

ORIGINAL



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March 30, 2001

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

RECEIVED FPSC
01 MAR 30 PM 2:55
REGULATORY AND
REPORTING

Dear Ms. Bayo.

RE. Docket No. 010377-TC
Waiver of Rule 25-24.515(13), F A C.

Enclosed please find the original and 5 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 telephones located at the addresses 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 are as follows:

J & R Quick Stop (352) 528-2997
7517 N.E. Hwy 41
Williston, FL 32696

J & R Quick Stop (352) 528-2031
7517 N.E. Hwy 41
Williston, FL 32696

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)

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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 telephones at these locations for allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones 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 the waiver has been accepted.

Sincerely,



Harvey L. Spears, Jr.
Docket Manager

HLS:tk

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

[X] Original Request (check one) [] Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-528-2031

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 7517 NW Hwy 41
Williston, FL 32696

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: J+R Quick Stop

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephones 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(13), F.A.C. 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: Jackie Brock DATE: 3/24/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Jackie Brock

NAME OF PAY TELEPHONE COMPANY: Sprint-Florida

MAILING ADDRESS & TELEPHONE NUMBER: 962 First Street Bldg D
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: Valerie Moreau DATE: 3-18-2001

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Valerie Moreau

MAILING ADDRESS & TELEPHONE NUMBER: 7517 NE Hwy 41 Williston FL 32696
352-528-0071

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Sheriff's Office DATE: 03-21-01

NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff of Levy County, Florida

NAME OF LAW ENFORCEMENT AGENCY: Levy County Sheriff's Office

MAILING ADDRESS & TELEPHONE NUMBER: P. O. Drawer 1719, Bronson, FL 32621
352/486-5111

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 352-528-2997

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 7517 NE Hwy 41
Williston FL 32696

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: J + R Quick Stop

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(13), F.A.C. 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: Jackie Brock DATE: 3/26/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Jackie Brock

NAME OF PAY TELEPHONE COMPANY: Sprint- Florida

MAILING ADDRESS & TELEPHONE NUMBER: 962 First Street Bldg.D
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: Jalanie M. Mason DATE: 3-18-01

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): J + R Quick Stop

MAILING ADDRESS & TELEPHONE NUMBER: 7517 NE Hwy 41 Williston FL 32696...
352-528-0071

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE: 03-21-01

NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff of Levy County, Florida

NAME OF LAW ENFORCEMENT AGENCY: Levy County Sheriff's Office

MAILING ADDRESS & TELEPHONE NUMBER: P. O. Drawer 1719, Bronson, FL 32621
352/486-5111