

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date August 6, 1996

Docket No. 98/002-TC

1. Division Name/Staff Name Communications/Isler

2. OPR Communications/Isler

3. OCR Legal Services

4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-24.515(8), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth Public Communications, Inc.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated industries, as shown in Rule 25-22.104, F.A.C.
- B. Provide COMPLETE name and address for all others. (Match representatives to clients.)

1. Parties and their representatives (if any)

BellSouth Public Communications, Inc.

2. Interested Persons and their representatives (if any)

6. Check one:

Documentation is attached.

Documentation will be provided with recommendation.

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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

00050 AUG -6 96

PSC-RECORDS/REPORTING

BellSouth Public Communications, Inc.
75 Bagby Drive
Homewood, Alabama 35209

July 2, 1998

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:

RE: Docket No. _____
Waiver of Rule 25-24.515(8), F.A.C.

Enclosed please find the original and 5 copies of our request for waiver of Rule 25-24.515(8), F.A.C. which we ask you file in the above captioned matter.

We request that the pay telephones located at the addresses below be exempted from the provisions of Rule 25-24.515(8), 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:

RECEIVED

JUL 06 1998

CRU

3673 Park Street
Jacksonville, FL 32205

(904) 389-9136

Ms. Blanco S. Bayo
July 2, 1998
Page 2

3673 Park Street (904) 389-9254
Jacksonville, FL 32205

3621 Park Street (904) 384-2278
Jacksonville, FL 32205


3621 Park Street (904) 389-8885
Jacksonville, FL 32205

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 locations 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 - Regulatory
BellSouth Public Communications, Inc.

6-9
12674.1

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (904) 389-9136

PHYSICAL LOCATION OF TELEPHONE (ADDRESS) 3673 Park St.

Jacksonville, Florida 32205 (COUNTY: DUVAL)

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I requested that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(8) or 25-4.076(6) F.A.C., as appropriate. I agree to provide central office base intercept at no charge to the end user at to prominently display a written notice direction above or below the telephone number which states: "Incoming calls blocked at the 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 James B. Hawkins DATE 6-30-98

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: Bellsouth Public Communications, Inc.

MAILING ADDRESS: 75 Bagby Dr., 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 this pay telephone will eliminate or help control that activity and I 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: George Safarik DATE 5-6-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) GEORGE SAFARIK

MAILING ADDRESS: 3673 Park St., Jay, FL 32205

I, the undersigned Chief of the Law Enforcement Agency of 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 this pay telephone will eliminate or help control that activity and I 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 OR RESPONSIBLE LAW ENFORCEMENT AGENCY Neil Stone DATE 5-7-98

NAME & POSITION/TITLE (PRINT OR TYPE) Sheriff

NAME OF LAW ENFORCEMENT AGENCY: JACKSONVILLE SHERIFF'S OFFICE

MAILING ADDRESS: 301 E. BAY STREET, JACKSONVILLE, FLORIDA 32202

A/c GCB

6-9
126739

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (904) 389-9254

PHYSICAL LOCATION OF TELEPHONE (ADDRESS) 3673 Park St.

Jacksonville, Florida 32205 (COUNTY: DUVAL)

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I requested that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(8) or 25-4.076(6) F.A.C., as appropriate. I agree to provide central office base intercept at no charge to the end user and to prominently display a written notice direction above or below the telephone number which states: "Incoming calls blocked at the 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: James B. Hawkins DATE 6-30-98

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: Bellsouth Public Communications, Inc.

MAILING ADDRESS: 75 Bagby Dr. 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 this pay telephone will eliminate or help control that activity and I 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: George Safar DATE 5-6-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) GEORGE SAFAR

MAILING ADDRESS: 3673 Park St., Jay, FL 32205

I, the undersigned Chief of the Law Enforcement Agency of 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 this pay telephone will eliminate or help control that activity and I 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 OR RESPONSIBLE LAW ENFORCEMENT AGENCY: Walt Stone DATE 5-7-98

NAME & POSITION/TITLE (PRINT OR TYPE) Sheriff

NAME OF LAW ENFORCEMENT AGENCY: JACKSONVILLE SHERIFF'S OFFICE

MAILING ADDRESS: 501 E. BAY STREET JACKSONVILLE, FLORIDA 32202

A/c GCB

126725
6-8

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (904) 384-2278

PHYSICAL LOCATION OF TELEPHONE (ADDRESS) 3621 Park St.

Jacksonville, Florida 32205 (COUNTY: DUVAL)

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I requested that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(B) or 25-4.076(6) F.A.C., as appropriate. I agree to provide central office base intercept at no charge to the end user and to prominently display a written notice direction above or below the telephone number which states: "Incoming calls blocked at the 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: James B. Hawkins DATE 6-30-98

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: Bellsouth Public Communications, Inc

MAILING ADDRESS: 75 Bagby Dr., 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 this pay telephone will eliminate or help control that activity and I 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: Alfred Ghanayem DATE 5-6-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) ALFRED GHANAYEM

MAILING ADDRESS: 3621 Park St. Jax, FL 32205

I, the undersigned Chief of the Law Enforcement Agency of 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 this pay telephone will eliminate or help control that activity and I 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 OR RESPONSIBLE LAW ENFORCEMENT AGENCY: Nat Stover DATE 5-7-98

NAME & POSITION/TITLE (PRINT OR TYPE) Sheriff

NAME OF LAW ENFORCEMENT AGENCY: JACKSONVILLE SHERIFF'S OFFICE

MAILING ADDRESS: 501 E. BAY STREET, JACKSONVILLE, FLORIDA 32202

A/c GCB

6-9
126743

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER (904) 389-8885

PHYSICAL LOCATION OF TELEPHONE (ADDRESS) 3621 Park St.

Jacksonville, Florida 32205 (COUNTY: DUVAL)

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above, I requested that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location (Rule 25-24.515(8) or 25-4.076(6) F.A.C., as appropriate. I agree to provide central office base intercept at no charge to the end user at to prominently display a written notice direction above or below the telephone number which states: "Incoming calls blocked at the 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: James B. Hawkins DATE 6-30-98

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) James B. Hawkins

NAME OF PAY TELEPHONE COMPANY: Bellsouth Public Communications, Inc

MAILING ADDRESS: 75 Bagby Dr., 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 this pay telephone will eliminate or help control that activity and I 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: Alfred Ghanayem DATE 5-6-98

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) ALFRED GHANAYEM

MAILING ADDRESS: 3621 Park St. Jax, FL 32205

I, the undersigned Chief of the Law Enforcement Agency of 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 this pay telephone will eliminate or help control that activity and I 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 OR RESPONSIBLE LAW ENFORCEMENT AGENCY: Pat Glover DATE 5-7-98

NAME & POSITION/TITLE (PRINT OR TYPE) Sherriff

NAME OF LAW ENFORCEMENT AGENCY: JACKSONVILLE SHERIFF'S OFFICE

MAILING ADDRESS: 501 E. BAY STREET, JACKSONVILLE, FLORIDA 32202

A/c GCS