

REQUEST TO ESTABLISH DOCKET  
(PLEASE TYPE)

Date June 30, 1997

Docket No. 970798-TC

1. Division Name/Staff Name Communications / Natalie Monteiro
2. OPR Natalie M. Monteiro (CRJ)
3. OCR Will Cox (LEG)
4. Suggested Docket Title Request for exemption from requirement of Rule 25-26.515(B), F.A.C., that each pay telephone station shall allow incoming calls, by BellSouth Public Communications, Inc.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

<u>BellSouth Public Communications, Inc.</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:

- Documentation is attached.  
 Documentation will be provided with recommendation.

**BellSouth Public Communications, Inc.**  
75 Bagby Drive  
Homewood, Alabama 35209

June 20, 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. \_\_\_\_\_  
Waiver of Rule 25-24.515(8), F.A.C.

Enclosed please find the original and 5 copies of our request for waiver of Rule 25-24.515(8), F.A.C. which we ask 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 25-24.515(8), 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:

1009 S. W. Port St. Lucie Blvd. (561) 335-5753  
Port St. Lucie , FL 34952

1009 S. W. Port St. Lucie Blvd. (561) 335-9801  
Port St. Lucie , FL 34952

1009 S. W. Port St. Lucie Blvd. (561) 335-5761  
Port St. Lucie , FL 34952

1009 S. W. Port St. Lucie Blvd. (561) 335-9810  
Port St. Lucie , FL 34952

Ms. Blanco S. Bayo  
June 3, 1997  
Page 2

This waiver is being requested in accordance with the requirements of Florida State Statutes Section 120.542(2). Granting this waiver will not impede the continued provision of pay telephone service to the using public as intended by the underlying Statute (section 364.345).

In addition, as explained below, granting this waiver will lift the "substantial hardship" that the rule imposes on law enforcement, the location provider and the law abiding using public. 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 these locations 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 locations identified above has either joined in or agreed to this request for waiver which is attached.

Please advise by Order if our request for the waiver has been accepted.

Sincerely,



Assistant Vice-President - Regulatory  
BellSouth Public Communications, Inc.

Please acknowledge receipt of this request for waiver by signing and returning the extra copy of this letter in the enclosed stamped, self addressed envelope.

RECEIVED:  
Florida Public Service Commission  
Tallahassee, Florida \_\_\_\_\_, 1997  
(Date)

BY: \_\_\_\_\_

Enclosures



John M. Skinner  
Chief of Police

**CITY OF PORT ST. LUCIE**  
**POLICE DEPARTMENT**

121 S.W. Port St. Lucie Blvd. • Port St. Lucie, Florida 34984



(561) 871-5000  
340-2013 (FAX)

June 9, 1997

Mr. Gary Triplett  
Bell South Public Comm.  
1111 Dennis Road  
Hendersonville, TN 37075

Dear Mr. Triplett:

**SUBJECT: RESTRICTING PAY PHONES**

This letter will verify my authorization for Deputy Chief Scott Bartal to serve as my designee on the form requesting to block incoming calls.

If you have any questions, please contact me at (561) 871-5006.

Sincerely,

John M. Skinner  
Chief of Police

JMS/ss

Attachments



An Internationally Accredited  
Law Enforcement Agency

**An Equal Opportunity Employer**

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 561-335-5753  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1090 SW PORT ST. LUCIE BLVD.  
County: St. Lucie PORT ST. LUCIE, FL 34952

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(5) or 25-4.076(5), 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: 6-20-97  
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins  
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications  
 MAILING ADDRESS: 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: Meedy Rollins DATE: 5/2/97  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): MOBIL OIL CORPORATION  
 MAILING ADDRESS: 1090 SW PORT ST LUCIE BLVD.  
PORT ST. LUCIE, FL 34952

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: Scott E. Postal DATE: 5-5-97  
 NAME & POSITION/TITLE (PRINT OR TYPE): Deputy Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: Port St. Lucie Police Dept.  
 MAILING ADDRESS: 121 SW. Port St. Lucie Blvd. Port St. Lucie, FL  
34984

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 561-335-9801

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1090 SW PORT ST. LUCIE BLYD.

County: St. Lucie PORT ST. LUCIE, FL 34952

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 6-20-97

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

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc

MAILING ADDRESS: 75 Bagby Frive  
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: Mandy Rollins DATE 5/2/97

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

MAILING ADDRESS: 1090 SW PORT ST. LUCIE BLYD.  
PORT ST. LUCIE, FL 34952

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: Scott E. Bental DATE 5-5-97

NAME & POSITION/TITLE (PRINT OR TYPE): Deputy Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Port St. Lucie Police Dept.

MAILING ADDRESS: 121 S.W. Port St. Lucie Blvd. Port St. Lucie, FL.  
34984

## REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 561-335-5761  
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1090 SW PORT ST. LUCIE BLVD.  
 County: St. Lucie PORT ST. LUCIE, FL 34952

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 25-4.079(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 6-20-97  
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins  
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.  
 MAILING ADDRESS: 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: Meady Pollins DATE 5/2/97  
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): MOBIL OIL CORPORATION  
 MAILING ADDRESS: 1090 SW PORT ST LUCIE BLVD.  
PORT ST. LUCIE, FL 34952

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: Scott E. Burtal DATE 5-5-97  
 NAME & POSITION/TITLE (PRINT OR TYPE): Deputy Chief of Police  
 NAME OF LAW ENFORCEMENT AGENCY: Port St. Lucie Police Dept  
 MAILING ADDRESS: 121 S.W. Port St. Lucie Blvd. Port St. Lucie, FL 34984

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS)

561-335-9810

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

1090 SW PORT ST. LUCIE BLVD.

County: St. Lucie

PORT ST. LUCIE, FL 34952

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 6-20-97

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE):

James B. Hawkins

NAME OF PAY TELEPHONE COMPANY:

BellSouth Public Communications, Inc.

MAILING ADDRESS:

2nd Floor, 75 Bagby Drive

Homewood, Alabama 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:

*Mandy Pollins*

DATE 5/2/97

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

MOBILE OIL CORPORATION

MAILING ADDRESS:

1090 SW PORT ST LUCIE BLVD

PORT ST LUCIE, FL 34952

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:

*Scott E. Bartal*

DATE 5-5-97

NAME & POSITION/TITLE (PRINT OR TYPE):

Deputy Chief of Police

NAME OF LAW ENFORCEMENT AGENCY:

Port St. Lucie Police Dept.

MAILING ADDRESS:

121 SW Port St. Lucie Blvd. Port St. Lucie, FL.

34984