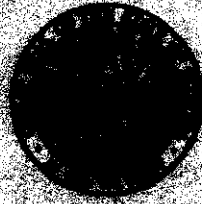


STATE OF FLORIDA



DIVISION OF THE COMMISSION CLERK & ADMINISTRATIVE SERVICES
BLANCA S. BAYO
DIRECTOR

Public Service Commission

C O N F I D E N T I A L

DOCKET NO.: 030867 - TL

DOCUMENT NO.: ✓ 00616-04

DESCRIPTION: (CONFIDENTIAL) Exhibit
No. 56 from December 2003 hearing. [Declass;
document forwarded to docket file.]



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

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 _____
LEG 1 _____
LIN 6 _____
OPC _____
ROH _____
SEC 1 _____
WAS _____
OTH eris & Don _____

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

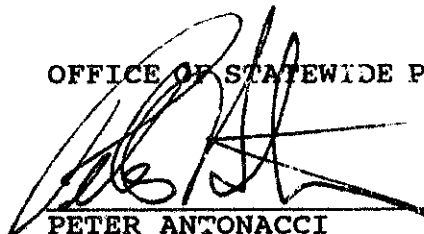
3. The substantial interests of the law enforcement community are adversely impacted by Southern Bell's request in that it fundamentally alters the manner in which undercover investigations can be conducted, if at all.

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.

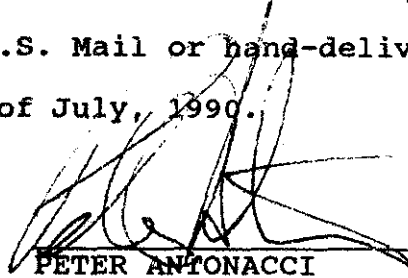
OFFICE OF STATEWIDE PROSECUTION



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

Jack Shreve
Public Counsel
111 West Madison Street
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Tallahassee, FL 32399-1400

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Florida Department of Law Enforcement
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Willis Booth
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J.M. "Buddy" Phillips
Florida Sheriff's Association
Post Office Box 1487
Tallahassee, Florida 32302-1487

Charlene Carres
American Civil Liberties Union
Post Office Box 1031
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: 5958-90

Division of Records & Reporting TB

PSC/R&R 9 (3/87)