

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 04/30/98

Docket No. 980604-TC

1. Division Name/Staff Name Communications/Isler

2. OPR Communications/Isler

3. OCR Legal Services

4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-26.515(8), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by Sprint-Florida Incorporated

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>Sprint-Florida, Incorporated</u>	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

2. Interested Persons and their representatives (if any)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

6. Check one: Documentation is attached.
 Documentation will be provided with recommendation.



Sandra A. Khazraee
Manager - Regulatory

Southern Operations
Box 2214
Tallahassee, Florida 32316-2214
Mail Code 2565
Telephone (904) 847-0173
Fax (904) 599-1458

April 24, 1998

Ms. Blanca S. Bayo
Director, Division of Records & Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RECEIVED

APR 29 1998

Dear Ms. Bayo:

CMU

Re: Docket No. _____
Waiver of Rule 25-24.515(8), F.A.C.

On behalf of Sprint-Florida, Inc., enclosed please find our 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 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 listed below:

Motel 6 #1073
1027 Apalachee Pkwy.
Tallahassee, FL 850-656-9925

Motel 6 #0420
1481 Timberlane Dr.
Tallahassee, FL 850-893-9938

This waiver is being requested in accordance with the requirements of Florida 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 Sheriff's Office 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

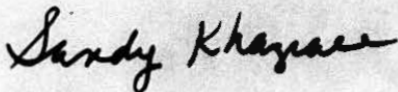
April 24, 1998
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believe the waiver will restrict the usefulness of the pay telephones for these individuals. These locations do not fit within the delineated exceptions to the rule and therefore this request for waiver is appropriate.

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,



Sandra A. Khazraee

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



PAY TELEPHONE NUMBER: (850) 656-9925

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Motel 6 #1073
1027 Apalachee Pkwy., Tallahassee, FL 32301

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: [Signature] DATE 4-23-98

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

NAME OF PAY TELEPHONE COMPANY: Sprint-Florida

MAILING ADDRESS: P.O. Box 165000

Altamonte Springs, FL 32710-5000
FLA/AD0101

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 3/3-1/98

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

MAILING ADDRESS: Intera Communications
P.O. Box 16347
Minneapolis, MN 55416-0347

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 03/30/98

NAME & POSITION/TITLE (PRINT OR TYPE): Walter McNeil, Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Tallahassee Police Department

MAILING ADDRESS: 234 East Seventh Avenue, Tallahassee, FL 32303

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



PAY TELEPHONE NUMBER: (850) 893-9938

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): Motel 6 #0420
1481 Timberlane Dr., Tallahassee FL 32308

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: LaVelle Rixie DATE 4-23-98

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

NAME OF PAY TELEPHONE COMPANY: Sprint-Florida

MAILING ADDRESS: P.O. Box 165000

Altamonte Springs, FL 32710-5000
FLALTD0101

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: Tom Davis DATE 3/20/98

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

MAILING ADDRESS: Intera Communications
P.O. Box 16347
Minneapolis, MN 55415-0347

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: Walter McNeil DATE 4-6-98

NAME & POSITION/TITLE (PRINT OR TYPE): Walter McNeil, Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Tallahassee Police Department

MAILING ADDRESS: 234 East Seventh Avenue, Tallahassee, FL 32303