# REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Det	te <u>02/12/98</u>	Docket No. 98 0 2 32 - 10
1.	Division Name/Staff Name Communications/Isler	
2.	OPR Communications/Isler	
3.	NAMES ASSESSMENT OF THE PROPERTY OF THE PROPER	
2576		
4.	Suggested Docket Title Request for Exemption from Requi	rement of Rule 25-24.515(8). Florida
Ade	ministrative Code. That Each Pay Telephone Station Shall Ali	ow Incomine Calls by BellSouth Public
Con	munications, Inc.	
5.	Suggested Docket Heiling List (attach separate sheet if no	ecessary)
	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. (Matc	h representatives to clients,)
	1. Parties and their representatives (if any)	
Be	ellSouth Public Communications. Inc.	
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	2. Interested Persons and their representatives (if any	)
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6. 0	Check one:	
	XX Documentation is attached.	
	Documentation will be provided with recommen	ndetion.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

02103 FEB 128

EPSC-RECORDS/REPORTING

# **@ BELLSOUTH**

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

February 4, 1998

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

FEB 1 U 1998

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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:

160 Ali Baba Avenue (305) 681-9354 Opa Locka, FL 33054

190 Malabar Rd. S. W. (407) 952-1661 Palm Bay, FL 32908

160 Malabar Rd. S. W. (407) 676-9801 Palm Bay, FL 32908 Ms. Blanco S. Bayo February 4, 1998 Page 2

160 Malabar Rd. S. W. Palm Bay, FL 32908

(407) 676-7661

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,

Manager - Regulatory

BellSouth Public Communications, Inc.

Ms. Blanco S. Bayo February 4, 1998 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 C	Commission	
Tallahassee, Florida		. 1998
_	(Date)	
BY:		

Enclosures



DEC 15 1997

### PRESIDENT

BelSouth Public Communications

### FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONSI) 305-681-9354
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 160 ALI BABA AVENUE
OPA LOCKA, FLORIDA 33054 COUNTY: DADE
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 intest 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: B DATE: 1 28.98
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): James B. Hawkins
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications. Inc.
MAILING ADDRESS: 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 ordical duty shall be guilty of a misdemanner of the second degree.
SIGNATURE OF LOCATION OWNER: DATE: 12/4/97
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): ARAMARKUNIFORM SERVICES
MAILING ADDRESS: 160 ALIBABA AVENUE OPALGERA FL 33054
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:DATE: 120 98
NAME & POSITION/TITLE (PRINT OR TYPE): CRAIG 1. CALLINS, CHIEF OF POLICE

# PLUMIUM PUBLIC SEMVICE COM M ISSION

### REQUEST TO BLOCK INCOMING CALLS

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## PLUMILIA MUBLIC SEMVICE COM. N. ISSION

#### REQUEST TO SLOCK INCOMING CALLS

PAY TRUPHONE HUMBER CHE HUMBER	407-676-7661	
PHYSICAL LOCATION OF PAY TELEPHONE	MALABAR RD. S.W. PALME	AY
FLORIDA 32908	- PALM BAY WEST SHOPPING PLAZA	
To deter oriminal activity fact that I be granted an exemption from 24.618(8) or 25-4.078(8), F.A.G., as	Record by Individuals resolving transming calls at the pay telephone listed above, I the requirement that incoming salls be readined at the pay telephone location of appropriate). I agree to provide control affice based intercept at no charge to the notion directly above or below the telephone number which states: "Incomi	request full as- he end-
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NAME OF PAY TELEPHONE COMPANY:_	BellSouth Public Communications, Inc.	
MALING ADDRESS: 75 Bagby	Drive, Homewood, AL 35209	
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