ORIGINAL

NOTICE OF PROPOSED RULEMAKING

FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 041304-TC

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RULE NO.:

Pay Telephone Service

25-24.515

PURPOSE AND EFFECT: The purpose of the rule amendment is to change the design standards for pay telephones from the ANSI Standards for Accessible Design to the ADA Standards for Accessible Design, 28 CFR Part 36 (July 1, 2003 Edition). By using the ADA Standards for Accessible Design, the Commission will be approving a standard that is nationally recognized and is fully enforceable by the Department of Justice. The Legislature of the State of Florida has adopted the statewide use of the ADA Standards for Accessible Design in Section 553.02, Florida Statutes.

SUMMARY: The rule changes the design standards for pay telephones from the ANSI standards to the ADA standards.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: Costs could be incurred by pay telephone providers if equipment must be rearranged to comply with the ADA Standards. There should be a benefit to those whom the accessibility requirements are meant to

CMP	help. The total potential net costs or benefits are unknown.			
COM CTR	Any person who wishes to provide information regarding the statement of estimat	ed regulatory		
ECR	costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within			
GCL	——————————————————————————————————————			
OPC MMS	CDECIEIC ALITHODITY, 250 107(2), EG			
RCA	LAW IMPLEMENTED: 364.03, 364.035, 364.063, 364.337, 364.3375, 364.345, 1	FS		
SCR				
SEC	DOCK DOCK	MENT NUMBER-DATE		
OTH		0917 MARGO		

FPSC-COMMISSION CLERK

WRITTEN COMMENTS OR SUGGESTIONS ON THE PROPOSED RULE MAY BE SUBMITTED TO THE FPSC, DIVISION OF THE COMMISSION CLERK AND ADMINISTRATIVE SERVICES, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE FOR INCLUSION IN THE RECORD OF THE PROCEEDING.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE THESE PROPOSED RULE IS: Ray Kennedy, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, Florida 32399-0862, (850) 413-6584.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-24.515 Pay Telephone Service.

- (1) (9) No Change.
- (10) Each pay telephone station that which provides access to any interexchange company shall provide coin free access, except for Feature Group A access, to all locally available interexchange companies. The pay telephone station shall provide such access through the forms of access purchased by locally available long distance carriers such as 10XXX+0, 10XXXX+0, 101XXXX+0, 950, toll free (e.g., 800, 877, and 888) access.
 - (11) –(17) No Change.
- (18)(a) Except as provided in paragraphs (18)(b)-(d) below, each pay telephone station shall conform to sections 4.1.3(17), 4.2.4, 4.2.5, 4.2.6, 4.5.1, 4.31.2, 4.31.3, and 4.31.5 703.7.2.3 and 704 of the ADA Accessibility Guidelines for Buildings and Facilities, Appendix A to 28

 CFR Part 36, (July 1, 2003 Edition) American National Standards Accessible and Usable Buildings and Facilities, approved, by the American National Standards Institute, Inc. (ANSI

(b) - (23) No Change.

Specific Authority 350.127(2) FS. Law Implemented 364.03, 364.035, 364.063, 364.337,

364.3375, 364.345 FS. History–New 1-5-87, Amended

4-14-92, 12-21-92, 2-3-93, 10-10-94, 12-27-94, 9-5-95, 2-1-99, 12-23-02.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ray Kennedy

NAME OF SUPERVISOR OR PERSONS WHO APPROVED THE PROPOSED RULE:

Florida Public Service Commission.

DATE PROPOSED RULE APPROVED: January 18, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Volume 30, Number 32, August 6, 2004.

If any person decides to appeal any decision of the Commission with respect to any matter considered at the rulemaking hearing, if held, a record of the hearing is necessary. The appellant must ensure that a verbatim record, including testimony and evidence forming the basis of the appeal is made. The Commission usually makes a verbatim record of rulemaking hearings.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services at (850) 413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at: 1-800-955-8771 (TDD).

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Submit FAW Notices

Acknowledgement of Submittal Step 5:

The Administrative Code and Weekly Unit has received your notice for publication in the FAW.

A confirmation number has been provided below which may be used to reference this submittal in any communications with the Unit. Use the your browser 'Print' button or the 'Print this Acknowledgement' button at the bottom of this page to generate a receipt for your records. A record of this transmittal will be maintained for approximately 30 days and may be accessed from the 'Submittal Usting' item in the FAW Online menu on the left of this page.

Confirmation No

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Proposed2224

1/26/2005 8:36:32 AM 2/4/2005

31/05 Proposed Rules Blanket Purchase Order 015827

Public Service Commission

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Print this Admicystedgement

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