



STATE OF FLORIDA  
DEPARTMENT OF LEGAL AFFAIRS

Office of Statewide Prosecution

ORIGINAL  
FILE COPY

Robert A. Butterworth  
Attorney General

Peter Antonacci  
Statewide Prosecutor

Reply To:  
The Capitol, PL 01  
Tallahassee, Florida 32399

MEMORANDUM

TO: Docketing Clerk  
Public Service Commission

FROM: Peter Antonacci  
Statewide Prosecutor *[Signature]*

DATE: July 12, 1990

RE: Docket No. 891194-TI

Attached please find a response that I would like placed in the Commission's file in the above referenced case number.

PA:apt

Attachment

ACK \_\_\_\_\_  
AFA \_\_\_\_\_  
APP \_\_\_\_\_  
CAF \_\_\_\_\_  
CMU 1 \_\_\_\_\_  
CTR \_\_\_\_\_  
EAG \_\_\_\_\_  
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DEC 1 \_\_\_\_\_  
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DOCUMENT NUMBER-DATE

06189 JUL 13 1990

PSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

FILE COPY

In re: Proposed tariff filings by ) Docket No. 891194-TI  
SOUTHERN BELL TELEPHONE AND TELEGRAPH ) Filed: June 1, 1990  
COMPANY clarifying when a nonpublished )  
number can be disclosed and introducing )  
Caller ID to TouchStar Service. )  
\_\_\_\_\_ )

OFFICE OF STATEWIDE PROSECUTION'S RESPONSE TO THE  
PUBLIC COUNSEL'S REQUEST FOR HEARINGS

COMES NOW, the Office of Statewide Prosecution, by and through the undersigned and files this Response to the Public Counsel's Request for Hearings on Southern Bell's proposed tariff filing introducing Caller ID Service and changing the circumstances under which a nonpublished number may be disclosed. In support of this response the Office of Statewide Prosecution alleges:

1. Institution of caller identification service to the general public represents a near insurmountable obstacle to law enforcement's ability to strike at organized criminal activity. Ongoing criminal investigations will be undermined and future investigations obstructed by this service.

2. Caller Identification represents a threat to the safety of all law enforcement officers who work in an undercover capacity. This extends equally to the families of police officers so assigned. Caller Identification further represents a threat to the safety of every confidential source (civilians) utilized by law enforcement to gather information about criminal activity.

DOCUMENT NUMBER-DATE  
06189 JUL 13 1990  
PSC-RECORDS/REPORTING

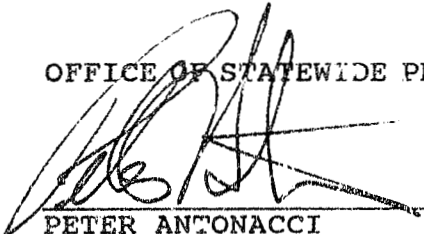
3. The substantial interests of the law enforcement community are adversely impacted by Southern Bell's request in that it fundamentally alters the manner in which undercover investigations can be conducted, if at all.

4. The issues identified by the Public Counsel in his request for hearing should be resolved by the Commission prior to granting Southern Bell's request. As currently cast, Florida's wiretap statute carefully regulates interception of all communication. The Legislature has granted providers of telephone service a narrow exception for the Caller Identification service. The Public Service Commission should not allow provider exploitation of this generous exception by undermining the substantial interests of users of telephone services particularly those who are charged with the protection of the public.

5. Caller Identification service, without universal blocking, is an unacceptable obstacle to effective long term criminal investigations. Any proposal that extracts a fee for call blocking represents an unfair and oppressive tax that would be borne by police agencies and taxpayers who underwrite police protection.

WHEREFORE, the Office of Statewide Prosecution requests that the Public Service Commission grant the Public Counsel's request for hearing on Southern Bell's caller identification proposal.

OFFICE OF STATEWIDE PROSECUTION



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PETER ANTONACCI  
STATEWIDE PROSECUTOR  
PL 01, The Capitol  
Tallahassee, Florida 32399

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been furnished by U.S. Mail or hand-delivery to the following parties this 12th day of July, 1990.

  
\_\_\_\_\_  
PETER ANTONACCI

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Tallahassee, Florida 32302

DATE: 7-6-90  
TO: Legal

The attached is sent to you for:

- Your Information
- Further Handling
- Necessary action
- Advice on Handling
- Response

Remarks: 595 8-90

Division of Records & Reporting TE

PSC/R&R 9 (3/87)