

REQUEST TO ESTABLISH DOCKET  
(PLEASE TYPE)

Date 10/17/97

Docket No. 971388-TC

1. Division Name/Staff Name Communications/Isler
2. OPR Communications/Isler
3. OCR Legal
4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-24.515(8), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by Coin-Tel, 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>Coin-Tel, Inc.</u> | _____ |
| _____                 | _____ |
| _____                 | _____ |
| _____                 | _____ |
| _____                 | _____ |
| _____                 | _____ |
| _____                 | _____ |

2. Interested Persons and their representatives (if any)

|       |       |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

6. Check one:

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

I:\PSC\RAR\MP\LESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

**10709** OCT 17 97

FPCO-RECORDS/REPORTING



**Coin-Tel, Inc.**

*"The Most Dependable Name in Pay Phones"*

October 15, 1997

Ms. Paula Isler  
State of Florida  
Public Service Commission  
Division of Records and Reporting  
Capital Circle Office Center  
2540 Shumard Oak Blvd.  
Tallahassee, FL 32399-0850

**RECEIVED**

**OCT 16 1997**

**CMU**

RE: Docket No. \_\_\_\_\_  
Waiver of Rule 25-24.515(8), F A C

Dear Ms. Monteiro:

On behalf of Coin-Tel, Inc., enclosed please find the 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 telephone located at the address 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 Commission." The location(s) and number(s) of the public telephones are as follows

Coast Plaza (904) 424-9917  
1835 SR 44  
New Smyrna, FL

Hiawassee Woods (407) 298-9757  
6861 W. Colonial Dr.  
Orlando, FL 32818

Hiawassee Woods (407) 298-9762  
6861 W. Colonial Dr.  
Orlando, FL 32818

Ms. Paula Isler  
October 15, 1997  
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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 location provider for the location identified above has either joined in or agreed to this request for waiver, which is attached.

The Commission has previously granted a waiver of this Rule in Order No. 97-0273, issued March 11, 1997, approving Coin-Tel's petition for waiver of the rule for pay telephones located in Orlando. The owners had requested blocking of incoming calls to restrict the usefulness of the public phone for unlawful activity.

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

Sincerely,

COIN-TEL, INC.

  
Yolanda Smith  
Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

Coast Plaza

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: JUNE NUMBER PER REQUEST, NO EXCEPTIONS (904) 424-9917

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1835 SR 44  
New Smyrna, 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 25-24.51E(8) or 25-4.07E(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: M.R. Albanese DATE 10/6/97

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Michael R. Albanese

NAME OF PAY TELEPHONE COMPANY: Coin-Tel, Inc.

MAILING ADDRESS: 5122 W. Knox St., Tampa FL 33634

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 8/14/97

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

MAILING ADDRESS: P.O. Box 8159 Vero Beach, FL  
32963

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 10/1/97

NAME & POSITION/TITLE (PRINT OR TYPE): Chief Denver H. Fleming III

NAME OF LAW ENFORCEMENT AGENCY: New Smyrna Beach Police Department

MAILING ADDRESS: 1400 N. Dixie Freeway New Smyrna Beach, FL 32168

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

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

(407) 298-9757

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

Hiwassee Woods

6861 W. Colonial Dr. Orlando, FL 32818

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:

M. R. Alban

DATE 10/6/97

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

Michael R. Albanese

NAME OF PAY TELEPHONE COMPANY:

COIN-TEL, Inc.

MAILING ADDRESS:

5122 W. Knox St., Tampa, FL 33634

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:

Marjorie Abrams Pres.

DATE 9/16/97

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

Marjorie Abrams, Pres.

MAILING ADDRESS:

6849 W. Colonial Dr., Orlando, FL 32818

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 09/30/97

NAME & POSITION/TITLE (PRINT OR TYPE):

Sheriff Kevin Beary

NAME OF LAW ENFORCEMENT AGENCY:

Orange County Sheriff's Office

MAILING ADDRESS:

P.O. Box 1440, Orlando, FL 32802

**FLORIDA PUBLIC SERVICE COMMISSION**

**REQUEST TO BLOCK INCOMING CALLS**

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

407.298.9762

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

412 W 25th Woods

6861 W. Colonial Dr., Orlando, FL

32818

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:

Michael R. Albanese

DATE 10/6/97

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

Michael R. Albanese

NAME OF PAY TELEPHONE COMPANY:

COIN-TEL, Inc

MAILING ADDRESS:

5122 W. Knox St. Tampa, FL 33634

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:

Marjorie Abrams Pres.

DATE 9/16/97

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

Marjorie Abrams

MAILING ADDRESS:

6849 W. Colonial Dr., Orlando, FL 32818

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 09-30-97

NAME & POSITION/TITLE (PRINT OR TYPE):

Sheriff Kevin Beary

NAME OF LAW ENFORCEMENT AGENCY:

Orange County Sheriff's Office

MAILING ADDRESS:

P.O. Box 1440, Orlando, FL 32802