REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date_September 22, 1997

Docket No. 47-1229 TC

2.	CPR Matelie M. Monteiro (CMU)
	OCR John Bownen (LEG)
4.	Suggested Docket Title Request for exemption from requirement of Rule 25-24,515(8). Florida Administrative te, that each pay telephone station shall allow incoming calls, by SellSouth Public Communications, Inc.
_	
5.	Suggested Docket Hailing List (attach separate sheet if necessary)
	A. Provide NAMES CHLY 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)
Be	LiSouth Public Communications, Inc.
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_	2. Interested Persons and their representatives (if any)
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6.	Check one: X Documentation is attached.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

09628 SEP 22 5

FPSC-RECORDS/REPORTING



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

September 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:

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:

868 Jupiter Blvd. N. W. (407) 723-9602 Palm Bay, FL 32905

868 Jupiter Blvd. N. W. (407) 723-9834 Palm Bay, FL 32905

868 Jupiter Blvd. N. W. (407) 728-9520 Palm Bay, FL 32905 Ms. Blanco S. Bayo September 15, 1997 Page 2

3085 Jupiter Blvd. S. E. Palm Bay, FL 32905 (407) 722-9709

3085 Jupiter Blvd. S. E. Palm Bay, FL 32905 (407) 723-9910

3085 Jupiter Blvd. S. E. Palm Bay, FL 32905 (407) 723-9893

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.

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AME OF PAY TELEPHONE CO					South P	ablic Com	munications,
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	32905	
anted an exemption from the require	ng incoming calls at the pay telephone i mment that incoming calls be received at the appropriate). I agree to provide central of display a written notice directly above or request of law enforcements.	ffice
officer of the pay telephone com my knowledge and belief, the abov Section 837.06, Florida Statutes, islead a public servant in the perf	perty named below, have read the foregoin e information is a true and correct state, whoever knowingly makes a false stateme ormance of his official duty shall be guil	nt in
F PAY TELEPHONE COMPANY:	es B. Apolia DATE 9.12	-1
TELEPHONE COMPANY (PRINT OR TYPE)	James B. Hawkins	
Y:	Public Communications, Inc.	_
	75 Bagby Drive	_
-	Homewood, AL 35209	
are that pursuant to Section 637.	s my belief that allowing incoming calls ontrol that activity and attest to this fo 36, Florida Statutes, whoever knowingly my servant in the performance of his officia	skys n
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Y TELEPHONE MUNICER: 407-723-989	Tinuer Square	
TELEPHONE NUMBER: CONTROL (ADDRESS): TO SORE SOLD, For Island, SE	PAIM Bry FL.	country Brewnd
	32	905
o deter criminal activity facilitated by individual to bove, I request that I be granted an exemption from the elephone location (Rule 25-24.515(8) or 25-4.076(6) ased intercept at no charge to the end user and to the telephone number which states: "Incoming call	6).F.A.C., as appropriate). I a	gree to provide central office notice directly above or below
, the undersigned owner or officer of the pay to clare that to the best of my knowledge and belt am sware that pursuant to Section 837.06, Flor riting with the intent to mislead a public servan misdemeanor of the second degree.	ida Statutes, whoever knowinging in the performance of his off	v makes a false statement in
IGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPAN		
NAME OF CHARGOFFICER OF PAY TELEPHONE COMPANY (PI	RINT OR THPE): James B. Ha	VK100
IANE OF PAY TELEPHONE COMPANY:		ublic Communications,
AILING ADDRESS:	75 Bagby D	rive
	Homewood, A	L 35209
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