

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

September 10, 1996

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. 961075-TL  
Waiver of Rule 25-4.076(6), F.A.C.

Enclosed please find the original and five 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.

We request that the pay telephones located at the addresses below be exempted from the provisions of Rule 25-4.076(6), Florida Administrative Code, which requires that all pay telephone stations must 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." The location and numbers of the public telephones are as follows:

200 Garden Drive (954) 972-9570  
Pompano Beach, Florida

4550 S. Orange Blossom Tr. (407) 856-8136  
Orlando, Florida 32801

DOCUMENT NUMBER-DATE

09625 SEP 10 86

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo  
9/10/96  
Page 2

The Sheriff's Office and the Police Department has requested that we submit this request for a waiver of the rule because of the use of the pay telephones at this location for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones for these individuals. This location does not fit within the delineated exceptions to the rule and therefore this request for waiver is appropriate.

The location provider for the location identified above has either joined in or agreed to this request for waiver which is 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 request for the waiver has been accepted.

Sincerely,

  
Director - Regulatory Relations

Enclosures

## FLORIDA PUBLIC SERVICE COMMISSION

## REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 954-912-9570  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 200 GARDEN DR Pompano  
Pompano Beach, FL County: Broward

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(8), 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: 8-27-96  
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins  
 NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.  
 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 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. B. ... TREASURER DATE: 8/8/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): GARDENS NORTH MASTER ASSOC INC  
 MAILING ADDRESS: 1280 S.W. 36 AVE SUITE 301 Pompano Beach, FL 33069

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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: L. DeFuria DATE: 8-16-96  
 NAME & POSITION/TITLE (PRINT OR TYPE): Lawrence DeFuria Acting Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: Pompano Beach Police Dept.  
 MAILING ADDRESS: 100 S.W. 3 St. Pompano Bch, FL 33060

# POMPANO BEACH POLICE DEPARTMENT

"Serving in the Public Interest"



Stanley E. Tipton  
Chief of Police  
100 S.W. 3rd Street  
Pompano Beach, Florida 33060  
Phone 786-4204


August 19, 1996

The Florida Public Service Commission

To Whom It May Concern:

Last week I signed a letter reporting the removal of a public telephone located at the Gardens of Palm Aire North which is being used for illicit activities. I signed this document as the acting Chief of Police as I officially assumed this position in 1985 while Chief Tipton was out on a medical disability. Chief Tipton recently retired, and I have continued my status as interim Police Chief until a new Chief is selected. No timetable on a new selection is evident at this time, but I can assure you that the City Commission has recognized my status over the past one and one half years, although I have chosen not to be a candidate for the job of Chief of Police.

Sincerely,



LAURENCE DEFURIA  
Acting Chief of Police

LD/d  
cc: File

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 407-856-8136

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): ORANGE BLOSSOM CENTER

(COUNTY : ORANGE) 4550 S. ORANGE BLOSSOM TR., ORLANDO, FLORIDA

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 8.28.96

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

NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.

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 8/14/96

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): ORANGE BLOSSOM CENTER

MAILING ADDRESS: 4554 S. ORANGE BLOSSOM TR., ORLANDO, FL 32839

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: [Signature] DATE 8/14/96

NAME & POSITION/TITLE (PRINT OR TYPE): KEVIN BEARY/SHERIFF

NAME OF LAW ENFORCEMENT AGENCY: ORANGE COUNTY SHERIFF'S OFFICE

MAILING ADDRESS: 2400 W. 33RD. ST, ORLANDO, FL 32839

## FLORIDA PUBLIC SERVICE COMMISSION

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Pompano Beach, FL County: Broward

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 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins  
 NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.  
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Homewood, AL 35209

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SIGNATURE OF LOCATION OWNER: J. B. ... TREASURER DATE 8/8/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): GARDENS NORTH MASTER ASSOC INC  
 MAILING ADDRESS: 1280 S.W. 36 AVE SUITE 301 POMPANO BEACH, FL 33069

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SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: L. DeFuria DATE 8-16-96  
 NAME & POSITION/TITLE (PRINT OR TYPE): Laurence DeFuria Acting Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: Pompano Beach Police Dept.  
 MAILING ADDRESS: 100 S.W. 3 St. Pompano Bch. FL 33060

# POMPANO BEACH POLICE DEPARTMENT

"Serving in the Public Interest"



Stanley E. Tipton  
 Chief of Police  
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 Phone 786-4204


August 19, 1996

The Florida Public Service Commission

To Whom It May Concern:

Last week I signed a letter supporting the removal of a public telephone located at the Gardens of Palm Aire North which is being used for illicit activities. I am currently serving as the acting Chief of Police as I officially assumed this position in May, 1996, while Chief Tipton was out on a medical disability. Chief Tipton recently retired, and I have continued my status as interim Police Chief until a new Chief is selected. No timetable for a new selection is evident at this time, but I can assure you that the City Commission has recognized my status over the past one and one half years, although I have chosen not to be a candidate for the job of Chief of Police.

Sincerely,

  
 LAURIE E. DEFURIA  
 Acting Chief of Police

LD/d  
 cc: File

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 407-856-8136  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): ORANGE BLOSSOM CENTER  
(COUNTY : ORANGE) 4550 S. ORANGE BLOSSOM TR., ORLANDO, FLORIDA

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SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: James B. Hawkins DATE 8.28.96  
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins  
 NAME OF PAY TELEPHONE COMPANY: BellSouth Telecommunications, Inc.  
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Homewood, AL 35209

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SIGNATURE OF LOCATION OWNER: [Signature] DATE 8/14/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) ORANGE BLOSSOM CENTER  
 MAILING ADDRESS: 4554 S. ORANGE BLOSSOM TR., ORLANDO, FL 32839

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: [Signature] DATE 8/14/96  
 NAME & POSITION/TITLE (PRINT OR TYPE): KEVIN BEARY/SHERIFF  
 NAME OF LAW ENFORCEMENT AGENCY: ORANGE COUNTY SHERIFF'S OFFICE  
 MAILING ADDRESS: 2400 W. 33RD. ST, ORLANDO, FL 32839