

ORIGINAL  
FILE COPY

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

October 2, 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. 961197-TC  
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.

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 locations and numbers of the public telephones are as follows:

- ACK \_\_\_\_\_
  - AFA \_\_\_\_\_
  - APP \_\_\_\_\_
  - CAF \_\_\_\_\_
  - CMU \_\_\_\_\_
  - CTR \_\_\_\_\_
  - EAG \_\_\_\_\_
  - LEG \_\_\_\_\_
  - LIN \_\_\_\_\_
  - OPC \_\_\_\_\_
  - RCH \_\_\_\_\_
  - SEC \_\_\_\_\_
  - WAS \_\_\_\_\_
  - OTH \_\_\_\_\_
- |                      |                |
|----------------------|----------------|
| 102 Ridgewood Avenue | (904) 258-0217 |
| Holly Hill, Florida  | (904) 258-0185 |
| 241 NW 17th Street   | (305) 576-6139 |
| Miami, Florida       |                |

RECEIVED IN BUREAU  
BUREAU OF RECORDS

DOCUMENT NUMBER-DATE  
**10602 OCT-3 1996**  
FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo  
October 2, 1996  
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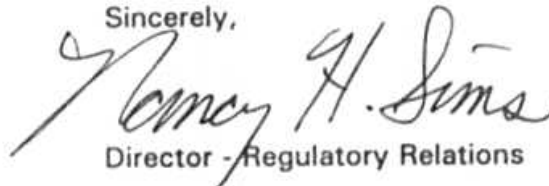
The Police Department has requested that we submit these requests for a waiver of the rule because of the use of the pay telephones at these locations for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones for these individuals. These locations do 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 waiver have been accepted.

Sincerely,

A handwritten signature in cursive script that reads "Nancy H. Sims". The signature is written in black ink and is positioned above the printed name and title.

Director - Regulatory Relations

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: Holly Hill Shell - 904-258-0217  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 102 Ridgewood Ave., Holly Hill, FL  
 County: Volusia

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 9.23.96  
 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 8/29/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): FORNELL ENTERPRISES, INC  
 MAILING ADDRESS: 642 CARSWELL AVE Holly Hill, FL 32117

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 8/30/96  
 NAME & POSITION/TITLE (PRINT OR TYPE): Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: AS STAMPED  
 MAILING ADDRESS: HOLLY HILL POLICE DEPT.  
1085 RIDGEWOOD AVE.  
HOLLY HILL, FL 32117

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

PAY TELEPHONE NUMBER: Holly Hill Shell - 904-258-0185  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 102 Ridgewood Av., Holly Hill, FL  
 County: DOLUSIA

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 9.23.96  
 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

X 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 8/29/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Fadwell Enterprises, Inc.  
 MAILING ADDRESS: 642 Caswell Ave Holly Hill FL 32117

X 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 8/31/96  
 NAME & POSITION/TITLE (PRINT OR TYPE): Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: A.S. Shepard  
HOLLY HILL POLICE DEPT.  
 MAILING ADDRESS: 1065 RIDGEWOOD AVE.  
HOLLY HILL, FL 32117

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (305) 576-6139

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 241 N.W. 17th St.

MIAMI, FL. 33136 County: Dade

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 9-25-96

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: [Signature] DATE 9/25/96

✓ NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): LIVINGSTON ROLLE

✓ MAILING ADDRESS: 241 NW 17 Street  
MIAMI FL 33136

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: [Signature] DATE \_\_\_\_\_

NAME & POSITION/TITLE (PRINT OR TYPE): Donald H. Warshaw, Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: City of Miami Police Department

MAILING ADDRESS: 400 N.W. 2nd Avenue, Miami FL 33128

September 25, 1996

TO: Nancy Sims - Regulatory  
FROM: Paula Smith - Public Communications  
SUBJECT: Exemptions for Outward Only Service

*ps*

Attached are three (3) completed forms requesting exemption from the requirement that incoming calls be received at pay telephone locations in Florida.

Your assistance is needed in preparing the required cover letter to facilitate placement of these requests on the next available Florida Public Service Commission agenda.

Please contact me at (205) 943-2677 if you have any questions or concerns with these requests.

Forms attached for telephone numbers:

(904) 258-0217  
(904) 258-0185  
(305) 576-6139

cc: Sondra Williams  
Maureen Gratenstein

Attachments

**RECEIVED**  
SEP 30 1996  
**US MAIL**  
DIRECTOR - REG. RELATIONS  
TALLAHASSEE, FL.