REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Det	·e	12/01/97	_			Docket No	7/368-1
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2.	OPR_	Communicati	ons/Isler				
3.	OCR_	Legal					
4.	Sugg	ested Docket	Title <u>Request</u>	for Exemptic	n from Requirement of R	ule 25-24.515(8)	Floride
Adm	inist	rative Code,	That Each Pay Te	lephone Stati	on Shall Allow Incoming	Calls by BellSo	uth Public
Com	munic	ations, Inc.					<u> </u>
5.	Sugg	ested Docket	Mailing List (at	tach separate	sheet if necessary)		
	A. P	rovide NAMES a shown in Ru	ONLY for regulatile 25-22.104, F.	ed companies A.C.	or ACRONYMS ONLY regula	ted industries,	
	B. P	rovide COMPLE	TE name and addr	ess for all o	thers. (<u>Match represent</u>	atives to client	lr)
	1.	. Parties and	their represent	atives (if an	y)		
Ве	llSou	th Public Com	munications, Inc				
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	2.	. Interested	Persons and thei	r representat	ives (if any)		
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5. C	theck		cumentation is a	ttached.			
					with recommendation.		
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PSC/RAR 10 (Revised 01/96)

12206 DEC-15



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

November 19, 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

RECEIVED NOV 26 19

CMU

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:

445 S. W. 2nd Street Deerfield Beach, FL 33441

(954) 427-9659

10379 Atlantic Blvd. Jacksonville, FL 32225 (904) 641-9375

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Ms. Blanco S. Bayo November 19, 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.

Ms. Blanco S. Bayo November 19, 1997 Page 3

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

RECEIVED:	· · · · · · · · · · · · · · · · · · ·	
Florida Public Service (OMMISSION	1007
Tallahassee, Florida _	(Date)	, 1997
BY:		

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FLORIDA'PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS!) (954) 427-9659
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 445 S.W. 2nd Street
Deerfield Beach, FL 33441 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 25-24.815(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 ten 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 ballef, the above information is a true and correct statement. I am aware that pulliplication \$37.06. Floride Statutes, whosever inewingly makes a false statement in writing with the intent to mislead a public-corvant 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:
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hautins
NAME OF PAY TELEPHONE COMPANY: Bellfouth Public Communications. Inc.
MAILING ADDRESS:
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 algorithm 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 misdemeener of the second degree.
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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 aliminate or help control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.05, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to mislead a public servent in the performance of his official duty shall be guilty of a misdemeener of the second degree. SIGNATURE OF LOCATION OWNER: Paul Callette, Bourse DATE: 10/20/97
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FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

county: Cou	deter criminal ectivity facilitated by Individuals receiving incoming calls at the pay telephone listed bove, I request that I be granted an exemption from the requirement that incoming calls be received at the pay elephone location (Rule 25-24.515(8) or 25-4.076(6).F.A.C., as appropriate). I agree to provide central office seed intercept at no charge to the end user and to prominently display a written notice directly above or below te telephone number which states: "Incoming calls blocked at request of law enforcement". In the undersigned owner or officer of the pay telephone company named below, have read the foregoing and eclare that to the best of my knowledge and belief, the above information is a true and correct statement, am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in initing with the intent to mislead a public servant in the performance of his official duty shall be guilty of misdemeanor of the second degree. IGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: DATE OF TYPE: James B. Hawkins WE OF PAY TELEPHONE COMPANY: Bellower Company: Bellsouth Public Communications, and the undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, criminal activity is associated with and facilitated by incoming calls being received at e pay telephone number and location referenced above. It is my belief that allowing incoming calls to be ocked at the pay telephone will eliminate of help control that activity and attest to this fact by my gnature below. I am aware that pursuant to section 37.06, florida Executes, whoever knowingly makes a false atement in writing with the intent to mislead a public servapt in the performance of his official duty shall guilty of a misdemeanor of the second degree. CMATURE OF LOCATION OWNER: DATE 10-10-97 DATE 10-10-97	AY TELEPHONE NUMBER: 707-691	7373
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The undersigned owner of the above referenced pay telephone location, declare that to the best of my knowledge and belief, the above information is a true and correct statement, am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in riting with the intent to misled a public servant in the performance of his official duty shall be guilty of misdemeanor of the second degree. GNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY: ME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, ILLING ADDRESS: To Bagby Drive Homewood, A1 35209 The undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, criminal activity is associated with and facilitated by incoming calls being received at e pay telephone number and location referenced above. It is my belief that allowing incoming calls to be ocked at the pay telephone will eliminate op help control that activity and attest to this fact by my gnature below. I am aware that pursuant to Section 837.06, Florida Executes, whoever knowingly makes a false attement in writing with the intent to misleds public servant in the performance of his official duty shall guilty of a misdemeanor of the second degree. GNATURE OF LOCATION OWNER: DATE 10-10-97 DATE 10-10-97	The undersigned owner of the above referenced pay telephone location, declare that to the best of my knowledge and belief, the above information is a true and correct statement, am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in riting with the intent to mislead a public servant in the performance of his official duty shall be guilty of misdemeanor of the second degree. GNATURE OF OUNER/OFFICER OF PAY TELEPHONE COMPANY: James B. Hawkins BellSouth Public Communications, ILLING ADDRESS: To Bacby Drive Homewood, A1 35209 The undersigned owner of the above referenced pay telephone location, declare that to the best of my owledge and belief, criminal activity is associated with and facilitated by incoming calls being received at e pay telephone number and location referenced above. It is my belief that allowing incoming calls to be ocked at the pay telephone will eliminate op help control that activity and attest to this fact by my gnature below. I am aware that pursuant to Section 837.06, Florida Statutes, whoever knowingly makes a false attement in writing with the intent to mislead public servant in the performance of his official duty shall guilty of a misdemeanor of the second degree. DATE 10-10-9 To the pay Telephone Location Owner: DATE 10-10-9 To the pay Telephone Location Owner: DATE 10-10-9 To the pay Telephone Location Owner (PRINT OR TYPE) DATE 10-10-9 To the pay Telephone Location Owner (PRINT OR TYPE)	o deter criminal ectivity facilitated by individual cove, I request that I be granted an exemption from elephone location (Rule 25-24,515(8) or 25-4.076(6) ased intercept at no charge to the end user and to be telephone number which states: "Incoming call	wals receiving incoming calls at the pay telephone listed in the requirement that incoming calls be received at the pay).F.A.C., as appropriate). I agree to provide central office prominently display a written notice directly above or below is blocked at request of law enforcement.
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