aware of the provisions of Section 837.06, Florida Statutes, which states, in part, "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."

Based on the foregoing, we find that it is in the public interest to grant the requests of the companies for exemption from the requirement of Rules 25-24.515(8) and 25-4.076(6), Florida Administrative Code, that each pay telephone shall allow incoming calls. We further find that the companies shall provide central office based intercept at no charge to the end-user and shall prominently display a written notice above or below the telephone number which states "Incoming calls blocked at the request of law enforcement."

It is, therefore,

ORDERED by the Florida Public Service Commission that the requests of GTE Florida Incorporated, Peoples Telephone Company, Inc. and ABTEL Communications, Inc. for exemption from the requirement of Rules 25-24.515(8) and 25-4.076(6), Florida Administrative Code, that each pay telephone station listed herein shall allow incoming calls is hereby granted. Such exemption is granted only for the pay telephones listed in the body of this order. It is further

ORDERED that GTE Florida Incorporated, Peoples Telephone Company, Inc. and ABTEL Communications, Inc. shall provide central office based intercept at no charge to the end-user of the pay telephones listed in the body of this order. It is further

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ORDERED that GTE Florida Incorporated, Peoples Telephone Company, Inc. and ABTEL Communications, Inc. shall prominently display a written notice directly above or below the telephone number on each pay telephone listed herein, which states "Incoming calls blocked at the request of law enforcement." It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective unless an appropriate petition, in the form provided by Rule 25-22.036, Florida Administrative Code, is received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings or Judicial Review" attached hereto. It is further

ORDERED that in the event this Order becomes final, this Docket shall be closed.

By ORDER of the Florida Public Service Commission, this 26th day of August, 1996.

BLANCA S. BAYÓ, Director
Division of Records and Reporting

by: Kay J. J. J.
Chief, Bureau of Records

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.59(4), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

The action proposed herein is preliminary in nature and will not become effective or final, except as provided by Rule 25-22.029, Florida Administrative Code. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, as provided by Rule 25-22.029(4), Florida Administrative Code, in the form provided by Rule 25-22.036(7) (a) and (f), Florida Administrative Code. This petition must be received by the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on September 16, 1996.

In the absence of such a petition, this order shall become effective on the day subsequent to the above date as provided by Rule 25-22.029(6), Florida Administrative Code.

Any objection or protest filed in this docket before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.

If this order becomes final and effective on the date described above, any party substantially affected may request judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or by the First District Court of Appeal in the case of a water or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days of the effective date of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.