



FLORIDA PAY PHONE SYSTEMS, INC.

FLORIDA PUBLIC SERVICE COMMISSION

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April 14 1998

APR 20 1998

MAIL ROOM

CMU

980544-TC

Ms. Blanca S. Mayo
Director, Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Betty Easley Conference Center, Rm 110
Tallahassee, Florida 32399-0850

RECEIVED

APR 17 1998

FPSC - Records/Reporting

Dear Ms. Mayo:

RE: Docket No. 980544-TC
Waiver of Rule 25-24.515(8), F.A.C.

On behalf of Florida Pay Phone Systems, Inc., enclosed please find the original and five copies of our 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 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:

Sunrise Amoco (954) 779 3040
701 W. Sunrise Blvd (954) 779 3010
Ft. Lauderdale, FL

This waiver is being requested in accordance with the requirements of Florida State Statute Section 120.512(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 361.345).

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 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.

DOCUMENT CONTROL DATE

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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,

A handwritten signature in black ink, appearing to read "H. Mack", with a stylized flourish at the end.

Howard Mack
Florida Pay Phone Systems Inc.

enclosures

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 954 779 3010
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 701 W. SYRRISE BLVD
FT. LAUDERDALE FLORIDA

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(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 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: [Signature] DATE 1/1/98
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) HOWARD MACK
 NAME OF PAY TELEPHONE COMPANY: FLORIDA PAY PHONE SYSTEMS INC.
 MAILING ADDRESS: 2815 TAYLOR ST. HOLLYWOOD FL. 33020

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: [Signature] DATE 3/25/96
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE) BARRY GRAY
 MAILING ADDRESS: 701 W. SYRRISE BLVD. FT. LAUD. FLORIDA

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 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 this 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: [Signature] DATE 2-6-98
 NAME & POSITION/TITLE (PRINT OR TYPE): MAJOR AL CRONZO
 NAME OF LAW ENFORCEMENT AGENCY: Ft. Lauderdale Police Dept
 MAILING ADDRESS: 1300 W. Broward Blvd, Ft. LAUD, FL 33312

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

RECEIVED

MAR 30 1998

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 954 779 3040 CMU
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 701 W. SYDNEY BLVD.
FT. LAUDERDALE FLORIDA

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 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE) WARD MARK
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 MAILING ADDRESS: 2815 TAYLOR ST. HOLLYWOOD FL. 33020

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SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE 2-6-98
 NAME & POSITION/TITLE (PRINT OR TYPE): MAJOR AL ONIZZO
 NAME OF LAW ENFORCEMENT AGENCY: Ft. Lauderdale Police Dept
 MAILING ADDRESS: 1300 W. Broward Blvd Ft. LAUD, FL 33312