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Benjamin W. Fincher
Attorney, State Regulatory

June 27, 1997

VIA FED EX

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

In Re: Docket No. **970551-TC** Amended Petition of Sprint Communications Company Limited Partnership for Exception From Orders, Rules and Regulations Prohibiting termination of Conversation After Ten Minutes on Calls Placed From Pay Telephones Located in Confinement Institutions.

Dear Ms. Bayó:

Enclosed for filing, are the original and fifteen (15) copies of an Amended Petition for Waiver on behalf of Sprint Communications Company Limited Partnership as captioned above. The Amended Petition address the Impact of Florida Statute 120.542.

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.

- ACK
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Thank you for your cooperation.

Sincerely,

Benjamin W. Fincher
Benjamin W. Fincher **TAK.**

cc: Everett Boyd

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06513 JUN 30 97
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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. 970551-TC
Termination of Conversations After Ten Minutes)
on Calls Placed From Pay Telephones) Filed June 30, 1997
Located in Confinement Institutions.)

AMENDED PETITION FOR WAIVER

Comes now Sprint Communications Company Limited Partnership, ("Sprint"), pursuant to Commission Rule 25-24.505(3), Florida Administrative Code, and § 120.542, Florida Statutes, and files this Amended Petition for Waiver with the Florida Public Service Commission ("Commission") for exemption from those Orders, Rules and Regulations of the Commission prohibiting Sprint from terminating conversation after ten minutes on calls placed from 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
Sprint Communications Company Limited Partnership
3100 Cumberland Circle
Atlanta, Georgia, 30339
Telephone: (404) 649-5145
Facsimile: (404) 649-5174

3. Sprint, a Delaware Limited Partnership, filed its application with the Commission, on April 4, 1997, for Certificate to Provide Pay Telephone Service in the State of Florida. Sprint's application was approved by the Commission by its Order No. 97-0572-FOF-TC, Docket No. 970426-TC, issued on May 20, 1997.

4. Pursuant to the Commission's approval of its application for Certificate to Provide Pay Telephone Service, as noted above, 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. Through the instant petition, Sprint seeks a waiver of the Commission's Rules 25-24.515(5) and 25-24.515(15) F.A.C. These rules appear to prohibit Sprint from terminating conversations in less than fifteen minutes on calls placed by inmates of confinement institutions. While it is not clear that this is the case, out of an abundance of caution, Sprint seeks the waivers as set out in this petition.

The Department of Corrections seeks to have the capability to limit such calls to a ten minute duration during certain periods and circumstances in confinement institutions. Rule 25-24.515(15) provides certain exemptions for paystations in confinement institutions, including exemption from rule 25-24.515(5), except for the audible and written fifteen minute disconnect notification. Reducing conversation time from fifteen minutes to ten minutes will not disadvantage inmates and will provide the Department of Corrections with additional control over conversation time if the situation warrants reduced conversation time.

6. The purpose of the rule that appears to limit calls to not less than 15 minutes in duration presumably is to limit the ability of COCOTs to limit calls and force customers to regenerate calls at additional initial cost per minute. This protection to the pay telephone user is not necessary in the inmate calling environment because corrections officials have the ability to control inmate calling presently. The addition of limiting calls to no longer than 10 minutes could be useful in very crowded telephone conditions. Forcing corrections officials to allow a minimum of 15 minute call duration calls by inmates is an unnecessary limit on corrections officials' authority in the inmate setting without reason. The present rule could be a substantial hardship on corrections officials. Accordingly, the rule waiver requested herein is consistent with the provisions of Sec. 120.542 of the Florida Statutes. The Commission is authorized to grant variances and waivers to requirements of their rules consistent with Sec. 120.542 of the Florida Statutes. Therefore, Sprint would submit that approval of the requested rule waiver would not violate, in any manner, § 120.542, Florida Statutes.

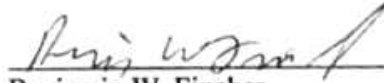
7. In the event the Commission grants the waivers requested herein, Sprint agrees to comply with the audible and written disconnect notification requirements of Rule 25-24.515(5).

WHEREFORE, Sprint Communications Company Limited Partnership respectfully requests that the Commission:

- (1) Grant Sprint a waiver from the provisions of the Commission's Rules 25-24.515(5) and 25-24.515(15) 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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