

MEMORANDUM

December 7, 1998

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RECORDS AND  
REPORTING

TO: DIVISION OF RECORDS AND REPORTING

FROM: DIVISION OF LEGAL SERVICES (B. KEATING) *BK*  
*MCB*

RE: DOCKET NO. 980951-TC - PETITION OF GLOBAL TEL\*LINK CORPORATION FOR EXEMPTION FROM ORDER, RULES, AND REGULATION PROHIBITING TERMINATION OF CONVERSATION AFTER TEN MINUTES ON CALLS PLACED FROM PAY TELEPHONES LOCATED IN CONFINEMENT INSTITUTIONS.

PSC-98-1323A-FOF-7C

Attached is an ORDER REFLECTING AMENDMENT TO PETITION PREVIOUSLY APPROVED BY ORDER NO. PSC-98-1323-FOF-TC, to be issued in the above-referenced docket. (Number of pages in order - 4)

BK/anr  
Attachment  
cc: Division of Communications  
I: 980951or.bk

*See 1*

*forwarded 2/1*  
*mailed -*

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition of Global  
Tel\*Link Corporation for  
exemption from order, rules, and  
regulations prohibiting  
termination of conversations  
after ten minutes on calls  
placed from pay telephones  
located in confinement  
institutions.

DOCKET NO. 980951-TC  
ORDER NO. PSC-98-1323A-FOF-TC  
ISSUED: December 7, 1998

The following Commissioners participated in the disposition of  
this matter:

JULIA L. JOHNSON, Chairman  
J. TERRY DEASON  
SUSAN F. CLARK  
JOE GARCIA  
E. LEON JACOBS, JR.

ORDER REFLECTING AMENDMENT TO  
PETITION PREVIOUSLY APPROVED  
BY ORDER NO. PSC-98-1323-FOF-TC

BY THE COMMISSION:

Global Tel\*Link Corporation (Global) holds Pay Telephone  
Certificate Number 3878, with an effective regulation date of  
March 10, 1996. Global currently provides pay telephone service to  
approximately nineteen (19) correctional facilities in various  
locations throughout Florida.

On July 28, 1998, Global submitted a petition requesting a  
waiver of those rules and regulations which prohibit it from  
terminating calls placed from pay telephones located in Florida  
confinement institutions in less than 15 minutes, Rules 25-  
24.515(5), and 25-24.515(15), Florida Administrative Code. These  
rules require notice at all pay stations that terminate  
conversations after 15 minutes. Because the rules require notice  
for termination at 15 minutes, but do not provide for termination  
of calls in less than 15 minutes, Global believed that these rules  
may prohibit it from terminating calls placed by inmates of  
confinement institutions after less than 15 minutes have elapsed.  
Thus, Global sought permission to terminate calls after 10 minutes

DOCUMENT NUMBER-DATE

13734 DEC-7 98

FPSC-RECORDS/REPORTING

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of conversation. By Order No. PSC-98-1323-FOF-TC, issued October 9, 1998, we granted Global's petition. No protests to the Order were filed.

By letter dated October 28, 1998, Global informed us that it had made an error in its original petition for waiver. Global asked, therefore, that its petition and Order No. PSC-98-1323-FOF-TC be amended to reflect that Global provides operator services to county correctional facilities, instead of Florida Department of Corrections facilities. Thus, Global's request for waiver of Rules 25-24.515(5) and 25-24.515(15), Florida Administrative Code, would affect county correctional facilities, instead of State of Florida correctional facilities. Global stated that it currently serves 19 county correctional facilities in Florida. Global asserted that the county correctional facility administrators want to be able to limit calls from confinement facilities to 10 minutes during certain periods and circumstances. Global also asked that its petition be clarified to reflect that it only seeks to have this waiver applied on a facility-by-facility basis at the election of the county facility administrators.

It appears that Global's error was inadvertent. Further, even though the requested waiver would apply to county correctional facilities rather than state facilities, the petition still meets the specifications set forth in Section 120.542(5), Florida Statutes, which state that the petitioner must demonstrate that the purposes of the underlying statute will be met, and application of the rule would create substantial hardship or violate principles of fairness. As such, we approve Global's Amended Petition for Waiver of Rules 25-24.515(5) and 25-24.515(15), Florida Administrative Code, for those pay telephones located in county confinement facilities on a case-by-case basis at the election of the county facility administrators. Order No. PSC-98-1323-FOF-TC shall be amended to reflect these corrections, and is affirmed in all other respects.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that Order No. PSC-98-1323-FOF-TC is amended to reflect Global Tel\*link Corporation's amended petition for waiver. It is further

ORDERED that Order No. PSC-98-1323-FOF-TC is reaffirmed in all other respects. It is further

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ORDERED that this Docket shall be closed.

By ORDER of the Florida Public Service Commission this 7th  
day of December, 1998.

BLANCA S. BAYÓ, Director  
Division of Records and Reporting

By: Kay Flynn  
Kay Flynn, Chief  
Bureau of Records

( S E A L )

BK

**NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW**

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Any party adversely affected by the Commission's final action in this matter may request: 1) reconsideration of the decision by filing a motion for reconsideration with the Director, Division of Records and Reporting, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within fifteen (15) days of the issuance of this order in the form prescribed by Rule 25-22.060, Florida Administrative Code; or 2) judicial review by the Florida Supreme Court in the case of an electric, gas or telephone utility or the First District Court of Appeal in the case of a water and/or wastewater utility by filing a notice of appeal with the Director, Division of Records and Reporting and filing a copy of the notice of appeal and the filing fee with the appropriate court. This filing must be completed within thirty (30) days after the issuance of this order, pursuant to Rule 9.110, Florida Rules of Appellate Procedure. The notice of appeal must be in the form specified in Rule 9.900(a), Florida Rules of Appellate Procedure.