

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of North American )  
InTeleCom, Inc. for a Waiver from )  
Portions of Rule 25-24.515(8), F.A.C. )

Docket No. 950897-TC

Filed: July 28, 1995

PETITION FOR WAIVER

North American InTeleCom, Inc. ("NAI"), pursuant to the provisions of Paragraph 364.3375(1)(b), Florida Statutes, hereby requests that this Commission waive certain portions of Commission Rule 25-24.515. As grounds for this waiver request, NAI states as follows:

1. The exact name of Petitioner and address for its principal business office is:

North American InTeleCom, Inc.  
12000 Crownpoint Drive, Suite 175  
San Antonio, TX 78233

2. The name and address of the person authorized to receive notices and communications with respect to this petition is:

Susan Davis Morley  
Wiggins & Villacorta, P.A.  
501 East Tennessee Street  
Suite B  
Post Office Drawer 1657  
Tallahassee, Florida 32302

3. NAI is a certificated provider of pay telephone service on an intrastate basis in Florida. As part of that service, NAI seeks to provide its subscribers (PATS owners throughout the state of Florida) with incoming call blocking as deemed necessary and appropriate by the FPSC.

4. As recently amended, Rule 25-24.515(8), F.A.C. sets forth a procedure for obtaining an exemption for the general requirement

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FPSC-RECORDS/REPORTING

that PATS permit incoming calls. PATS owners, location owners and law enforcement officials must execute Form PSC/CMU2, Request to Block Incoming Calls, for review and approval by the FPSC. Assuming such approval is granted, the new rule requires that

central-office based intercept shall be provided at no charge to the end-user and a written notice shall be prominently displayed on the instrument directly above or below the telephone number which states: "Incoming calls blocked at request of law enforcement".

5. Certain of NAI's subscribers have requested the incoming call blocking addressed by Rule 25-24.515(8). However, because NAI has the technological capability to block incoming calls by programming its pay telephones, NAI requests that the Commission waive its rule insofar as it mandates central-office based intercept, and permit NAI to accomplish the requested call blocking through use of its own programming capabilities. NAI would execute such blocking only upon completion of the process outlined in Rule 25-24.515.

6. Permitting call blocking through NAI's own telephones will enable NAI to provide the incoming call blocking requested for law enforcement purposes, while allowing NAI to program its pay telephones from remote locations. Remote programming for purposes such as maintenance and rate adjustments can be accomplished during a very short (3-5 minute) interval, during which NAI employees will call the pay telephones and download the necessary information. NAI's pay telephones will be programmed to accept calls only during this very small periodic window, which can be set to occur during

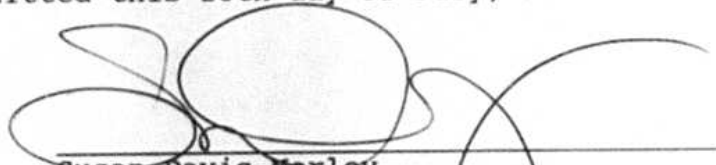
the very early morning (4:22 - 4:27 a.m., for example) or such other time as is selected by the FPSC.

7. While use of the programming window will permit completion of a call during the designated period, the probability that an end user other than NAI would be able to successfully complete a call during that time would be negligible. Once NAI contacts the pay telephone, the line will remain busy during the entire programming period; therefore, only those calls preceding NAI's programming contact would be processed. Further, in the unlikely event that a call is completed in advance of NAI's programming contact, the short length of the window would prevent sustained use of the pay telephone. The timing and limited length of the programming window should effectively eliminate use of the pay telephones in criminal activity.

8. Permitting NAI to provide its own call blocking mechanism will not result in a charge to the end user. Calls would not be completed during periods other than the programming window discussed above; therefore, no charges for connection or conversation time would be applicable.

WHEREFORE, North American InTeleCom, Inc. respectfully requests that the Commission grant it a waiver of portions of Commission Rule 25-24.515, Florida Administrative Code, to permit NAI to utilize its own blocking programming at its pay telephones.

Respectfully submitted this 28th day of July, 1995.

A large, stylized handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke that extends to the right.

Susan Davis Morley  
Wiggins & Villacorta, P.A.  
501 East Tennessee Street, Suite B  
Post Office Drawer 1657  
Tallahassee, Florida 32302  
(904) 222-1534

Counsel for North American InTeleCom, Inc.