

CMW



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May 5, 1997

Benjamin W. Fincher
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VIA FED EX

970534-JC

Ms. Blanca S. Bayó
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

In Re: Petition of Sprint Communications Company Limited Partnership for Exemption From Orders, Rules and Regulations Prohibiting 0+ Local and 0+ intraLATA Calls From Store-and-Forward Pay Telephones Located in Confinement Institutions.

Dear Ms. Bayó:

Enclosed for filing, is the original and fifteen (15) copies of a Petition for Waiver on behalf of Sprint Communications Company Limited Partnership as captioned above.

We are enclosing an extra copy of this transmittal letter. We ask that you please acknowledge receipt thereon and return to the undersigned in the enclosed self addressed stamped envelope.

Thank you for your cooperation.

Sincerely,

Benjamin W. Fincher
Benjamin W. Fincher

BWF:lk

cc: Everett Boyd
Parties of Record

(4)

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Petition of Sprint Communications)
Company Limited Partnership for Exemption)
From Orders, Rules and Regulations Prohibiting) Docket No. _____
Provision of 0+ Local and 0+ intraLATA Calls)
From Store-and-Forward Pay Telephones) Filed: May 6, 1997
Located in Confinement Institutions.)

PETITION FOR WAIVER

Comes now Sprint Communications Company Limited Partnership, ("Sprint"), pursuant to Commission Rule 25-24.505(3), Florida Administrative Code, and petitions the Florida Public Service Commission ("Commission") for exemption from those Orders, Rules and Regulations of the Commission prohibiting Sprint from providing 0+ local and 0+ intraLATA calls using store-and-forward pay telephones located in confinement institutions within the state of Florida. In support of its petition, Sprint states as follows:

1. Petitioner's name and address are:

Sprint Communications Company Limited Partnership
3100 Cumberland Circle
Atlanta, Georgia 30339
Telephone: (404) 649-5144
Facsimile: (404) 649-5174

2. All notices, orders or documents regarding this petition should be directed to:

Benjamin W. Fincher
Attorney, State Regulatory
Sprint Communications Company Limited Partnership
3100 Cumberland Circle
Atlanta, Georgia, 30339
Telephone: (404) 649-5145
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3. Sprint, a Delaware Limited Partnership, filed its application with the Commission for Certificate to Provide Pay Telephone Service on April 4, 1997. Sprint's application is pending under Docket No. 970426-TC.

4. Upon Commission approval of its application for Certificate to Provide Pay Telephone Service, Sprint proposes to offer pay telephone services to inmates of confinement institutions within the state of Florida, similar to services it currently offers in other jurisdictions. Sprint plans to install sophisticated premises equipment in confinement institutions that will permit inmates to place outbound, collect-only calls without the assistance of a live operator. Sprint's services will be provided through telephone instruments connected to a centralized call processing unit with store-and-forward capability.

This equipment will provide a number of controls and restrictions that serve to reduce or eliminate fraudulent use of telephone services. These restrictions also provide the confinement institution with increased control over the use of the telecommunications services used by inmates of the institution.

- A. The Florida Department of Corrections has awarded Sprint a contract valued at up to \$65 million to provide long distance telephone services for inmates at 53 correctional facilities, including work camps and road facilities, throughout the State of Florida. The contract provides for an initial term of three years service, with two one-year renewal options.

- B. Pursuant to the Florida Department of Corrections contract, Sprint will install telephones, provide call monitoring and other security measures and equipment. Sprint will provide staff members to operate all elements of the service.

- C. To ensure security, the Sprint system allows the State of Florida to assign a personal identification number ("PIN") to each inmate in order that calling can be

tracked, restricted to specific numbers, or prohibited at certain times, as may be appropriate. The system also can record or monitor live calls, and can automatically alert the called party that the incoming call is from an inmate in a correctional facility.

D. These and other security features have allowed correctional institutions in other states to prevent inmate credit card and other fraud, break up a drug ring and capture an escaped inmate who used the phone to arrange for a pick-up outside the institution.

E. Sprint will install on-site telephone equipment and provide personnel to administer and maintain the system. Sprint will arrange for the provision of all switching equipment and software necessary to operate the service and detect fraud. Long distance telephone service will be provided over the Sprint network..

5. In the instant petition, Sprint seeks a waiver of the Commission's Rules 25-24.515(7) and 25-24.620(2)(c) and (d). These rules prohibit Sprint from providing and billing for 0+ local and 0+ intraLATA calls placed by inmates from confinement institutions. Specifically, Sprint seeks authority to provide and bill for 0+ local and intraLATA calls placed by inmates using Sprint's store-and-forward pay telephones. Sprint believes that the benefits afforded to confinement institutions and the general public, such as call screening and blocking, currently proposed with its interLATA services, will be enhanced if Sprint is allowed to handle 0+ local and 0+ intraLATA calls.
6. The waivers requested herein by Sprint are similar to those already granted by the Commission to other pay telephone providers including Ameritel Pay Phones, Inc.¹, ATN, Inc.², Global Tel*Link³, InVision Telecom, Inc.⁴, and T-Netix, Inc.⁵ In its orders

¹ In Re: Petition for waiver of Rules 25-24.620(2)(c) and (d) and 25-24.515(7), F.A.C., by Ameritel Pay Phones, Inc., Docket No. 960570-TC, Order No. PSC-96-1063-FOF-TC, Issued August 20, 1996.

² In Re: Request for waiver of rules and policies which prohibit provision of 0+ local and 0+ intraLATA calls from store-and-forward pay telephones located in confinement facilities, by ATN, Inc., Docket No. 960603-TC, Order No. PSC-96-1062-FOF-TC, Issued August 20, 1996.

granting waivers similar to those requested herein by Sprint, the Commission recognized that no reason could be found to prevent NPATS from carrying 0+ local and 0+ intraLATA calls. In addition, the Commission found that allowing NPATS to carry such calls is a step forward to a more competitive environment.

7. In the event the Commission grants the waivers requested herein, Sprint agrees to charge no more than the serving local exchange carrier for local and intraLATA 0+ calls placed from confinement institutions.

³ In Re: Petition for waiver of rules and policies to permit provision of 0+ local and 0+ intraLATA utilizing store and forward technology at pay telephones located in correctional institutions and other confinement facilities, by Global Tel*Link Corporation, Docket No. 951198-TC, Order No. PSC-96-0867-FOF-TC, Issued July 2, 1996.

⁴ In Re: Petition for waiver of requirement prohibiting provision of 0+ local and 0+ intraLATA calls from store-and-forward pay telephones located in confinement facilities, by InVision Telecom, Inc., Docket No. 960407-TC, Order No. PSC-96-1009-FOF-TC, Issued August 7, 1996.


⁵ In Re: Petition for waiver of Rule 25-24.515(7), F.A.C., and Rule 25-24.602(2)(c) and (d), F.A.C., regarding 0+ local and 0+ intraLATA traffic, by T-Netix, Inc., Docket No. 95-1456-TP, Order No. PSC-96-0868-FOF-TP, Issued July 2, 1996.

WHEREFORE, Sprint Communications Company Limited Partnership respectfully requests, subject to approval of its application for certification in Docket No. 970426-TC, that the Commission:

- (1) Grant Sprint a waiver from the provisions of the Commission's Rules 25-24.515(7) and 25-24.620(2)(c) and (d), Florida Administrative Code; and
- (2) Grant Sprint such other relief as may be appropriate in the circumstances.

Respectfully submitted,

Sprint Communications Company
Limited Partnership



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