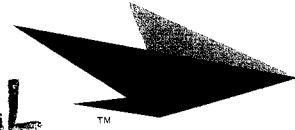


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1313 Blair Stone Road
Tallahassee, FL 32301
EMBARQ.com

April 12, 12007

Ms. Ann Cole
Office of Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

RECEIVED - FISC
07 APR 12 PM 3: 01
COMMISSION
CLERK

Dear Ms. Cole:

RE: Docket No. 070257-TP, Waiver of Rule 25-24.515(13), F.A.C.

Enclosed is our request for a two-year waiver of Rule 25.24.515(13), Florida Administrative Code. 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), F.A.C., which requires all pay telephone stations to allow incoming calls to be received "with the exception of those located at hospitals, schools and at locations specifically exempted by the Commission." The location and number of the public telephones are as follows:

WAL-MART
1241 State Road 436
Casselberry, FL 32707
Telephone Number: (407) 671-7871

WAL-MART
1241 State Road 436
Casselberry, FL 32707
Telephone Number: (407) 671-4240

WAL-MART
1241 State Road 436
Casselberry, FL 32707
Telephone Number: (407) 671-0587

WAL-MART
1241 State Road 436
Casselberry, FL 32707
Telephone Number: (407) 671-2725

This waiver is being requested in accordance with the requirements of Florida State Statutes Section 120.642(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, Florida Statutes).

In addition, grating 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 allegedly illegal activities. They believe the waiver will restrict the usefulness of the pay telephones for these individuals. The above locations do not fit within the delineated exceptions to the rule; therefore, this request for waiver is appropriate. The location provider for the locations identified above has either joined in or agreed to this request for waiver which is attached.

Sincerely,

Harvey Spears, Jr.
Regulatory Specialist II

RECEIVED & FILED

R.V.N.
BUREAU OF RECORDS

Harvey L. Spears, Jr.
REGULATORY AFFAIRS
LAW & EXTERNAL AFFAIRS
Voice: (850) 599-1401
Fax: (850) 878-0777
harvey.spears@embarq.com

DOCUMENT NUMBER-DATE

03138 APR 12 5

FISC-COMMISSION CLERK

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 407-671-7871
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1241 State Rd 436,
Casselberry FL 32707
 NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: WAL-MART

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: William E. Cheek DATE: 3/27/07
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): William E. Cheek
President Wholesale Markets
 NAME OF PAY TELEPHONE COMPANY: Embargo Telephone Services Inc
 MAILING ADDRESS & TELEPHONE NUMBER: 9300 Metcalf, Overland Park KS 66212

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: Mark J. OMRAN DATE: 3/12/07
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): WAL-MART/CASSELBERRY, FL.
 MAILING ADDRESS & TELEPHONE NUMBER: 1241 S.R. 436 CASSELBERRY, FL 32707

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: John J. Pavlis DATE: 3/15/07
 NAME & POSITION/TITLE (PRINT OR TYPE): John J. Pavlis Chief of Police
 NAME OF LAW ENFORCEMENT AGENCY: CASSELBERRY POLICE DEPARTMENT
 MAILING ADDRESS & TELEPHONE NUMBER: 4195 S. US Highway 17-92 Casselberry FL 32707
(407) 262-7611

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 407-671-0587
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1241 State Rd 436,
Casselberry FL 32707
 NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: WAL-MART

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: William E. Cheek DATE: 3/27/07
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): President Wholesale Markets
 NAME OF PAY TELEPHONE COMPANY: Embarq Payphone Services Inc.
 MAILING ADDRESS & TELEPHONE NUMBER: 9300 Metcalf, Overland Park KS 66212

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: MARK J. OMRAN DATE: 3/12/07
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): WAL-MART
 MAILING ADDRESS & TELEPHONE NUMBER: 1241 S.R. 436 CASSELBERRY FL 32707

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: Tom J. Pavlis DATE: 3/15/07
 NAME & POSITION/TITLE (PRINT OR TYPE): Chief of Police
 NAME OF LAW ENFORCEMENT AGENCY: Casselberry Police Department
 MAILING ADDRESS & TELEPHONE NUMBER: 495 S. US Highway 17-92, Casselberry, FL 32707
(407) 262-7216

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 407-671-4240

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1241 State Rd 436,

Casselberry FL 32707

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: WAL-MART

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: William E. Cheek DATE: 3/27/07

William E. Cheek

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): President Wholesale Markets

NAME OF PAY TELEPHONE COMPANY: Embargo Telephone Services Inc

MAILING ADDRESS & TELEPHONE NUMBER: 9300 Metcalf, Overland Park KS 66212

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: [Signature] DATE: 3/12/07

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

MAILING ADDRESS & TELEPHONE NUMBER: 1241 S.R. 436 CASSELBERRY FL. 32707

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: 3/15/07

NAME & POSITION/TITLE (PRINT OR TYPE): JOHN J. PAVLO, Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: CASSELBERRY POLICE DEPARTMENT

MAILING ADDRESS & TELEPHONE NUMBER: 4195 S. US HIGHWAY 17-92, Casselberry, FL. 32707

(407) 262-7616

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS): 407-671-2725
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1241 State Rd 436,
Casselberry FL 32707
 NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: WAL-MART

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: Wm E. Cheek DATE: 3/27/07
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): William E. Cheek
 NAME OF PAY TELEPHONE COMPANY: President Wholesale Markets
 MAILING ADDRESS & TELEPHONE NUMBER: Embarg Telephone Services Inc
9300 Metcalf, Overland Park KS 66212

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: MARK S. OMBRA DATE: 3/12/07
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): WAL-MART
 MAILING ADDRESS & TELEPHONE NUMBER: 1241 S.R. 436 Casselberry, FL 32707

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: John J. Pavles DATE: 3/15/07
 NAME & POSITION/TITLE (PRINT OR TYPE): John J. Pavles, Chief of Police
 NAME OF LAW ENFORCEMENT AGENCY: Casselberry Police Department
 MAILING ADDRESS & TELEPHONE NUMBER: 4195 S. US Highway 17-92, Casselberry, FL 32707
(407) 262-7111