

AmTel

American Telecommunications Network, Inc.
919 Dilworth Street
St. Marys, Georgia 31558

ORIGINAL
FILE COPY

May 9, 1996

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, Florida 32399-0850

Re: Petition for Waiver

960603-TC

Dear Ms. Bayo:

Enclosed please find the original and fifteen (15) copies of our Petition for Waiver.

An extra copy of this letter is enclosed. Please mark it to indicate that the original was filed and return the copy to me.

Thank you for your assistance with this filing.

Sincerely,

Robert Spangler
President/CEO



Enclosures

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In re:

Petition of
ATN, Inc.
For Waiver

Docket No. 930613 TC

Filed:

PETITION FOR WAIVER

Pursuant to Commission Rule 25-24.505(3), Florida Administrative Code, ATN Inc., ("ATN") petitions the Florida Public Service Commission (the "Commission") for a waiver of those rules and policies currently prohibiting Amtel from providing O+ local and O+ intralata calls from its store-and-forward pay telephones located in confinement facilities within the state of Florida. In support of its Petition, ATN states:

Identity of Petitioner

1. Petitioner's complete name and address are:

ATN, Inc.
919 Dilworth Street
St. Marys, Georgia 31558

ATN Inc. is a Georgia corporation, duly authorized to do business in the state of Florida under the name Amtel Network, Inc. ATN is a privately owned corporation.

2. Pursuant to Commission Order No. PSC-93-0548-FOF-TC issued May 5, 1993 in Docket No.930200-TC, ATN provides pay telephone services from confinement facilities located in the state of Florida.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

3. All notices, pleadings, orders or other documents regarding this docket should be directed to :

Robert Spangler, President
ATN, Inc.
919 Dilworth Street
St. Marys, Georgia 31558
Telephone 912-673-6000
Facsimile 912-673-6004

Relief Requested

4. Pursuant to Rule 25-24.505(3), ATN seeks waivers of rules 25-24.515(7) and 25-24.620(2) (c) and (d) and the policies contained in Orders No. 95-0918 issued July 31, 1995, No. 95-203 issued February 13, 1995 and No. 24101 issued February 14, 1991. Specifically, ATN seeks authority to provide and bill for 0+ local and 0+ intral.ATA calls placed by inmates of confinement facilities through ATN pay telephones, using store-and-forward technology.

Background

5. ATN currently provides and bills automated 0+ intrastate Florida calls via store-and-forward technology on an interl.ATA basis, and provides such calls on a local, intral.ATA and interl.ATA basis in each of the other states in which it provides inmate pay telephone service. In Florida, ATN is currently authorized to resell sent-paid local and intral.ATA calls and to provide debit cards for inmates of correctional facilities for local and intral.ATA toll calling services. However, the Commission has continued to reserve to the LEC's the authority to provide 0+ local and 0+ intral.ATA calls from any and all pay telephones. Petitioner respectfully states that technology advances and regulatory changes have rendered continuation of this dialing monopoly inappropriate for pay telephones in confinement facilities.

6. Technology advances in store-and-forward pay telephones have enabled inmate service providers to furnish quality calling services for callers and end users while meeting the unique

security needs of the confinement facility. This well-developed and proven technology provides reliable call completion and billing functions without allowing inmates access to the public telephone network, thus reducing harassment and fraud.

7. In addition, two significant regulatory developments have effectively eliminated the original basis for this dialing monopoly. First, in Order No. PSC-95-0203-FOF-TP, the Commission authorized competition and presubscription for intral.ATA toll calls. Although the Florida Supreme Court issued a stay of this Order on October 12, 1995, that stay has now been lifted.

8. The second pivotal regulatory development was that on July 1, 1995, competition for all local services was mandated by the Florida Legislature effective January 1, 1996. The Legislature found that competition in the local exchange market is in the public interest.

9. ATN does not intend to offer basic local exchange service and therefore does not seek certification as an alternative local exchange company. ATN seeks only to expand its existing authority to include the provision of 0+ local and 0+ intral.ATA calls from its pay telephones located in confinement facilities in order to address the security and control concerns that are paramount in the correctional environment.

10. The Commission's approval of this waiver request is consistent with the legislative mandates to avoid "unnecessary regulatory constraints" and to eliminate rules that "delay or impair the transition to competition." Sections 364.01 (4) (e) and 364.01 (4) (f).

WHEREFORE, ATN respectfully requests that it be granted a waiver of the applicable rules and orders currently prohibiting it from providing and billing 0+ local and 0+ intral.ATA calls made from its store-and-forward pay telephones located in confinement facilities, and for such other relief as may be appropriate.

Respectfully submitted, this 8th day of May, 1996.

ATN, Inc.



BY: _____

Robert Spangler, President
919 Dilworth Street
St. Marys, Georgia 31558
(912) 673-6000