REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

		(PLEASE TYPE)	2
Date	10/10/97		Docket No. 371312 - TC
1. Div	rision Name/Staff Name <u>Communica</u>	nions/Isler	
2. OPR	Communications/Isler		
3. OCR	Legal		
4. Sug	gested Docket Title Request for	or Exemption from Requirement of	Rule 25-24,515(8), Florida
Adminis	trative Code, That Each Pay Telepi	shone Station Shall Allow Incomin	ng Cells by Sprint-Floride.
Incorpo	rated		
5. Sug	gested Docket Heiling List (attack	ch separate sheet if necessary)	
	Provide NAMES ONLY for regulated of as shown in Rule 25-22.104, F.A.C. Provide COMPLETE name and address		
	1. Parties and their representation	ves (if any)	
Sprint	-Floride, Incorporated		
3	2. Interested Persons and their re	representatives (if any)	
6. Chec	k one: _XX_Documentation is attached	iched.	
	ADDIES.	provided with recommendation.	
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PSC/RAR 10 (Revised 01/96)

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Sandra A. Khazraee Manager Regulators 17

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October 7, 1997

Ms. Blanca S. Bayo Director, Division of Records & Reporting Florida Public Service Commission 2540 Shumard Oak Boulevard Tallahassee, Florida 32399-0850

Dear Ms. Bayo:

Re: Docket No.

Waiver of Rule 25-24.515(8), F.A.C.

On behalf of Sprint-Florida, Inc., enclosed please find our request for waiver of Rule 25-24.515(8), F.A.C. which we ask that you file in the above captioned matter

We request that the pay telephone located at the address 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 location and number of the public telephone is listed below

Walters' Grocery 1760 Park Avenue Ft Myers, FL 33901

941-337-9744

This waiver is being requested in accordance with the requirements of Florida 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 Sheriff's Office 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 telephone 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,

Sandra A. Khazraee

Sandy Khaziaec

Attachment

SEP 2 2 1997

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (94/) 3	37-9744	
AND I CONTINUE DAY TELEPHONE	ungeres Waltone Grace	ery, 1760 Park Avenue
Ft. Myers, FL	33901	
that I be granted an exemption from to 24.515(8) or 25-4.076(6), F.A.C., as a user and to prominently display a writt blocked at request of law enforcement.	fficer of the pay telephone company name	d below, have read the regoing clare
that to the best of my knowledge and to Section 837.06, Florida Statutes, w	belief, the above information is a true and hoover knowingly makes a false statement icial duty shall be guilty of a misclemeano	t In writing with the intention of the seeand degree.
SIGNATURE OF OWNER/OFFICER OF PAY 1		DATE 2587
NAME OF OWNER/OFFICER OF PAY TELEP	HONE COMPANY (PRINT OR TYPE): LaVe	elle Rixie
NAME OF PAY TELEPHONE COMPANY:	Sprint-Florida	<u></u>
WAILING ADDRESS:	962 First St. Bldg D	
	Altamonte Springs, FL 32	701
and belief, criminal activity is associal and location referenced above. It is nor help control that activity and attest Statutes, whoever knowingly makes a of his official duty shall be guilty of a SIGNATURE OF LOCATION OWNER:	ted with and facilitated by incoming calls in bellef that allowing incoming calls to be to this fact by my signature below. I am as false statement in writing with the intent to misdemeanor of the second degree.	on declare that to the best of my knowledge being received at the pay telephone number e blocked at the pay telephone will eliminate ware that pursuant to Section 837.06, Florida or mislead a public-servant in the performance
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by incoming calls being received at the incoming calls to be blocked at this signature below. I am aware that pursuing the	he best of my knowledge and belief, crimine pay telephone number and location religiously telephone will eliminate or help contribute to Section 837.06, Florida Statutés, public-servant in the performance of his of the performance of the contribute of the performance	inal activity is associated with and facilitated derenced above. It is my belief that allowing rol that activity and attest to this fact by my whoever knowingly makes a laise statement official duty shall be guilty of a misdemeanor.
	Larry Hart, Chief of Poli	ce. City of Ft. Myers
	Ft. Myers Police Departme	
OF DATE OF CHIEF AGENCY,	Ft. Myers FL 33901	(941) 334-4155