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ORIGINAL

April 6, 2000

Blanca Bayo
STATE OF FLORIDA
PUBLIC SERVICE COMMISSION
Division of Telecommunications
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Re **RADIO COMMUNICATIONS CORPORATION**
PETITION FOR RULE WAIVER

991821-TC

Dear Ms. Bayo:

Enclosed please find the original and five copies of the Petition of Rule waiver on behalf of radio Communications Corporation.

Thank you very much.

Regards,



Leon Paul Kass

AFA _____
APP _____
CAF _____
CMU _____
CTR _____
EAG _____
LEG _____
MAS _____
OPC _____
RRR _____
SEC _____
WAW _____
OTL _____

_____ Leon Paul Kass
_____ enc.
_____ via US Priority Mail
_____ cc Robert Shields, 630-279-2401
_____ cc Tom Williams via US Mail
_____ 2 cc Ms. Jackie Gilchrist via US Mail

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FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition for Rule Waiver)
By Radio Communications Corporation)
_____)

Docket No. 991821-TC
Filed: April 6, 2000

ORIGINAL

PETITION FOR RULE WAIVERS

Radio Communications Corporation (RCC), pursuant to Section 120.542(5), F.S., files this Petition for Waiver of Rule 25-24.515 (6), 25-24.515 (10), and 25-24.515(14) F.S., and states as follows:

1. RCC is subject to regulation by Public Service Commission rules contained in Chapter 25-4, and 25-24.515 F.S.
2. RCC requests a waiver of Rule 25-24.515 (6), F.S. which states as follows:

(6) Each Pay telephone station shall permit direct free access to toll free numbers (e.g., 800, 877, and 888).
3. RCC has only wireless public telephones using cellular and PCS radios to provide connection to the public switched network. All connections to the toll free numbers require payment by RCC to the air time providers, as all of the wireless air time providers charge RCC on a per minute basis for connection to the public switched telephone network, regardless of the destination digits. Cellular services do not recognize toll free numbers, as free. In addition, no wireless reseller or provider is entitled to or receives "dial around compensation" for allowing the free usage of the land line toll free numbers. RCC will and can connect the end customers to the land line toll free numbers, but requests the right to charge for only the cellular air time used in the call. This would be a pass through cost to the end user.
4. RCC only operates and vends courtesy style wireless public telephones,

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FPSC-RECORDS/REPORTING

which do not have any provision for the acceptance of coins. RCC does not own or operate any public telephone equipment that is used with a land line system. All of the equipment that RCC vends is custom made for them, and is used to provide public access communications at public events such as fairs, sporting events, and large gatherings of crowds where land line equipment is not readily available, or too expensive to bring in for a short period of time. RCC also supplies their wireless equipment for locations that are remote or not economically feasible for the public telephone system to support. These locations include barrier islands, beaches, boat ramps, and other places that do not have available both, land line telephony service and electricity for lighting. Several county public safety groups have welcomed the units just as a means of providing "911" services to these aforementioned locations.

5. Based upon the fact that the origination of all calls from RCC's pay telephones is via wireless, with no connection to the public telephone network, and RCC is at the mercy of the cellular air time providers for this service, which they charge for, and will not waiver from that stance, we respectfully request approval for this part of this Petition for Waiver of Rule 25-24.515(6), F.S.

6. RCC requests a waiver of Rule 25-24.515 (10), F.S. which states as follows:

(10) Each pay telephone station which provides access to any interexchange company shall provide coin free access, except for Feature Group A access, to all locally available interexchange companies. The pay telephone station shall provide such access through the forms of access purchased by locally available long distance carriers such as 10XXX+0, 10XXXX+0, 101XXXX+0, 950, toll free (e.g., 800, 877, and 888) access.

7. RCC has only wireless public telephones using cellular and PCS radios to provide connection to the public switched network. All connections to the interexchange numbers require payment by RCC to the air time providers. All of the wireless air time providers charge RCC on a per minute basis for connection to the public switched telephone network, regardless of the destination digits. Many of the cellular carriers do not provide "Equal Access" to customers, nor are they legally obligated to provide "Equal Access" to their customers. In addition, no wireless reseller or provider is entitled to or receives "dial around compensation" for allowing the free usage of the land line interexchange access numbers. RCC will and can connect the end customers to the land line interexchange carrier of choice by calling a operator service center, which has access to land line interexchange carriers via the public land line switched network. RCC requests the right to charge for only the cellular air time used in the call. This would be a pass through cost to the end user.

8. RCC only operates and vends courtesy style wireless public telephones, which do not have any provision for the acceptance of coins. RCC does not own or operate any public telephone equipment that is used with a land line system. All of the equipment that RCC vends is custom made for them, and is used to provide public access communications at public events such as fairs, sporting events, and large gatherings of crowds where land line equipment is not readily available, or too expensive to bring in for a short period of time. RCC also supplies their wireless equipment for locations that are remote or not economically feasible for the public telephone system to support. These locations include barrier islands, beaches, boat ramps, and other places that do not have available both, land line telephony service and electricity for lighting. Several county

public safety groups have welcomed the units just as a means of providing "911" services to from these aforementioned locations.

9. Based upon the fact that the origination of all calls from RCC's pay telephones is via wireless, with no connection to the public telephone network, and RCC is at the mercy of the cellular air time providers for this service, which they charge for, and may not have access to the interexchange access numbers, we respectfully request approval for this part of this Petition for Waiver of Rule 25-24.515(10), F.S.

10. RCC requests a waiver of Rule 25-24.515 (14), F.S. which states as follows:

(14) Each pay telephone must be connected to an individual access line.

11. RCC has only wireless public telephones using cellular and PCS radios to provide connection to the public switched network. The 25-4.003 Definitions F.S. (1) "Access line" or Subscriber Line" The circuit or channel between the demarcation point at the customer's premises and the serving end or class 5 central office. There is no demarcation for a wireless access unit, nor is there a class 5 central serving office.

12. RCC only operates and vends courtesy style wireless public telephones, which do not have any provision for the acceptance of coins. RCC does not own or operate any public telephone equipment that is used with a land line system. All of the equipment that RCC vends is custom made for them, and is used to provide public access communications at public events such as fairs, sporting events, and large gatherings of crowds where land line equipment is not readily available, or too expensive to bring in for a short period of time. RCC also supplies their wireless equipment for locations that are remote or not economically feasible for the public telephone system to support. These

locations include barrier islands, beaches, boat ramps, and other places that do not have available both, land line telephony service and electricity for lighting. Several county public safety groups have welcomed the units just as a means of providing "911" services to these aforementioned locations. RCC uses the cellular radio network to interconnect to the public switched telephone network. The cellular network uses a Mobile Telephone Switching Office, MTSO, which does not act as a class 5 switch. RCC has no other method of access to the public switched telephone network.

13. Based upon the fact that the origination of all calls from RCC's pay telephones is via wireless, with no access lines available to RCC as described in the definition in 24-4.003(1) to the public telephone network, RCC respectfully requests the approval for this part of this Petition for Waiver of Rule 25-24.515(14), F.S.

In consideration of the above, RCC respectfully requests approval of this entire Petition for Waiver of Rule 24-24.515(6), 25-24.515(10), and 25-24.515(14), F.S.

Respectfully submitted,



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Radio Communications Corporation
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