## REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

Dat	te 12/2/98 Docket No. 4 3/ 3/ 04-1C		
1.	Division Name/Staff Name Communications/NcCoy		
2.	OPR Communications/AcCoy		
3.	OCR Legal Services		
4.	Suggested Docket Title Request for Exemption from Requirement of Rule 25-24,515(8), Florida		
Ach	ministrative Code, That Each Pay Telephone Shall Allow Inc ming Calls by BellSouth Public		
Cor	munications. Inc.		
5	Suggested Docket Mailing List (attach separate sheet if necessary)		
7.10	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. Perties and their representatives (if any)		
Be	llSouth Public Communications, Inc.		
_			
_			
_			
_			
_			
	2. Interested Persons and their representatives (if any)		
6.	Check one: _XX_Documentation is attached.		
	Documentation will be provided with recommendation.		
I:	\PSC\RAR\MP\ESTDKT.		

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

13561 DEC-28

FPSC-RECORDS/REPORTING



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

November 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

RECEIVED

MOV 0 4 1998

CMU

Dear Ms. Bayo:

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:

500 NW 156 Lane (954) 704-9365 Pembroke Pines, FL 33028

15487 NW 5th Street (954) 704-9062 Pembroke Pines, FL 33028

1250 NW 155 Avenue (954) 431-8593 Pembroke Pines, FL 33028 Ms. Blanco S. Bayo November 2, 1998 Page 2

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.

Ms. Blanco S. Bayo November 2, 1998 Page 3

Please acknowledge receipt of this request for waiver by signing and returning the extra copy of this letter in the enclosed self addressed stamped envelope.

lorida Public Service ( allahassee, Florida		. 1998
	(Date)	, 1000
BY:		

Enclosures

## FLORIDA PUBLIC SERVICE COMMISSION REQUEST TO BLOCK INCOMING CALLS

pay telephone number <u>light hybreth per hegyerli by</u>	
PHYSICAL LOCATION OF PAY TELEPHONE (ACCRESS): 125	0 NW 155 Avenue
Pembroke Pines, Florida 33028	county: Broward
To deter criminal activity facilitated by individuals receiving request that I be granted an exemption from the requirement that location(Rule 25-24.515(8) or 25-4.076(8), F.A.C., as appropriate), charge to the end-user and to prominently display a written notice which states: "incoming calls blocked at request of law enforces	t incoming calls be received at the pay telephone . I agree to provide central office based intercept at no ce directly above or below the telephone number
<ol> <li>the undersigned owner or officer of the pay telephone con declare that to the best of my knowledge and belief, the above is that pursuent to Section \$37.56, Flurida Statutus, whoever know to mislead a public-servant is the performance of his official dut degree.</li> </ol>	nformation is a true and correct statement. I am aware ingly makes a raise statement in writing with the intent ly shall be guilty of a misdemeaner of the second
SIGNATURE OF OWNERWOFFILER OF PAY VELEPHONE COMPA	HY: CAME AND CATE 18-30-9
THE OF CHIMENOPICER OF MY THE PROPERTY P	East Of THYS? James S. Handles
NAME OF PAY TELEPHONE COMPANY: BUSDOWN FURS COM	
DAD DIS ADDRESS: 75 Short Tries, Hamewood Al. 2015	
I, the uniteralgued conter of the above-inferenced pay telephoned before, extended activity is translated with and fundament by the second activity and fundament of the second activity and other to the fact of the second activity and other to the fact of the second activity and other to the fact of the second activity and other to the fact of the second activity and other to the fact of the second activity and activity and the public second of the second activity and to go stable second to the performance of his official duty shall be go stable.	Incoming calls biting received at the pay talephone ing incoming calls to be blacked at the pay talephone by my eigneture before. I has annual that purposed to be paytement in uniging with the intent to minimal a stay of a mindent answer; of the economic Segme.
NAME OF PAY TELEPHONE LOCATION DINNER (PRINT OR TYP	
MARING ADDRESS, 4000 West Sample Road, Su	
I, the underetgreed Chief of the law enforcement agency of tralegisters is foculted, declare that he the best of my brownindge of activities best of my brownindge of activities are a second of the pay taken he that alterning incoming calls to be blacked at this pay taken has that fact by my signature before I am trained at this pay taken has been active as a false statement in various with the second or an about the activities of a resolution of the second degree.	and belief, orientings sotiality in adjacetable with AMS  a number and injudition referenced above. It is my belief  a with allowing to their outliers that authority and allows to  clion \$27.08, Florida Statutes wherear insensingly  wable-servent in the performance of his afficial duty
SIGNATURE ( F CHIEF OF RESPONSIBLE LAW ENFORCEMENT	
HAME & POSITIONITTLE (PRINT OR TYPE) CANALS	
NAME OF LAW ENFORCEMENT AGENCY: City of Fax	broke Pines Police Department
MARING ADDRESS 9500 Piges Blvd. Pesbro	be Pines, FL 33C24
FORM: PSC/CMU 2 (1284)	

## PLOREDA PUBLIC SERVICE COMMESSION REQUEST TO SLOCK MICCIANIG CALLS

PAY TELEPHONE MUNICIPAL COME MUNICIPAL PER REQUEST, NO EXCEPTIONS				
PHYSICAL LOCATION OF PAY TELEPHONE (ASIONESIS)		CONTRACTOR OF THE PARTY OF THE		
Pembroke Pines, Florida 33028	COUNTY	Monard		
To deter crimonal activity facilitated by individuals re- request that I be granted an examption from the requirem location(Rule 25-24.515(6) or 25-4.576(6), F.A.C., as appro- charge to the end-user and is prominently display a write which status: "incoming calls blocked at request of law of	rent that incoming calls be recei spriate). I agree to provida centr an notice directly above or belo	ved at the pay telephone of office besed intercept at no		
I, the undersigned owner or officer of the pay talepho declare that to the best of my knowledge and build, the a tight pursuant to Section 837.5%, Fiorida Statutes, whoeve to mislead a public-servant in the performance of his effi- degree. SIGNATURE OF OWNER/OFFICER OF PAY TELEPHOLIS	spare information is a true and on incomingly makes a false state icial duty shall be guilty of a mis-	nonect statement. I am aware ment in writing with the intent demeaner of the second		
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMP.	ANY (PRINT OR/TYPE): James	A. Heading		
NAME OF PAY TELEPHONE COMPANY: BUILDING DISH				
MAILING ADDRESS: 75 Beilty Drive, Homewood, A	1.7879			
I, the undersigned owner of the above-referenced pay and belief, criminal activity is associated with and facilita number and location referenced above. It is my belief the will eliminate or help control that activity and attest to the Section 837.06, Florida Statutes, whoever knowingly mail public-servant in the performance of his official duty sha	sted by incoming calls being rec at allowing incoming calls to be is fact by my signature below. I kes a faise statement in writing v ill be guilty of a misdemeanor of	sived at the pay talephone blocked at the pay talephone am aware that pursuant to with the intent to mislead a the second degree.		
SIGNATURE OF LOCATION OWNER:	T.R. Beer, Presid	dent DATE: 10-16-98		
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT	OR TYPE): TownCate At Peribro	ke Pines Master Association, Inc		
MAILING ADDRESS: 4400 West Sample Road	, Suite 200, Coconu	t Creek, FL 33073		
I, the undersigned Chief of the law enforcement agent telephone is located, declare that to the best of my know facilitated by incoming calls being received at the pay te that allowing incoming calls to be blocked at this pay tel this fact by my signature below. I am aware that pursuan makes a false statement in writing with the intent to mish shall be guilty of a misdemeanor of the second degree.	riedge and belief, criminal activition in the second research in the second research in the second research in the perfect of a public-servant in the perfect of the second research in the second research	ty is associated with and ferenced above. It is my belief introl that activity and attest to utes whoever knowingly ormance of his official duty		
SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCE	EMENT AGENCY: W	DATE: 10-26		
NAME & POSITION/TITLE (PRINT OR TYPE): Max	to Kalunda	M. KAHIMSKY		
NAME OF LAW ENFORCEMENT AGENCY: City of	Pembroke Pines Pol	ice Department		
MAILING ADDRESS: 9500 Pines Blvd., Per	mbroke Pines, FL 33	024		
FORM: PSC/CMU 2 (12/94)				

## FLORIDA PUBLIC SERVICE COMMISSION REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONSI) (954) 704-9062
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 15487 NW 5th Street
Pembroke Pines, Florida 33028 COUNTY: Broward
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 ocation(Rule 25-24.515(8) or 25-4.076(6), F.A.C., as appropriate). 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 knowlngly 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:  DATE: 10-36 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 Drive, 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 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 statument 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: T.R. Beer, President DATE 10-16-98
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): TownGate At Printipoke Pines Master Association. In
MAILING ADDRESS: 4400 West Sample Road, Suite 200, Coconut Creek, FL 33073
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 bollef, 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 others to this fact by my signature belief. I am aware that pursuant to Section \$37.56. Fig. ide Statutes whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the section of the second degree.
SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY:
NAME & POSITION/TITLE (PRINT OR TYPE) CHILF MARSIN TALES
NAME OF LAW ENFORCEMENT AGENCY: City of Pembroke Pines Police Department
MATING ADDRESS 9500 Pines Blvd., Pembroke Pines, FL 33024
FORM: PSC/CMU 2 (12/94)