REQUEST TO ESTABLISH DOCKET (Please Type)									
Date:	10/20/2004		Docket No.:	cket No.: 041214 - TC					
1. Divisio	on Name/Staff Name:	Division Of Competitive M	arkets & Enforce	ement/Isler					
2. OPR:	Division Of Competitiv	e Markets & Enforcement							
3. OCR:	Office Of The General	Counsel							
4. Sugge	Ad		ch pay telephor	ne station shall all	ule 25-24.515(13), Florida ow incoming calls by Com-				
 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 re	epresentatives (if any):	1						
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2	. Interested persons	and their representatives	if any):						
6. Check	one:								
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PSC\CCA 0)10-C (Rev. 07/04)	······································		<u></u>	DOCUMENT NUMBER-DALL 11292 OCT 20 J GNest.doc				

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Com-Tech Resources, Inc. d/b/a Com-Tech Systems 3709 Westway Street, Suite A Tyler, TX 75703-6465 2004 OCT 12 PM 12: 55

COMPETITIVE SERVICES

September 8, 2004

Ms. Beth Salak, Director Division of Competitive Markets & Enforcement Florida Public Service Commission 2540 Shumard Oak Blvd. Tallahassee, FL 32399-0850

Dear Ms. Salak:

Enclosed is our request for a two-year waiver of Rule 25-24.515(13), Florida Administrative Code. We request that the pay telephones at the addresses below be exempt for a period of two years from the provisions of Rule 25-24.515(13), F.A.C., which requires all pay telephone stations to allow incoming calls to be received at all times "with the exception of those located at hospitals, schools, and locations specifically exempted by the Commission." The locations and telephone numbers are as follows:

Albertson's 814 North Nova Road Daytona Beach, FL 386-257-9706 386-252-9783 First Coast Energy #3091 301 E. International Speedway Daytona Beach, FL 386-253-9830

This waiver is being requested in accordance with the requirements of Section 120.542(2), Florida Statutes. 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, Florida Statutes).

In addition, 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 because of the use of the pay telephones for alleged illegal activities. They believe the waiver will restrict the usefulness of the payphones for these individuals. The above locations do not fit within the delineated exceptions to the rule; therefore, this request for a rule waiver is appropriate.

Sincerely,

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

🖞 Original Request (check one) 🗖 Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 386-252-978-3
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS); 814 N. NOVA
DANTONA BEACH FL
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: ALBERT SON'S # 4370
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. ρ second degree.

SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY:
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Kall A. TIPPL
NAME OF PAY TELEPHONE COMPANY: COM-TECH RESOURCES DIRLA COM-TECH SUSTEMS
MAILING ADDRESS & TELEPHONE NUMBER: 3709 WEST WHY #A. TYLER 75723
903-509-9850

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: BERTSON'S

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

RD DANTONA BEACH, FL32117 N. NOLA MAILING ADDRESS & TELEPHONE NUMBER: 814286 238- 1320

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: Dennis M. Aous DATE: 10-4-0	4
NAME & POSITION/TITLE (PRINT OR TYPE): DENNIS M. JONES, Chief of Police	
NAME OF LAW ENFORCEMENT AGENCY: DATTONA BEACH POLICE DEPART MENT	
MAILING ADDRESS & TELEPHONE NUMBER: 990 Orange AVENUE, DAYTONA Beach	FL
(386) 671-5100 32114	

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) $386 - 257 - 9106$
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 8/4 N. NOVA
DAYTONA BEACH, FL 27/17
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: ALBERTSON'S #4370

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	H-N/K
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE):	1
NAME OF PAY TELEPHONE COMPANY: COM-TECHRESOULCES DIB/A COM TECH SYS	STEMS
MAILING ADDRESS & TELEPHONE NUMBER: 3709 WEST WANTH TYLER, TX 7576	

903-509-9850

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.

DATE: 9-24-04

SIGNATURE OF LOCATION OWNER:

	NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE):	f	ABUS	TSON S
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MAILING ADDRESS & TELEPHONE NUMBER:	814 N. NOLA	DAYTONA BEBELL	FL J2117
386 238-1390		•	

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:	N. Jones DATE: 10-4-04
NAME & POSITION/TITLE (PRINT OR TYPE): DENNIS M. JONES	, Chief of Police
	olice DEPARTMENT
MAILING ADDRESS & TELEPHONE NUMBER: <u>990 OCANGE AUE</u>	E. DAYTONA BEACHIFL
(386) 611-5100	52114

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NARRATIVE REPORT
SAINT JUHNS SHERIFRE'S OFFICE Page 3 of 4 THEFT OF AY AND NE INSTALLATON 04 258 129
COMTECH SPOTEMS 3709 W.WAY TYLER. TX 75703
I WAS DISPATCHED TO THE SHELL GAS STATION AT
SRID AND IGP TO MEET WITH THE COMPLAINANT, ROBERT A. HACKETT,
WHO SERVICES PAY PHONE INSTALLATIONS FOR THE VICTIM.
R. HACKETT STATED THAT WHEN HE ARRIVED AT THE SHELL
GAS STATION AT TAS AND IGP TO SERVICE THE TWO (2)
INSTALLATIONS AT THIS LO CATION, HE DISCOVERED THAT ONE (1)
OF THE INSTALLATIONS WERE MISSING.
R. HACKETT TELD ME THAT HE BELIEVES THAT THE
THIFF (3) PULLED OUT THE ENTIRE INSTALLATION USING A
POPE OF CHAIN ATTACHED TO A VEHICLE.
R. HACKETT JAID HE DIDN'T REPORT THIS CRIME UNTIL
TODAY WHEN THIS OFFICE INSTRUCTED ITIM TO DO TO FOR
INSURANCE PURPOSET.
I COUNDIN'T FIND ANY EVIDENCE AT THE SCENE
DE THE CRIME.
Reporting Deputy I.D. Number Delecting Deputy I.D. Number Delecting
Supposer I.D. Number Deto/Time Watch Commander O. Number Reviewar (O. Number
10. Number - 10. Number - 10. Number - 10. Number - 10. Number
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CCE: 04-258129 PG. 4 05 4 STATEMENT NAME: Robert A. Hackett ADDRESS: 1110 LUTTLE GARDON CIR. OF AND PHONE: 386 846-9038 AGE: 65 OCCUPATION: PAUPPHONE PUPONE STATEMENT MADE AT: SHELL STATION SRIL HOUR: 12:30 DATE: 9-14-04 STATEMENT MADE BY ABOVE NAMED PERSON: إجرار المراجع AT 120 CONTRE PLACE WAY ST. AVENTIME FL PRFILLED SHOUL SOLUCE STATION) AT 1 PM -8-04 AND DISCOLOGO ONE OF TWO PAYPHONE INSTALLATIONS FROM 16 VRS OF EXPICEMENT, IT APPORES MISSING PUT A CHAIN OR ROPE PHDASTIL AND PROBALLY LONDOD () ANKEN MOST DUT D TRUCK. THE PAUPHONE COIN BOX HAD A UN TOTAL VALLE & LOSS \$1500.00 # 43.80 10 11. . ٠., · . • • . .. $e^{i\phi}$ 14 A. •. . ALLOA : C HAA7 14 1100