

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date July 11, 1997

Docket No. 970864-TC

1. Division Name/Staff Name Communications / Natalie Monteiro
2. OPR Natalie M. Monteiro (CMU)
3. OCR Will Cox (LEG)
4. Suggested Docket Title Request for exemption from requirement of Rule 25-24.515(B), F.A.C., that each pay telephone station shall allow incoming calls, by Sprint-Florida, 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>Sprint-Florida, Inc.</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____

6. Check one:

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



Sandra A. Khazraee
Manager - Regulator

Southern Operations
Box 2214
Tallahassee, Florida 32310-2214
Mail Code 2565
Telephone (904) 847-0175
Fax (904) 599-1458

July 9, 1997

Ms. Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850



Dear Ms. Bayo:

Re: Docket No. _____
Waiver of Rule 25-24.515(8), F.A.C.

On behalf of Sprint-Florida, Inc., enclosed please find our request for waiver of Rule 25-24.515(8), 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 25-24.515(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 listed below:

- 1681 S. County Road 427, Altamonte Springs, FL 407-260-5190
- 123 Jackson Street, Altamonte Springs, FL 407-767-9941
- Circle K 1140 S. CR 427, Longwood, FL 407-767-9902
- Circle K 1140 S. CR 427, Longwood, FL 407-767-9990
- Circle K 1140 S. CR 427, Longwood, FL 407-260-9827
- Circle K 1140 S. CR 427, Longwood, FL 407-339-9719

This waiver is being requested in accordance with the requirements of Florida 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 wavier will lift the "substantial hardship" that the rule imposes on law enforcement, the location provider and the law abiding using public.

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The Sheriff's Office 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. These locations do 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,



Sandra A. Khazraee

Attachments

COPY

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



PAY TELEPHONE NUMBER (407) 260-5190

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS) 1681 S. County Road 427
Altamonte Springs, FL 32701

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(1) or 25-4.026(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 *LaVelle Rixie* DATE 7-22-97

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

NAME OF PAY TELEPHONE COMPANY: Sprint

MAILING ADDRESS: P.O. Box 150809, Altamonte Springs FL 32715
962 First St. Bldg. D Altamonte Springs, FL 32701

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 *Indra Patel* DATE 7-19-97

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) INDRA PATEL

MAILING ADDRESS: 1681 SOUTH CR 427
ALTAMONTE SPRINGS, FL 32701
TEL (407) 351-7344

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 *Sheriff Donald F. Eslinger* DATE 8-14-97

NAME & POSITION/TITLE (PRINT OR TYPE) Sheriff Donald F. Eslinger

NAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's Office

MAILING ADDRESS: 1345 28TH Street, Sanford FL 32773

COPY

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (407) 767-9941PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Jackson Grocery/ Strib's Food Market
123 Jackson Street, Altamonte Springs, FL 32714

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 25-24.015(9) 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: *Lavelle Rixie* DATE: 7/29/97NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Lavelle RixieNAME OF PAY TELEPHONE COMPANY: SprintMAILING ADDRESS: P.O. Box 165000, Altamonte Springs FL 32716
962 First St. Bldg. D Altamonte Springs, FL 32701

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: *Catherine Norman* DATE: 3/3/97NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Catherine NormanMAILING ADDRESS: 129 Leon St. Altamonte Springs FL 32701

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: 8-14-97NAME OF RESPONSIBLE (PRINT OR TYPE): Sheriff Donald F. EslingerNAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's OfficeMAILING ADDRESS: 1345 28TH Street, Sanford FL 32773

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



PAY TELEPHONE NUMBER (LINE NUMBER PER REQUEST, NO EXCEPTIONS) 407/767-9902
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Circle K 1140 S. CR 427, Longwood, FL

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: *LaVelle Rixie* DATE 6-20-97
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): LaVelle Rixie
 NAME OF PAY TELEPHONE COMPANY: Sprint
 MAILING ADDRESS: 962 First Street Bldg. D Altamonte Springs, Fl 32701

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: *Ken Kenin* DATE 6/18/97
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CIRCLE K
 MAILING ADDRESS: 1140 CR 427 LONGWOOD FL 32750

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: *Donald F. Eslinger* DATE 6-9-97
 NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff Donald F. Eslinger
 NAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's Office
 MAILING ADDRESS: 1345 28th Street, Sanford, FL 32773

FLORIDA PUBLIC SERVICE COMMISSION
REQUEST TO BLOCK INCOMING CALLS



TELEPHONE NUMBER: _____ NUMBER PER REQUEST, NO EXCEPTIONS: 407/767-9990
PHYSICAL ADDRESS OF PAY TELEPHONE (ADDRESS): Circle K 1140 S. CR 427, Longwood, FL

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: [Signature] DATE 6-30-97

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

NAME OF PAY TELEPHONE COMPANY: Sprint

MAILING ADDRESS: 962 First Street Bldg. D Altamonte Springs, FL 32701

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 6/8/97

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

MAILING ADDRESS: 1140 CR 427 Longwood FL 32760

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 6-9-97

NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff Donald F. Eslinger

NAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's Office

MAILING ADDRESS: 1345 28th Street, Sanford, FL 32773

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



PAY TELEPHONE NUMBER: 407/260-9827
 PAY TELEPHONE (ADDRESS): Circle K 1140 S. CR 427, Longwood, FL

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(b) or 25-4.076(b), 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: [Signature] DATE 6-30-97
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): LaVelle Rixie
 NAME OF PAY TELEPHONE COMPANY: Sprint
 MAILING ADDRESS: 902 First St. Bldg. D Altamonte Springs, FL 32701

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 6/18/97
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CIRCLE K
 MAILING ADDRESS: 1140 CR 427 Longwood FL 32750

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 6-9-97
 NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff Donald F. Eslinger
 NAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's Office
 MAILING ADDRESS: 1345 28th Street, Sanford, FL 32773

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



TELEPHONE NUMBER: 407/339-9719 (NUMBER PER REQUEST, NO EXCEPTIONS)
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Circle K 1140 S. CR 427, Longwood, FL

I, the undersigned, declare that 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(b) or 25-4.076(b), 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: [Signature] DATE 6-30-97
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): LaVelle Rixie
 NAME OF PAY TELEPHONE COMPANY: Sprint
 MAILING ADDRESS: 962 First St. Bldg. D. Altamonte Springs, FL 32701

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 6/18/97
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CIRCLE K
 MAILING ADDRESS: 1140 CR 427 LONGWOOD FL 32750

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 6-3-97
 NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff Donald F. Eslinger
 NAME OF LAW ENFORCEMENT AGENCY: Seminole County Sheriff's Office
 MAILING ADDRESS: 1345 28th Street, Sanford, FL 32773