## REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Docket No. 991105-TC

Date August 13, 1999

1. Division Name/Staff Name<u>Communications/Isler</u>

2. OPR <u>Communications/Isler</u>

3. OCR Legal Services

,

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. (<u>Match representatives to clients.</u>)

1. Parties and their representatives (if any)

James\_B. Hawkins\_\_\_\_

2. Interested Persons and their representatives (if any)

6. Check one:

XX Documentation is attached.

\_\_\_\_ Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTOKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE 09639 AUG 13 8 EPSC-RECORDS/REPORTING



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

>,•

August 03, 1999

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(13), F.A.C.

Enclosed please find the original and 5 copies of our request for a two-year waiver of Rule 25-24.515(13), 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 exempt for a period of two years from the provisions of Rule 25-24.515(13), 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:

Lil Champs 310 South Lane Avenue Jacksonville, FL 32256 (904) 786-9917

RECEIVED

Lil Champs 310 South Lane Avenue Jacksonville, FL 32256 (904) 786-9916

AUG 0 9 1999

CMU

Ms. Blanco S. Bayo August 03, 1999 Page 2

Morse Geriatric Center 4847 Fred Gladstone Drive West Palm Beach, FL 33417 (561) 684-9651

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,

arel Bradlard

Manager - Regulatory BellSouth Public Communications, Inc.

FLORIDA	PUBLIC	SERVICE	COMMISSI	ON
---------	--------	---------	----------	----

## **REQUEST TO BLOCK INCOMING CALLS**

Original Request (check one) 🗆 Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904 786-9917

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 310 S. LANE AU

JACKSONVILLE, FL.

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: LIL CHAMP

To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed shove, I request that I be granted an exemption from the requirement that becoming 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."

L 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.

	TES/3/99_
NAME OF OWNER/OFFICED OF PAY TELEPHONE COMPANY (PRINT OR TYPE) AMES BHAW	
NAME OF PAY TELEPHONE COMPANY: BELISOUTH PUBLIC COMMANICA DAN,	Fre
MAILING ADDRESS & TELEPHONE NUMBER: 75 RAGBY DP	
HOMEWOOD, AL 35209	

I, the undersigned owner of the above referenced psy tslephone 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 psy telephone number and location referenced above. It is my belief that allowing incoming calls to be blocked at the pay iclephone will eliminate or help control that activity and attest to this fact by my signature below. I am sware that pursuant to Section 837.06, Florida Statutes, wherever knowingly makes a false statement in writing with the intent to mistrad a public-servant in the performance of his official duty shall be guilty of a misdameanor of the second degree.
SIGNATURE OF LOCATION OWNER: SULLET CAR DATE: 6/28/99 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): ROBERT D. Reale
MALING ADDRESS & TELEPHONE NUMBER. The Pantry, Inc Group Cobra 9143 Philips Highway, Suite 200, Jacksonville, Florida 32256 (904) 464-7200
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 new telephone number and location prforenced above. It is my

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 elipsinatelor help control that activity and attest to this fact by my signature below. I am aware that purpoant to Section \$37,066 Florida Statutes, whoever knowingly makes a false statement in writing with the intent ta mislead a public servent 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:	
NAME & PUBITION/TITLE (FRINT OR TYPE): Sheriff Nat Glover	
NAME OF LAW ENFORCEMENT AGENCY: Jacksonville Sheriffs Office	
MALLING ADDRESS & TELEPHONE NUMBER: 501 E. Bay Street, Jacksonville, FL 32202 (904) 630-2	2160

Porca PSC/CMU-3 (02/99)

FLORIDA PUB	LIC SERVICE	<b>COMMISSION</b>
-------------	-------------	-------------------

## **REQUEST TO BLOCK INCOMING CALLS**

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-786 9914

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 310 S. LANE AV

JACKSONUILLE, FL.

1. A. 1. A.

NAME OF BUSINESS WHERE FAY TELEPHONE IS LOCATED: \_\_\_\_\_ CHAMP

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 and-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 837.86, Florida Statutes, wherever knowingly makes a false statement in writing with the intent to mislead a public-servant in the performance of his official doty shall be guilty of a misdemeanor of the second degree.

SIGNATURE OF OWNER OF PAY TELEPHONE COMPANY, Sulin 10. Jan BATE: 03/99	
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) TAMES B HAWRING	
NAME OF PAY TELEPHONE COMPANY: DELLSOUTH HUB/IC (OM MUNICATIONS MAILING ADDRESS & TELEPHONE NUMBER: 15 BAGBY DR	fre
HOMEWOOD, AL35209	1

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 block at the pay telephone will eliminate or help control that activity and attest to this fact by my signature below. I am sware that pursuant to Section \$37.96, Florida Statutes, where renowingly 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 misdemanor of the		
SECOND degree. SIGNATURE OF LOCATION OWNER: Robert D. Reale DATE: 6/28/99 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Robert D. Reale		
MAILING ADDRESS & TELEPHONE NUMBER. The Pantry, Inc Group Cobra 9143 Philips Highway, Suite 200, Jacksonville, FL 32256 (904) 464-7200		
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 bellef, 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 servent in the performance of his official duty shall be guilty of a misdemeanor of the ascond degree.	
SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY:	
NAME & POSITION/ITTLE (PRINT OB TYPE): Sheriff Nat Glover / //	
NAME OF LAW ENFORCEMENT AGENCY: Jacksonville Sheriffs Office	
MAILING ADDRESS & TELEPHONE NUMBER: 501 E. Bay Street, Jacksonville, FL 32202 (904) 630-	-21

60

Form PSC/CMU-3 (02/99)

NO.345 P001

DATE 7.22.99

PUBLIC\_COMM → 5616159180

FLOR( ) PUBLIC SERVICE COMMISSI

## REQUEST TO BLOCK INCOMING CALLS

🗹 Original Request (check one) 🗅 Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS)	561-684-9651
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS), 4847 FRED	GLADSTONE DK.
WEST PALM	Ben FL 33417

NAME OF SUSPINESS WHERE PAY TELEPHONE IN LOCATED MORSE (DEKINTKIE CEUTER

To deter criminal activity indicated by individuals receiving incoming calls at the pay telephone listed shave, I request that I be granted an exemption from the requirement that incoming calls be received of the pay telephone location (Rule 25-24.515(13), F.A.C. I agree to provide custral effice based intercept at no charge to the und-user and to prominently display a written notice directly above or below the telephone number which states: "Incoming calls blacked at request of law enforcement."

I, the undersigned owner or efficer of the pay telephone company named below, have read the foregoing and declare that to the best of my innewiedge and belief, the shows information is a true and correct entersont. I am aware that purmant to Section \$37.06, Playide Statutes, wherever knowingly unders a take statement is writing with the intent to minimal a public-servant to the performance of his official duty shall be guilty of a minimane of the record degree.

AGRATURE OF OWNER OFFICER OF PAY TELEPBONE COMPANY, Julia D. Hans DATE	8 3/99
NAME OF OWNER OF FAY TELEFEONE COMPANY (PENT OF TYPE) JAMES B. HAWKI NAME OF FAY TELEFEONE COMPANY: BEILSOUTH TUBLIC OMMUNICATIONS	with the second
NAME OF PAY TELEFOONE COMPANY: BEILSOUTH TUBIC COMMUNICATIONS	INC
MAILING ADDRESS & TELEPHONE NUMBER: 75 BAGBY	
TIUME WOOD, ALL 35209	

I, the understand sense of the above referenced pay telephone location, declare that to the bast of my ichewiedge and belief, eriminal activity is associated with and facilitated by incoming calls being received at the pay talephone number and location referenced above. It is my belief that allowing locating calls to be blocked at the pay telephone will ofinizate or help control that activity and attest to the fact by my signature balow. I am avare that pursuant to Section \$37.56, Florida Statutes, wheever knowingly makes a take statement in writing with the intent to mission a public-servant in the performance of his efficient duty shall be guilty of a misdemeaner of the account degree.

SIGNATURE OF LOCATION OWNER:

10:24

•

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OF TYPE) MORSE GERLATRIC CONTER	
MAILING ADDRESS & TRIEFBONE NUMBER, 4847 FRED GMADSTONE DR	
WEST TRUMBER FL 33417	

1AInt

I, the undersigned Chief of the law enforcement againsy in the jurisdiction is which the shove-sufergrand pay interplanes is increased, dechare that to the best of my knowledge and ballet, criminal activity is essectiated with and facilitated by incoming calls being received at the pay telephone number and incluion referenced above. It is my belief that allowing incoming calls being received at the pay telephone number and incluion referenced above. It is my belief that allowing incoming calls being received at the pay telephone number and incluion referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone will eliminate as help control that activity and attent to this fact by my eigenture below. I and avera that prevents to Section 237.06, Fierda Statutes, whereas harvers that the intent to mislead a public-servant in the performance of his efficient dury shall be guilty of a mislement of the second degree.

11

NAME & PORTHON/TITLE (PRINT OR TYPE) SMERIFE BOOK NEUMAN
NAME OF LAW ENPORCEMENT AGENCY. PRACIN BEARING SHERIFES DEAT
MANLING ADDRESS & TELEPBONE NUMBER: 3228 GUN CLUB RD
WEST FRIM BENER FL

Form PRC/Ch(U-2 (62/97)