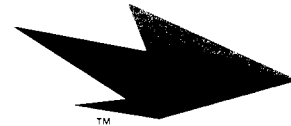


Voice | Data | Internet | Wireless | Entertainment

March 6, 2008

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



EMBARQ

Embarq Corporation
Mailstop: FTLHQ020
1313 Blair Stone Road
Tallahassee, FL 32301
EMBARQ

COMMISSION
CLERK

08 MAR -6 PM 4:49

RECEIVED-FPSC

Dear Ms. Cole:

RE: Docket No. 080140, Waiver of Rule 25-24.515(13), F.A.C.

CMP 1

COM Enclosed please find the original and five (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.

CTR

ECR We request that the pay telephone located at the address 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."

GCL 1

OPC

The location and number of the public telephone is as follows:

RCA

SCR

Big Moma's Soul Food Cafe # (850) 833-3025

SGA

7 NE Gibson Place

SEC

Fort Walton Beach, FL 32548

OTH

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 telephone at this location 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 location 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,

Harvey L. Spears, Jr.

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

DOCUMENT NUMBER - 080140

01724 MAR -6 08

FPSC-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) 850-833-3025

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 7 NE GIPSON PLACE
FORT WALTON BEACH FL 32548

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Big Momma's Soul Food Cafe

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: Jennifer R. Hood DATE: 01/09/08

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Jennifer R. Hood

NAME OF PAY TELEPHONE COMPANY: Embargo Payphone Services Inc

MAILING ADDRESS & TELEPHONE NUMBER: P.O. Box 165000 Mail Stop FLAPKA 0214
ALTA MONTE SPRINGS FL 32716-5000
877-904-7774 option 3

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: Timothy Sheffield DATE: 10/24/07

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): TIMOTHY SHEFFIELD

MAILING ADDRESS & TELEPHONE NUMBER: 6730 E. PRESTON ST unit 16
MESA, AZ. 85215

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: Ted Litschauer DATE: 01/22/08

NAME & POSITION/TITLE (PRINT OR TYPE): Ted Litschauer / Chief of Police

NAME OF LAW ENFORCEMENT AGENCY: Fort Walton Beach Police Department

MAILING ADDRESS & TELEPHONE NUMBER: 7 Hollywood Blvd NE, FWB, FL 32548
850/833-9547