# REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Date April 17, 2001	Docket No. 010 508 -
1. Division Name/Staff Name Compet	titive Services/Isler
2. OPR Competitive Services/Isler	
3. OCR Legal Services	
	t for Exemption from Requirement of Rule 25-24.515(13), Florida
Administrative Code, That Each Pay Te	elephone Station Shall Allow Incoming Calls by BellSouth Public
Communications, Inc.	
5. Suggested Docket Mailing List (at	ttach separate sheet if necessary)
	ted companies or ACRONYMS ONLY regulated industries,
as shown in Rule 25-22.104, F. B. Provide COMPLETE name and addr	.A.C. ress for all others. ( <u>Match representatives to clients.</u> )
1. Parties and their represent	tatives (if any)
Richard H. Holmes	
<ol><li>Interested Persons and the</li></ol>	ir representatives (if any)
	·
6. Check one:  XX Documentation is	

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE 04704 APR 175



BellSouth Public Communications, Inc.

75 Bagby Drive Homewood, Alabama 35209

April 9, 2001

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

Dear Ms. Bayo:

 COMPETITIVE SERVICES

TO VISION OF

TO VISION OF

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 to 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 locations and numbers of the public telephones are as follows:

Sabal Park Plaza (954) 731-9750

5100 W. Commercial Blvd. Tamarac, Florida 33319

Sabal Park Plaza (954) 731-9467

5100 W. Commercial Blvd. Tamarac, Florida 33319

Ms. Blanco S. Bayo April 10, 2001 Page 2

Sabal Park Plaza 5100 W. Commercial Blvd. Tamarac, Florida 33319 (954) 731-9468

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 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(s) 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,

Manager - Business Office

Caral Bradford

BellSouth Public Communications, Inc.

**Enclosures** 

## FLORIDA PUBLIC SERVICE COMMISSION

### REQUEST TO BLOCK INCOMING CALLS

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Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (954) 731-9750
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 5100 W COMMERCIAL BLVD.
THUROAC CL 33319
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: SABAL TALK PLAZA
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: Kachel K. Sussell DATE: 4/5/2001
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR LYPE): K Richard H. Holmes
NAME OF PAY TELEPHONE COMPANY:  BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500
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: Jul Files DATE: 1/10/UI
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): TOSEPH FITOS
MAILING ADDRESS & TELEPHONE NUMBER: 17893 73RD CT N
LOXAHATCHEE FL 33470 501 386 7608
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 July 10 Miles DATE: 4/15/0
NAME & POSITION/TITLE (PRINT OR TYPE): Chief Michael C. Goldstein
NAME OF LAW ENFORCEMENT AGENCY: Broward Sheriff's Office
MAILING ADDRESS & TELEPHONE NUMBER: 7515 NW 88th Avenue, Tamarac, FL 33321

#### FLORIDA PUBLIC SERVICE COMMISSION

#### REQUEST TO BLOCK INCOMING CALLS

(check one) Subsequent Request ☐ Original Request PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (254) PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 5/00 W TAMBORC NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: \_\_\_\_\_SAGE 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: Kachel K. Kusel DATE: 4/5/01 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) & Richard H. Holmes NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc. MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive (205) 943-2500 Homewood, AL 35209 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 SIGNATURE OF LOCATION OWNER: NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): MAILING ADDRESS & TELEPHONE NUMBER: 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 an 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 E	NFORCEMENT AGENCY?	DATE: 2/5/0.			
NAME & POSITION/TITLE (PRINT OR TYPE):	Chief Michael C. Goldstein				
NAME OF LAW ENFORCEMENT AGENCY:	Broward Sheriff's Office				
MAILING ADDRESS & TELEPHONE NUMBER:	7515 NW 88th Avenue, Tamarac,	FL 33321			

# FLORIDA PUBLIC SERVICE COMMISSION

### REQUEST TO BLOCK INCOMING CALLS

	□ Original	Request	(check one)	Bubsequ	uent Request	
PAV TELEPHON	E NUMBER: (ON	E NUMBER	PER REOUEST. N	O EXCEPTIONS	(954)	731 - 946f
PHYSICAL LOCA	TION OF PAY T	ELEPHONE タカフィ	(ADDRESS):	00 W	COMPEC	THE BLUD.
NAME OF BUSIN	TESS WHERE DA	V TELEPHO	NE IS LOCATED	Spapi	PALK	PLAZA
I request that I b	e granted an exe 5-24.515(13), F.A tly display a writ	mption from .C. I agree ten notice d	n the requirement to provide centra	that incoming of the control of the	alls be received tercept at no ch	ephone listed above, at the pay telephone arge to the end-user th states: "Incoming
declare that to t aware that pursua the intent to misl second degree.	the best of my kn ant to Section 83° lead a public-serv	owledge and 7.06, Florida ant in the p	d belief, the above Statutes, whoeve erformance of his	e information is er knowingly ma official duty sh	a true and corrikes a false state all be guilty of a	ed the foregoing and ect statement. I am ment in writing with misdemeanor of the
SIGNATURE OF O	WNER/OFFICER O	F PAY TELEP	HONE COMPANY:	Sachel K.	Kursell	DATE: <u>4/5/01</u>
NAME OF OWNER	OFFICER OF PAY	TELEPHONE	COMPANY (PRINT	OR I YPE): OR R	ichard H. He	olmes
NAME OF PAY TEI	LEPHONE COMPA	NY: Bell	South Public	Communicat	ions, Inc.	
2		NUMBER:	75 Bagby Dri	ve		
			Homewood, AL	35209	(205)	943-2500
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knowledge and b telephone numb pay telephone w that oursuant to	elief, criminal ac er and location : ill eliminate or he Section 837.06.	tivity is asso referenced a alp control t Florida Stat	ciated with and fa bove. It is my be hat activity and a tutes, whoever kn	acilitated by inc lief that allowin ttest to this fact owingly makes	oming calls being g incoming calls by my signatur a false statemen	tat to the best of my greceived at the pay to be blocked at the e below. I am aware t in writing with the misdemeanor of the
SIGNATURE OF LO	OCATION OWNER	<u></u>	1 Fital			DATE: 1/10/01
NAME OF PAY TE	LEPHONE LOCATI	ON OWNER (	(PRINT OR TYPE): _	TOSEPH	F17215'	
MAILING ADDRES	S & TELEPHONE	NUMBER:	17893	73RD C	TN	
LCKAHA	PTCHEE	FL	33470		31 386 7	605
L			<del></del>			
pay telephone is I facilitated by in belief that allowi attest to this fac knowingly make official duty sha	ocated, declare the coming calls being incoming calls to my signatures a false stateme as guilty of a market of a	hat to the being received as to be block re below. I not in writing is demonstration or the below is the belo	est of my knowled at the pay telephoted at the pay tele am aware that put with the intent to of the second degrees.	ge and belief, crone number and phone will elimi irsuant to Section on the publices.	iminal activity is location reference or help con a 37.06, Floric lic-servant in the	the above-referenced associated with and need above. It is my trol that activity and la Statutes, whoever e performance of his
SIGNATURE OF C	HIEF OF RESPONS	IBLE LAW E	NFORCEMENT AGE	NCY: Jule	1 Holle	S DATE: 2/6/01
			Chief Mic	,		/
NAME OF LAW EN	NFORCEMENT AG	ENCY:	Broward S	heriff's (	Office	
MAILING ADDRES	ss & Telephone 1	NUMBER:	<b>XXX</b> 7515	NW 88th	venue. Ta	marac FI
1					222	′ !