

FLORIDA PUBLIC SERVICE COMMISSION
Capital Circle Office Center, 2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

M E M O R A N D U M

June 13, 1996

TO : DIRECTOR, DIVISION OF RECORDS AND REPORTING

FROM : DIVISION OF COMMUNICATIONS [K. LEWIS] *KL*
DIVISION OF LEGAL SERVICES [LUGO] *scl/RP* *MD*

RE : DOCKET NO. 960250-TL - BELL SOUTH TELECOMMUNICATIONS,
INC.- REQUEST FOR EXEMPTION FROM REQUIREMENT THAT EACH
TELEPHONE STATION SHALL ALLOW INCOMING CALLS.

AGENDA: 06/25/96 - REGULAR AGENDA - PROPOSED AGENCY ACTION -
INTERESTED PERSONS MAY PARTICIPATE

CRITICAL DATES: NONE

SPECIAL INSTRUCTIONS: S:\PSC\CMU\WP\960250.RCM

CASE BACKGROUND

On February 27, 1996, BellSouth filed requests to block incoming calls at 29 pay telephones located in the Orange Park Mall at 1910 Wells Road, Orange Park, Florida. During staff's review process it was noted that all 29 requests were for the same location. In previous dockets, the Commission had expressed its opinion that blocking incoming calls at all the pay telephones at one particular location such as a shopping mall was not appropriate in most cases. Consequently, staff attempted to obtain additional information regarding the requests by writing to the Clay County Sheriff's Office and notifying BellSouth (Attachment A). It was agreed that staff would delay filing a recommendation to allow the Sheriff's Office and/or BellSouth to provide additional information. However, at this writing, staff has not received any additional information regarding the requests.

DOCUMENT NUMBER-DATE

06383 JUN 13 96

FPSC-RECORDS/REPORTING

DOCKET NO. 960250-TL
DATE: June 25, 1996

DISCUSSION OF ISSUES

ISSUE 1: Should the Commission grant BellSouth an exemption from the requirement that each pay telephone station shall allow incoming calls for the 29 pay telephones located in the Orange Park Mall at 1910 Wells Road, Orange Park, as listed on pages 4 and 5?

RECOMMENDATION: No.

STAFF ANALYSIS: Rules 25-4.076(6), Florida Administrative Code, provides in pertinent part;

Each telephone station shall allow incoming calls to be received, with the exception of those located at penal institutions, hospitals and schools, and at locations specifically exempted by the Commission. There shall be no charge for receiving incoming calls. Requests for exemption from the requirement that each telephone station allow incoming calls shall be accompanied by a completed FORM PSC/CMU-2 (12/94), which is incorporated into this rule by reference.

Although BellSouth submitted a properly completed Request to Block Incoming Calls form for each of the 29 instruments, submission of the forms alone does not guarantee that the requests should be granted. In this case, staff believes that it is not in the public interest to allow all of the pay telephones in a commercial shopping mall to block incoming calls. There are many situations where both adults and minors may need to receive a call back, such as to make transportation arrangements, comparison shop, or coordinate other activities. Staff believes that without being able to review the additional information requested in Attachment A, we must recommend that each of the 29 requests be denied.

Denial of BellSouth's requests in this docket will not prohibit the company from refileing some or all of these requests in the future. Also, BellSouth could protest the proposed agency action order.

DOCKET NO. 960250-TL
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ISSUE 2: Should this docket be closed?

RECOMMENDATION: Yes, if no timely protest to the proposed agency action is filed within 21 days of the date of issuance of the Order, this docket may be closed.

STAFF ANALYSIS: Whether staff's recommendation on issue 1 is approved or denied, the result will be a proposed agency action order. If no timely protest to the proposed agency action is filed within 21 days of the date of issuance of the Order, this docket may be closed.

DOCKET NO. 960250-TL
DATE: June 25, 1996

<u>DOCKET NO.</u>	<u>PROVIDER</u>	<u>PHONE NUMBER</u>	<u>ADDRESS</u>	<u>CITY</u>
960250-TL	BELLSOUTH	904/264-6445	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6110	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6554	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6449	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-5448	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-5944	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-5401	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-5228	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6722	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6911	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-7117	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-7114	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-7155	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-7406	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-7701	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/264-6403	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9875	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9604	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9051	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9870	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9044	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9871	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9872	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9873	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/269-9068	1910 WELLS ROAD	ORANGE PARK

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960250-TL	BELLSOUTH	904/278-8738	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/278-8798	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/278-8887	1910 WELLS ROAD	ORANGE PARK
960250-TL	BELLSOUTH	904/278-8832	1910 WELLS ROAD	ORANGE PARK

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF COMMUNICATIONS
WALTER D'HAESELEER
DIRECTOR
(904) 413-6600

Public Service Commission

March 21, 1996

Sheriff Scott Lancaster
Clay County Sheriff's Office
Post Office Box 548
Green Cove Springs, Florida 32043

Dear Sheriff Lancaster:

Re: Docket No. 960250-TL, REQUEST FOR EXEMPTION FROM REQUIREMENT THAT EACH TELEPHONE STATION SHALL ALLOW INCOMING CALLS BY BELLSOUTH TELECOMMUNICATIONS, INC.

BellSouth has filed 29 requests to block incoming calls for pay telephones located in the Orange Park Mall at 1910 Wells Road, Orange Park, Florida. BellSouth stated that these requests represent all of its pay telephones in the Orange Park Mall. In the past the Commission has indicated that it did not wish to approve such blanket requests that included all the pay telephones at one large commercial location such as a mall. Therefore I would like to obtain additional information before making a recommendation to the Commission regarding these requests.

To your knowledge are there other pay telephones available to the public in the Orange Park Mall other than the 29 included in the request? What type of criminal activity is the Sheriff's Office seeking to deter by blocking incoming calls at all 29 of these pay telephones? Has the Sheriff's Office been called to the location as a result of criminal activity caused by people waiting for telephone calls? Was this request initiated by the Simon Property Group d/b/a Orange Park Mall or the Clay County Sheriff's Office?

Sheriff Scott Lancaster
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In order to include this information in my recommendation I would need to receive your comments by March 26, 1996. If you have any questions I can be reached at 904/413-6594. You may fax your response to my attention at 904/413-6595. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathryn Dyal Lewis', with a long horizontal flourish extending to the right.

Kathryn Dyal Lewis
Regulatory Analyst
Bureau of Service Evaluation

cc: Nancy Sims, BellSouth

cc:\wp\1626