

REQUEST TO ESTABLISH DOCKET  
(PLEASE TYPE)

Date April 17, 2000

Docket No. 000446-7C

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(13), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by Teleleasing Enterprises, 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)

Lisa H. Bilchik \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Interested Persons and their representatives (if any)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

DOCUMENT NUMBER-DATE  
**04690 APR 17 8**  
FPSC-RECORDS/REPORTING

RECEIVED  
00 APR 14 AM 9 06  
FACILITY ROOM

**Tel leasing Enterprises, Inc.  
Office of Regulatory Affairs**

March 29, 2000

Ms. Blanca S. Bayo  
Director, Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Rm. 110  
Tallahassee, FL 32399-0850

Re: Docket No. \_\_\_\_\_  
WAIVER OF RULE 25-24.515(13), F.A.C.

Dear Ms. Bayo:

Enclosed please find the original and five copies of our request for a two-year waiver of Rule 25-24.515(13), F.A.C. which we ask you file in the above captioned matter.

We request that the pay telephone located at the address below be exempt for a period of two years from the provisions of Rule 25-24.515(13), 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 location and number of the public telephone is as follows:

Gator Linton Square  
1563 S Congress Ave  
Delray Beach, FL 33444

(561) 266-8976

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).

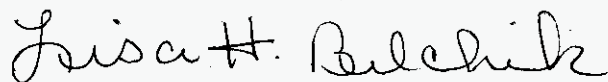
In addition, as explained below, granting this waiver will lift the "substantial hardship" that the rule imposes on law enforcement, the location provider and the law abiding using public. The Police Department has requested that we submit this request for a waiver of the rule because of the use of the pay telephone at this location for allegedly illegal activities. They

Ms. Blanca S. Bayo  
September 2, 1999  
Page 2

believe the waiver will restrict the usefulness of the pay telephone for these individuals. This location does not fit within the delineated exceptions to the rule and therefore this request for waiver is appropriate. The location provider for the location identified above has either joined in or agreed to this request for waiver, which is attached.

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

Sincerely,



Director of Regulatory Affairs  
Davel Communications, Inc.

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS!) 561-266-8976

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1563 S. CONGRESS AVE  
DELRAY BEACH, FLORIDA 33444

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 2524.515(8) or 25-4.076(6), F.A.C., as appropriate). I agree to provide central office based intercept at no charge to the area 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 \_\_\_\_\_

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): MICHAEL E. HAYES / PRESIDENT

NAME OF PAY TELEPHONE COMPANY: TELELEASING ENTERPRISES, INC.

MAILING ADDRESS: 10120 WINDHORST RD, TAMPA, FL 33619

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] AGENT DATE 3/20/00

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): DEBORAH L. TAVES  
GATOR LINTON PARTNERS, LTD.

MAILING ADDRESS: 1595 NE 163 STREET, N. MIAMI BEACH, FL 33162

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 facilitate 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 2/14/00

NAME & POSITION/TITLE (PRINT OR TYPE): Richard Overman / Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: DeRay Beach Police Department

MAILING ADDRESS: 300 W. ATLANTIC AVE DeRay Beach FL 33444



# Gator Investments

March 22, 2000

Davel Communications  
10165 USA Today Way  
Miramar, FL 33025

**RE: REQUEST TO BLOCK INCOMING CALLS  
PUBLIC PAYPHONES  
LINTON SQUARE SHOPPING CENTER**

Attention: Owner/Officer of Pay Telephone Company

In accordance with a request from the Delray Beach Police Department due to criminal activity at the above referenced location, we have been asked to limit our public payphone access to outgoing calls only. In order to block incoming calls it is necessary for the Landlord, the local Police Department and the Owner of the Payphone to complete and execute the enclosed forms. Accordingly, we request that you fill out the three forms along with your signature and send a copy back to our office.

If you should have any questions or concerns please do not hesitate to contact me.

Sincerely,

Tracy McAllister  
Leasing Administrator  
GATOR LINTON PARTNERS, LTD.  
BY: GATOR PALM BEACH, INC.  
GENERAL PARTNER

Enclosures