

FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF APPEALS

DOCKET NO. 951560-TI

RULE NO:

RULE TITLE:

25-24.511

Applications for Certificate

25-24.515

Pay Telephone Service

25-24.516

Non-local Exchange Company Pay

Telephone Rate Caps

DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

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NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 24, No. 38, September 18, 1998, issue of the Florida Administrative Weekly:

25-24.511 Application for Certificate.

(1) - (4) No change.

~~(5) A certificate will be granted if the Commission determines that grant of the application is in the public interest. Only one certificate per applicant will be granted unless the applicant shows that granting of additional certificates is in the public interest. A new certificate will not be granted to any applicant who has previously had a certificate involuntarily cancelled unless the applicant shows that granting of the new certificate is in the public interest.~~

Specific Authority 350.127(2) FS.

DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING

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Law Implemented ~~350.121~~, 364.32, 364.33, 364.335, 364.337,
364.3375, 364.345

FS.

History--New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92, _____

25-24.515 Pay Telephone Service.

(1) - (8) No change.

(9) Except as provided in paragraph 9(c), each pay telephone station shall be equipped with a legible sign, card, or plate of reasonable permanence which shall identify the following:

(a) - (b) No change.

(c) Pay telephone providers have until ~~June 30~~ ~~December 31~~, 1998, or six months after the effective date of this rule, which ever is later, to comply with the requirements of placing the certificate number on the pay telephone station sign, card, or plate.

(10) - (12) No change.

(13) (a) No change.

(b) A pay telephone provider may petition the Commission for an exemption from the incoming call requirement for a period that shall not exceed two years from the effective date of the Order granting the exemption. Requests for exemption from the requirement that each pay telephone station allow incoming calls shall be accompanied by a completed Form PSC/CMU-2 (XX/XX),

entitled "Request to Block Incoming Calls," which is incorporated into this rule by reference and may be obtained from the Commission's Division of Communications. The form requires an attestation from the owner of the pay telephone, the owner of the pay telephone location, and the chief of the responsible law enforcement agency that the request is sought in order to deter criminal activity facilitated by incoming calls being received at the specified pay telephone. A separate form shall be filed for each telephone number for which an exemption is sought.

Exemptions which were granted prior to the two-year limitation will expire two years from the effective date of the amendment establishing the two-year limitation. The provider of the pay telephone ~~Commission may request grant additional requests for subsequent~~ two-year exemptions by filing ~~if the provider of the pay telephone files~~ another Form PSC/CMU-2 (XX/XX). Where incoming calls are not received, central-office based intercept shall be provided at no charge to the end user and a written notice shall be prominently displayed on the instrument directly above or below the telephone number which states: "Incoming calls blocked at request of law enforcement."

(14) - (15)(b) No change.

(16)(a) Where there is a single pay telephone station, a ~~current white and yellow page~~ directory ~~for the entire local calling area~~ shall be maintained at each station. Where there are two or more pay telephone stations located in a group, a

~~current white and yellow page~~ directory for the entire local calling area shall be maintained at every other station. However, where pay telephone pay stations are fully enclosed, a ~~current white and yellow page~~ directory shall be maintained at each pay telephone station. For purposes of this rule, the term "directory" shall mean both a current white page directory for the local calling area and a reasonably current yellow page directory that is appropriate for the calling area of the pay telephone station. Companies must comply with this subsection by June 30, 1999 ~~December 31, 1998~~, or six months after the effective date of this rule, which ever is longer.

(b) Pay telephone stations that provide local directory assistance at no charge are exempt from the provisions in (16) (a). A notice must appear on the placard if local directory assistance at no charge is being provided.

(17) - (22) 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, _____.

~~25-24.516 Non-Local-Exchange-Company Pay Telephone Rate Caps.~~

(1) Rates charged any end user by a pay telephone provider, providing operator service within the pay telephone premises' equipment, shall not exceed the following:

(a) - (e) No change.

(f) 0+ non-person-to-person local - a rate equivalent to the local coin rate, plus a \$1.75 charge.

(g) 0+ person-to-person local - a rate equivalent to the local coin rate, plus a \$3.25 charge.

(2) - (3) No change.

Specific Authority 350.127(2) FS.

Law Implemented 364.03, 364.3375(4), (5) FS.

History--New 9-5-95; Amended _____.