

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

February 6, 1997

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. 970169-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 address 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:

- ACK \_\_\_\_\_ 2050 71st Street (305) 865-9360
- AFA \_\_\_\_\_ Miami Beach, Florida 33141 (305) 866-9201
- APP \_\_\_\_\_ (305) 866-9200
- CAF \_\_\_\_\_ (305) 866-9111
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC \_\_\_\_\_
- WAS \_\_\_\_\_
- OTF \_\_\_\_\_

DOCUMENT NUMBER-DATE

01434 FEB-65

FPSC-RECORDS/REPORTING

Ms. Blanca S. Bayo  
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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,

  
for Director - Regulatory Relations

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

Stein 2302

FILE COPY

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 305-865-9360  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2050 71<sup>st</sup> St  
Miami, FL 33141 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(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: 1-28-97  
 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: Michael Sabino DATE: 1/21/96  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Michael Sabino  
 MAILING ADDRESS: 5650 Breekenridge Park Dr Suite 300 Tampa, FL 33610

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: R. R. R. DATE: 12-11-96  
 NAME & POSITION/TITLE (PRINT OR TYPE): CHIEF OF POLICE  
 NAME OF LAW ENFORCEMENT AGENCY: Miami BEACH Police Dept  
 MAILING ADDRESS: 1100 WASHINGTON AVE  
Miami BEACH, FL 33137

DOCUMENT NUMBER-DATE  
 01434 FEB-66  
 FPSC-RECORDS/REPORTING

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

PAY TELEPHONE NUMBER:

305-866-9201

# 2302

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

2050 71<sup>ST</sup> ST.  
Miami Beach, FL 33141

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 25-4.075(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 1-28-97

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:

Michael Sabino

DATE 12/4/96

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

Michael Sabino

MAILING ADDRESS:

5050 Balprekridge Park Dr Suite # 300 Tampa, FL 33610

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:

R. O. P. A.

DATE 12-17-96

NAME & POSITION/TITLE (PRINT OR TYPE):

CHIEF OF POLICE

NAME OF LAW ENFORCEMENT AGENCY:

MIAMI BEACH POLICE DEPT

MAILING ADDRESS:

1100 WASHINGTON Ave  
MIAMI BEACH, FL 33139

FLORIDA PUBLIC SERVICE COMMISSION  
REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 305-866-9200 #2302  
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2051 71<sup>st</sup> St.  
County: Dade Miami Beach, FL 33141

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 1-28-97  
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  
Homevood, 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: Michael Sabino DATE 12/4/96  
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Michael Sabino  
MAILING ADDRESS: 5650 Breckenridge PARK DR. Suite # 300 TAMPA, FL 33610

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 12-17-96  
NAME & POSITION/TITLE (PRINT OR TYPE): CHIEF OF POLICE  
NAME OF LAW ENFORCEMENT AGENCY: MIAMI BEACH Police Dept  
MAILING ADDRESS: 1100 WASHINGTON AVE.  
MIAMI BEACH, FL 33139

FLORIDA PUBLIC SERVICE COMMISSION  
REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: 305-866-9111 #7802  
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2050 71st St.  
Miami Beach, FL 33141 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(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: 1-28-97  
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: Michael Sabino DATE: 12/2/96  
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Michael Sabino  
MAILING ADDRESS: 3050 Blotstein Ridge Park Dr Suite #300 Tampa, FL 33610

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: 1-27-96  
NAME & POSITION/TITLE (PRINT OR TYPE): Chief of Police  
NAME OF LAW ENFORCEMENT AGENCY: Miami Beach Police Dept.  
MAILING ADDRESS: 1100 Washington Ave  
Miami Beach, FL  
33139