

BellSouth Telecommunications, Inc. Fax 904 222-8640  
Suite 400 904 222-1201  
150 South Monroe Street  
Tallahassee, Florida 32301

Nancy H. Sims  
Director - Regulatory Relations

July 17, 1996

FILE COPY

Ms. Blanca S. Bayo  
Director, Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Rm. 110  
Tallahassee, Florida 32399-0850

Dear Ms. Bayo:

RE: Docket No. 960839-TL  
Waiver of Rule 25-4.076(6), F.A.C.

Enclosed please find the original and fifteen copies of our request for waiver of Rule 25-4.076(6), F.A.C. which we ask that you file in the above captioned matter.

ACK \_\_\_\_\_  
 AFA \_\_\_\_\_ We request that the pay telephones located at the addresses below be exempted  
 APP \_\_\_\_\_ from the provisions of Rule 25-4.076(6), Florida Administrative Code, which  
 CAF \_\_\_\_\_ requires that all pay telephone stations must allow incoming calls to be received  
 CMU \_\_\_\_\_ "with the exception of those located at penal institutions, hospitals and schools and  
 CTR \_\_\_\_\_ at locations specifically exempted by the Commission." The locations and numbers  
 of the public telephones are as follows:

EAG _____	3100 South Semoran Boulevard	(407) 282-9761
LEG _____	Orlando, Florida 32822	
LIN _____		
OPC _____	2255 South Semoran Boulevard	(407) 282-9705
RCH _____	Orlando, Florida 32812	
SEC _____		
WAS _____		
OTH _____		

RECEIVED & FILED

113  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
07526 JUL 17 96  
FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo  
July 17, 1996  
Page 2

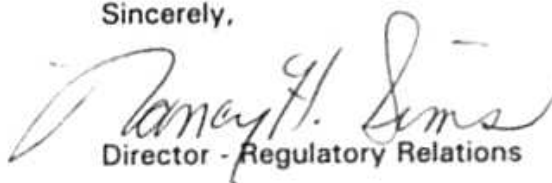
The Police Department has requested that we submit these requests for a waiver of the rule because of the use of the pay telephones at this location for allegedly illegal activities. They believe these waivers will restrict the usefulness of the pay telephones for these individuals. These locations do not fit within the delineated exceptions to the rule and therefore these requests for waiver are appropriate.

The location providers for the locations identified above have either joined in or agreed to these requests for waiver which are attached.

The Commission has previously granted a waiver of this Rule in Order No. 23762, issued November 15, 1990, approving Southern Bell's petition for waiver of the rule for pay telephones located at three laundromats owned by Mr. Patrick Collins in Miami, Florida. The owner had requested blocking of incoming calls to restrict the usefulness of the public phone for drug dealers and prostitutes.

Please advise by Order if our requests for the waivers have been accepted.

Sincerely,

  
Director - Regulatory Relations

Enclosures

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

PAY TELEPHONE NUMBER: 407-282-9761

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 3100 South Semoran B. Julevard  
Orlando, FL 32822 County: Orange

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I request that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(8) or 25-4.076(6), F.A.C., as appropriate). I agree to provide central office based intercept at no charge to the end user and to prominently display a written notice directly above or below the telephone number which states: "Incoming calls blocked at request of law enforcement".

I, the undersigned owner or officer of the pay telephone company named below, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: James B. Hawkins DATE 7-9-96

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications

MAILING ADDRESS: 2nd Floor, 75 Bagby Drive  
Homewood, AL 35209

I, the undersigned owner of the above referenced pay telephone location, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone company will eliminate or help control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF LOCATION OWNER: J. Louise Tralcy DATE 4-22-96

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Wimbledon Park Recreation

MAILING ADDRESS: 3038 S. Semoran Blvd, Orlando, FL 32822

I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above referenced pay telephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at this pay telephone will eliminate or help control that activity and attest to the fact by my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: William E. Kennedy Jr. DATE 4/23/96

NAME & POSITION/TITLE (PRINT OR TYPE): William E. Kennedy Jr., Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Orlando Police Department

MAILING ADDRESS: 100 S. Hughey Ave., Orlando, FL 32801

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

PAY TELEPHONE NUMBER: 407-282-9705

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2255 South Semoran Boulevard  
Orlando, FL 32812 County: Orange

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I request that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(B) or 25-4.076(6).F.A.C., as appropriate). I agree to provide central office based intercept at no charge to the end user and to prominently display a written notice directly above or below the telephone number which states: "Incoming calls blocked at request of law enforcement".

I, the undersigned owner or officer of the pay telephone company named below, have read the foregoing and declare that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: James B. Hawkins DATE 7-9-96

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications

MAILING ADDRESS: 2nd Floor, 75 Bagby Drive  
Homewood, AL 35209

I, the undersigned owner of the above referenced pay telephone location, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone company will eliminate or help control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF LOCATION OWNER: [Signature] DATE 5-25-96

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): ORLANDO FOODS D.B.A. WENDYS

MAILING ADDRESS: 2255 S. SEMORAN BLVD ORL FL 32822

I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above referenced pay telephone is located, declare that to the best of my knowledge and belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at this pay telephone will eliminate or help control that activity and attest to the fact by my signature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his official duty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: William E. Kennedy DATE 6-21-96

NAME & POSITION/TITLE (PRINT OR TYPE): William E. Kennedy, Jr., Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Orlando Police Department

MAILING ADDRESS: 100 S. Hughey Ave., Orlando, Florida 32801