

REQUEST TO ESTABLISH DOCKET  
(PLEASE TYPE)

Date July 27, 1998

Docket No. 980952-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 Payphone Services, Inc.

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 Payphone Services, Inc. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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2. Interested Persons and their representatives (if any)

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

I:\PSC\RAR\MP\ESTDKT.  
PSC/RAR 10 (Revised 01/96)



Harvey L. Spears, Jr.

Southern Operations

98 JUL 27 AM 9:32

MAIL ROOM

July 23, 1998

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

RECEIVED

JUL 27 1998

CMU

Dear Ms. Bayo:

Re: Docket No. \_\_\_\_\_  
Waiver of Rule 25-24 515(8), F.A.C.

On behalf of Sprint Payphone Services, Inc. (SPSI), enclosed please find this request for waiver of Rule 25-24 515(8), F.A.C. for filing in the above captioned matter.

SPSI requests 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:

Mobil Oil 02-A20                                     941-793-7416  
2898 E. Tamiami Trail  
Naples, FL 34112

Mobil Oil 02-A20                                     941-793-2029  
2898 E. Tamiami Trail  
Naples, FL 34112

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

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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.

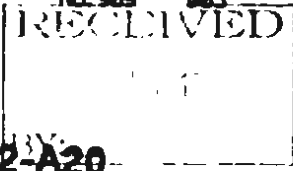
Please advise by Order if this request for the waiver has been accepted.

Sincerely,

A handwritten signature in black ink, appearing to read "Harvey L. Spears, Jr.", written in a cursive style.

Harvey L. Spears, Jr.

Enclosures



FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

941-793-7416 MOBIL OIL 02-A20  
2898 E. TAMiami TR  
NAPLES, FL 34112  
941-775-4660

PAY TELEPHONE NUMBER: ONE NUMBER PER REQUEST. NO EXCEPTIONS

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

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 25-24.516(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 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: Thomas L. Rixie DATE 7-06-98

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Thomas L. Rixie

NAME OF PAY TELEPHONE COMPANY: SPSI

MAILING ADDRESS: 750 S. NorthLake Blvd, Altamonte Springs, FL 32701

750 S. NorthLake Blvd, 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: Cam Tatis Jr. DATE 6-4-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CAM TATIS JR.

MAILING ADDRESS: 2898 E TAMiami TR. NAPLES, FL 34112

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: Don Hunter DATE: 5 JUN 98

NAME & POSITION/TITLE (PRINT OR TYPE): DON HUNTER, SHERIFF

NAME OF LAW ENFORCEMENT AGENCY: COLLIER COUNTY SHERIFF'S OFFICE

MAILING ADDRESS: 3301 E. Tamiami Trail, Building "J"  
Naples, FL 34112

NO. 989 034  
REC'D  
JUN 11 1998

FLORIDA PUBLIC SERVICE COMMISSION  
REQUEST TO BLOCK INCOMING CALLS

941-793-2029

MOBIL OIL 02-A20  
2898 E. TAMiami TR  
NAPLES, FL 34112  
941-775-4660

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

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS):

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(b) or 25-4.076(2), 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 837.08, 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 7-26-97

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Thomas L. Rixie

NAME OF PAY TELEPHONE COMPANY: SPSI

MAILING ADDRESS: 750 S. NorthLake Blvd. AltamonteSprings, FL 32701

750 S. NorthLake Blvd. AltamonteSprings, 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 837.08, 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 6-4-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CAM TAIT JR.

MAILING ADDRESS: 2898 E TAMiami TR, NAPLES FL 34112

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 837.08, 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 5/11/98

NAME & POSITION/TITLE (PRINT OR TYPE): DON HUNTER, SHERIFF

NAME OF LAW ENFORCEMENT AGENCY: COLLIER COUNTY SHERIFF'S OFFICE

MAILING ADDRESS: 3301 E. Tamiami Trail, Building "J"

Naples, FL 34112