



Beverly Y. Menard Regional Director-Regulatory & Industry Affairs (FL) **GTE Telephone Operations**

One Tampa City Center Post Office Box 110, FLTC0616 Tampa, Florida 33601-0110 813-483-2526 813-223-4888 (Facsimile)

June 20, 1997

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

Dear Ms. Bayo:

ACK

AFA -

APP

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LEG ____

OPC ____

WAS ____

OTH ____

LIN ____

RCH -

SUBJECT: DOCKET NO.

WAIVER OF RULE 25-24.515(8), F.A.C

On behalf of GTE Florida, Incorporated, enclosed for filing is the criginal and five copies of our request for waiver of Rule 25-4.515(8), F.A.C., which we ask that you file in the above captioned matter.

We request that the pay telephones located at the 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 numbers of the public telephones are as follows:

326 9th Street North, St. Petersburg, 813-894-9160

326 9th Street North, St. Petersburg, 813-894-9159

DOCUMENT NUMBER - DATE

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A part of GTE Corporation

Ms.Blanca S. Bayo June 20, 1997 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 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.

The Commission has previously granted a waiver of this Rule in Order No. 97-0669, issued June 10, 1997, approving GTE Florida's petition for waiver of the rule for pay telephones located in St. Petersburg. The owners had requested blocking of incoming calls to restrict the usefulness of the public phone for unlawful activity.

Please advise by order if our request for the waiver has been accepted.

Sincerely,

Beverly y. Manard

Beverly Y. Menard Regional Director-Regulatory & Industry Affairs

BYM:DBK:wjh Enclosures

	813-894-9160	
PHYSICAL LOCATION OF PAY TES	EPHONE (ADDRESS): 326 9th Street, North	
	St. Petersburg, FL 33701	
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NAME OF PAY TELEPHONE COM	ANY: GTE Florida Incorporated	
MAILING ADDRESS: One Tumpa C	ity Center, 201 N Franklin St - MC FLTC0100, Tampa, FL 33602	Approx
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NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Peter A. Daks, President NAME OF PAY TELEPHONE COMPANY: GTE Florida Incorporated MAILING ADDRESS: One Tampa City Center, 201 N Franklin St - MC FLTC0100, Tampa, FL 33602 EE 4-/0 LAW DEPT I, the undersigned owner of the above-referenced pay telephone location, declare that to the best of my knot belief, criminal activity is associated with and facilitated by incoming calls being received at the pay telephone m location referenced above. It is my belief that allowing incoming calls to be blocked at the pay telephone will eliming control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.06 Florida whoever knowingly makes a false statement in writing with the intent to mislead a public-servant in the perform official duty shall be guilty of a misdemeanor of the second degree.	AY TELEPHONE NUMBER:	813-894-9159		
To deter criminal activity facilitated by individuals receiving incoming calls at the pay telephone listed above that I be granted an exemption from the requirement that incoming calls be received at the pay telephone location 24.515(8) or 25-4.076(6), F.A.C., as appropriate). I agree to provide central office based interest at no charge to it and to prominently display a written notice directly above or below the telephone number which states: "Incoming call at request of law enforcement." I, the undersigned owner or officer of the pay telephone company named below, have read the foregoing in that to the best of my knowledge and belief, the above information is a true and correct statement. I am aware the to Section 837.06, Florida Statutes, whoever knowingly makes a false statement in writing with the intent to misles servant in the performance of his official duty shall be guilty of a satisdement or of the second degree. SIGNATURE OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Prier A Daks. President NAME OF PAY TELEPHONE COMPANY; GTE Florida Incorporated MAILING ADDRESS: One Tampa City Center, 201 N Franklin 51 - MC FLTC0100, Tampa, FLM602 EE 9-10 LAW CEPT 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 will elimin control that activity and attest to this fact by my signature below. I am aware that pursuant to Section 837.06 Florida intent to mislead a public-servant in the perform official duty shall be guilty of a misdemeanor of the second degree. SIGNATURE OF LOCATION OWNER: DATE NAME OF PAY TELEPHONE LOCATION OWNER: DATE NAME OF PAY TELEPHONE LOCATION OWNER: DATE NAME OF PAY TELEPHONE LOCATION OWNER: DATE I, the undersigned Chief of the law enforcement agency of the jurisdiction in which the above-referenced pais is located, declare that to the best of my knowledge and belief, criminal activit	IYSICAL LOCATION OF PAY TELEPHON	E (ADDRESS): 326 9th S	reet, North	
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AME OF LAW ENFORCEMENT AGENCY: St. Petersburg Police Department				