



# Public Service Commission

## -M-E-M-O-R-A-N-D-U-M-

**DATE:** July 21, 1998

**TO:** Blanco Bayo, Director, Division of Records and Reporting

**FROM:** *TJM* Toni J. McCoy, Regulatory Analyst, Division of Communications

**SUBJECT:** Docket No. 980651-TC, Associate with Docket File

Please file the attached original letters with the Docket file for historical purposes.

Thank you.

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
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- CTR \_\_\_\_\_
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DOCUMENT NUMBER-DATE

**07692 JUL 22 88**

FPSC-RECORDS/REPORTING



June 30, 1998

VIA FACSIMILE # 850.413.6533

VIA FEDERAL EXPRESS # 380 2065 407

FLORIDA PUBLIC SERVICE COMMISSION  
Division of Communications  
Ms. Toni McCoy, Regulatory Analyst  
2540 Shumard Oak Boulevard  
Capital Circle Office Center  
Tallahassee, FL 32399-0850

RECEIVED  
Florida Public Service Commission  
JUL - 1 PM 9 31  
MAIL ROOM

Dear Ms. McCoy:

**RE: WAIVER REQUEST DATED 13 MAY 1998**

The purpose of this letter is to request that you withdraw PhoneTel Technologies' request dated 13 May 1998 for incoming call blocking on the 36 public telephones located at West Oaks Mall in Ocoee, Florida.

If you should require any further information from this office, please advise.

Sincerely,

Lin Harvey  
Director, Regulatory Affairs

LH/dwo

**RECEIVED**

JUL 01 1998

CMU

North Point Tower, 1001 Lakeside Avenue, 7th Floor, Cleveland, Ohio  
phone 216. 241. 2555 • 800. 333. 9920 fax 216. 241. 2574

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FLORIDA PUBLIC SERVICE COMMISSION  
Division of Communications  
Ms. Toni McCoy, Regulatory Analyst  
2540 Shumard Oak Boulevard  
Capital Circle Office Center  
Tallahassee, FL 32399-0850

Dear Ms. McCoy:

**RE: Waiver of Rule 25-24.515(8), F.A.C.**

On behalf of PhoneTel Technologies, Inc., enclosed please find the original and five copies of our request for waiver of Rule 25-24.515(8), F.A.C. that we ask you file in the above captioned manner.

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 eight (8) public telephones are as follows:

West Oaks Mall	(407) 523-1935	(407) 523-1780
500 South Clark Mall	(407) 291-8740	(407) 523-1771
Ocoee, FL 34761	(407) 523-1770	(407) 296-8747
<i>Food Court &amp; Theatre Locations Only</i>	(407) 523-1772	(407) 296-8345

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.

Ms. Toni McCoy  
State of Florida  
Public Service Commission  
06/30/98  
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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 this location 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 is appropriate.

The location provider for the location identified above has either joined in or agreed to this request for waiver.

Please advise by Order if our request for the waiver has been granted. If you require any further information, please contact me or my Assistant, Darrell Osborne.

Sincerely,

A handwritten signature in cursive script that reads "Lin Harvey". The signature is written in dark ink and has a fluid, connected style.

Lin Harvey  
Director, Regulatory Affairs

LH/dwo