

**FPTA'S COMMENTS ON STAFF'S PROPOSED
CHANGES TO PAY TELEPHONE RULES**

1. A new subsection to the rule should not be created. All of the new requirements should become part of the existing rule governing payphone service, Rule 25-24.515, F.A.C.

2. Distance requirement in relation to fire hydrants should be five (5) feet.

3. Pay telephones should be prohibited in single-family residential neighborhoods, with the ability to request waivers on a case-by-case basis. The "common area" exception discussed during the workshop would not seem to apply if the restriction is limited to single-family areas.

4. In the provision that addresses local governmental approval being required for certain installations, the term "mounted on or overhanging sidewalks" should be expanded to include "mounted on or overhanging sidewalks of public rights-of-way."

5. The FPSC should make the determination that a pay telephone is "abandoned" and that the lack of dial tone is not due to local exchange telecommunications company failure. Staff should issue a written notice to both the pay telephone provider and the local government when a pay telephone is deemed "abandoned.."

6. The FPSC's authority to order removal of a pay telephone for violation of the statutes or rules should be part of a reasonable, progressive approach to addressing violations and should only be invoked where a provider has demonstrated willful failure and/or refusal to correct significant violations after being provided adequate notice and sufficient opportunity to cure the continuing violations.

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FPSC RECORDS/REPORTING