

REQUEST TO ESTABLISH DOCKET

(Please Type)

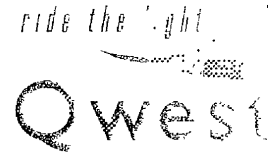
Date	December 30, 2002	Docket No.	02/266-TC
1. Division Name/Staff Name:		Division of Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement/Isler			
3. OCR: Office of the General Counsel			
4. Suggested Docket Title: Request for Exemption from Requirement of Rule 25-24.515(13), Florida			
Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by Qwest Interprise			
America, Inc.			
5. Suggested Docket Mailing List (attach separate sheet if necessary)			
A. Provide NAMES OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			
PSC\CCA010-C (Rev 10/01)			

DOCUMENT NUMBER DATE

14076 DEC 30 08

FPSC-COMMISSION CLERK

Qwest/QIA
421 SW Oak Rm 240
Portland OR 97204



Paula Isler
Florida Public Service Commission
Commissions Clerk & Administrative Services
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Dear Ms. Isler;

RE: 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 to file in the above captioned matter.

We request that the pay telephone located at the address below be exempt for the 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 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.

BP Oil # 5369
850 NE 62nd St
Ft. Lauderdale FL 33308
954 489-9064

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).

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

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

Sincerely,

A handwritten signature in cursive script that reads "Jacque Janke".

Jacque Janke
Manager-Business Office
Qwest/QIA
800 477-7211

Enclosures

COMMUNICATIONS SERVICES
2 1000 1000

7742020 10.18.02
COMPETITIVE SERVICES

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (954) 489-9064
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 850 NE 62nd ST
FT LAUDERDALE, FL 33308
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: BP OIL # 5369

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: Jacque Janke DATE: 8/15/02
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): JACQUE JANKE
NAME OF PAY TELEPHONE COMPANY: GWEST / QIA
MAILING ADDRESS & TELEPHONE NUMBER: 421 SW OAK RM 240, Portland OR
97204, 800 477-7211 or 503 425-2538

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: Sharon A. Muzzes DATE: 11-1-02
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): 850 NE 62nd St Ft Lauderdale
MAILING ADDRESS & TELEPHONE NUMBER: AMUCV 33314
954-776-6790

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: CHIEF LARRY ROGERS CCN 5475 DATE: 12.11.02
NAME & POSITION/TITLE (PRINT OR TYPE): Larry Rogers
NAME OF LAW ENFORCEMENT AGENCY: BROWARD SHERIFF
MAILING ADDRESS & TELEPHONE NUMBER: 2601 W. BROWARD BLVD FT LAUD
954-831-8900