



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

July 15, 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. 970906
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:

- ACK _____
- AFA _____
- APP _____
- CM _____
- CMU _____
- CTR _____
- EAC _____
- LEG _____
- LRI _____
- QFC _____
- RCH _____
- SEC 1
- WAS _____
- OTH _____

- 7116 S. Dixie Hwy. (561) 547-7456
West Palm Beach, FL 33405
- 7116 S. Dixie Hwy. (561) 547-9087
West Palm Beach, FL 33405
- 2450 Okeechobee Blvd. (561) 683-9870
West Palm Beach, FL 33409
- 2450 Okeechobee Blvd. (561) 684-3417
West Palm Beach, FL 33409

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13 S. E. 11th Ave.
Pompano Beach, FL 33060

(954) 946-9668

13 S. E. 11th Ave.
Pompano Beach, FL 33060

(954) 946-9916

13 S. E. 11th Ave.
Pompano Beach, FL 33060

(954) 946-9923

13 S. E. 11th Ave.
Pompano Beach, FL 33060

(954) 946-9932

4845 N. W. 9th Drive
Ft. Lauderdale, FL 33317

(954) 587-9833

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,

for Paul Smith

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

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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

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: ONE NUMBER PER REQUEST, NO EXCEPTIONS 954-587-9833
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1845 NW 9th DR
FT LAUDERDALE FL 33317 County: Broward

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. Hawkin DATE: 7-14-97

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

NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, 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: [Signature] DATE: 6-16-97

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CHISHOLM REALTY CO LTD

MAILING ADDRESS: 4790 NW 9th CT, PLANTATION, FL 33317

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: 6/13/97

NAME & POSITION/TITLE (PRINT OR TYPE): C.E. SHARRETT CHIEF OF POLICE

NAME OF LAW ENFORCEMENT AGENCY: PLANTATION POLICE DEPT

MAILING ADDRESS: 451 NW 70th
Plantation, FL 33317