

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition by Public
Payphone U.S.A., Inc. for
exemption from rules and orders
which prohibit concentration of
line services for calls made
from store-and-forward pay
telephones located in
confinement institutions.

DOCKET NO. 981877-TC
ORDER NO. PSC-99-0663-FOF-TC
ISSUED: April 6, 1999

The following Commissioners participated in the disposition of
this matter:

JOE GARCIA, Chairman
J. TERRY DEASON
SUSAN F. CLARK
JULIA L. JOHNSON
E. LEON JACOBS, JR.

ORDER ACKNOWLEDGING WITHDRAWAL OF PETITION

BY THE COMMISSION:

On December 17, 1998, Public Payphone U.S.A., Inc. filed a
petition seeking an exemption from Rule 25-24.515(9), Florida
Administrative Code, which prohibits more than one access line per
pay telephone station. The Notice of Petition for Waiver was
submitted to the Secretary of State for publication in the December
28, 1998, edition of the Florida Administrative Weekly. The
comment period ended January 22, 1999. We received no comments
regarding this petition. The statutory deadline for our decision
regarding this petition was March 17, 1999.

Effective February 1, 1999, we amended our rules governing pay
telephone providers. Thereafter, we received a letter dated
February 8, 1999, from the company's consultant withdrawing the
company's petition for exemption.

We note that at the time the petition was filed, Rule 25-
24.515(9), Florida Administrative Code, Pay Telephone Service,
stated:

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Each telephone station must be connected as provided in the pay telephone access tariff offered by the local exchange company.

Effective February 1, 1999, new Rule 25-24.515(22), Florida Administrative Code, pertaining to pay telephones in confinement facilities, states in pertinent part:

Audible and written disconnect notifications shall apply, and one access line shall not be connected to more than three pay telephone stations. (Emphasis added)

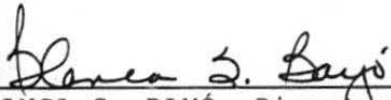
The company has advised us by its February 8, 1999, letter that it will use a maximum of three stations per access line. It appears, therefore, that the company is in compliance with the new Rule 25-24.515(22), Florida Administrative Code. The company does not need an exemption. As such, we acknowledge Public Payphone U.S.A., Inc.'s withdrawal of its Petition for Exemption.

Based on the foregoing, it is therefore

ORDERED by the Florida Public Service Commission that Public Payphone U.S.A., Inc.'s withdrawal of its Petition for Exemption is hereby acknowledged. It is further

ORDERED that this Docket is closed.

By ORDER of the Florida Public Service Commission this 5th day of April, 1999.



BLANCA S. BAYÓ, Director
Division of Records and Reporting

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.