

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date 06/10/98

Docket No. 980734-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 25-24.515(B), 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)

Sprint-Florida, Incorporated

2. Interested Persons and their representatives (if any)

ACK _____

AFA _____

APP _____

CAF _____

CMU _____

CTR _____

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

OPC T:\PSC\RAR\MP\ESTDKT.

RCH PSC/RAR 10 (Revised 01/96)

SEC _____

WAS _____

OTH _____



Harvey L. Spears, Jr.
Docket Manager

Southern Operations
141114
Tallahassee, FL 32310
Fax: 904-271-1411

June 3, 1998

RECEIVED

JUN 08 1998

CMU

MAIL ROOM
JUN 8 AM 9 12
86

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

Dear Ms. Bayo:

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:

- | | |
|---|--------------|
| 131 Buenaventura Blvd.
Kissimmee, FL 34741 | 407-348-5864 |
| 131 Buenaventura Blvd.
Kissimmee, FL 34741 | 407-348-3261 |

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 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,



Harvey L. Spears, Jr.

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION
REQUEST TO BLOCK INCOMING CALLS

RECEIVED

MAY 26 1998

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

(407) 348-5804

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

131 BUCANAVENTURA BLVD KISSIMEE FL 34741

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:



DATE 5/27/98

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

DAVID ROSEMAN

NAME OF PAY TELEPHONE COMPANY:

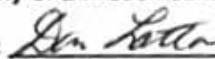
SPRINT PAYPHONE SERVICES INC

MAILING ADDRESS:

750 S. NORTHLAKE BLVD # 1000 PLANTER SPRINGS FL 32701

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:



DATE 5-18-98

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

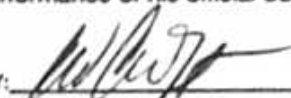
FRANK CREGAR / DAN LATTA

MAILING ADDRESS:

215 W DONEGAN AVE KISSIMEE FL 34741

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 5/20/98

NAME & POSITION/TITLE (PRINT OR TYPE):

C.W. CROFT, Sheriff of Osceola Co.

NAME OF LAW ENFORCEMENT AGENCY:

Osceola Sheriff's Office

MAILING ADDRESS:

400 Simpson Rd; Kissimmee, FL 34744

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

RECEIVED
MAY 20 1998

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (407) 348-3241

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 131 BUENAVENTURA BLVD
KISSIMEE FL 34741

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 25-4.078(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 5/27/98

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

NAME OF PAY TELEPHONE COMPANY: SIRINT PAYPHONE SERVICES INC

MAILING ADDRESS: 750 S. WORTHLAKE BLVD # 1000 ALTAMONTE SPRINGS FL 32701

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 5-18-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): FRANK CARABATINI / DAN LATTA

MAILING ADDRESS: 315 W. DUNEGAN AVE KISSIMEE FL 34741

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 5/20/98

NAME & POSITION/TITLE (PRINT OR TYPE): P. W. CROFT, Sheriff of Osceola Co.

NAME OF LAW ENFORCEMENT AGENCY: Osceola Sheriff's Office

MAILING ADDRESS: 400 Simpson Rd; Kissimmee, FL 34744