

REQUEST TO ESTABLISH DOCKET
(PLEASE TYPE)

Date March 5, 2001

Docket No. 010290-TC

- 1. Division Name/Staff Name Competitive Services/Isler
- 2. OPR Competitive Services/Isler
- 3. OCR Legal Services

4. Suggested Docket Title Request for Exemption from Requirement of Rule 25-24.515(13), Florida Administrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth Public Communications, Inc.

5. Suggested Docket Mailing List (attach separate sheet if necessary)

- 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. Parties and their representatives (if any)

Richard H. Holmes _____

2. Interested Persons and their representatives (if any)

6. Check one:

- Documentation is attached.
- Documentation will be provided with recommendation.

I:\PSC\RAR\WP\ESTDKT.
PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE
02930 MAR-60
PSC-RECORDS/REPORTING

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

February 28, 2001

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

2001 MAR -5 PM 3:24
FBI
COMPETITIVE SERVICES

Dear Ms. Bayo:

RE: Docket No. _____
Waiver of Rule 25-24.515(13), F.A.C.

Enclosed please find the original and 5 copies of our request for a two-year waiver of Rule 25-24.515(13), F.A.C., which we ask you to file in the above captioned matter.

We request that the pay telephones located at the addresses below be exempt for a period of two years from the provisions of Rule 25-24.515(13), 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:

Longs' Grocery & Trailer Park (321) 254-9996
2003 Pineapple Avenue
Melbourne, Florida 32935

Castaway's RV Park (305) 872-9054
70 3rd Street
Big Pine Key, FL 33043

Ms. Blanco S. Bayo
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Page 2

TimberWalk Association, Inc.
22546 Vistawood Way
Boca Raton, Florida 33428

(561) 483-9977
Clubhouse

Loggers' Run, Inc.
22489 Oriole Country Road
Boca Raton, Florida 33428

(561) 482-9127
Wind Jammer Park

Loggers' Run, Inc.
21322 Ponderosa Drive
Boca Raton, Florida 33428

(561) 482-9205
Powder Horn Park

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 location(s) 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 – Business Office
BellSouth Public Communications, Inc.

Enclosures

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

RECEIVED
FEB 5 2001
OFFICE

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 321-254-9996

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 2003 Pineapple Avenue
Melbourne, Florida 32935

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: LONG'S GROCERY & Trailer Park

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(13), F.A.C. 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: 2-20-01
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500

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: Geraldine M. Long DATE: Dec. 26, 2000
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Geraldine M. LONG
MAILING ADDRESS & TELEPHONE NUMBER: LONG'S GROCERY, 2003 Pineapple Ave.
Melbourne, Florida 32935 321-254-3157

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: [Signature] DATE: 1/30/01
NAME & POSITION/TITLE (PRINT OR TYPE): Keith T. Chandler, Chief of Police
NAME OF LAW ENFORCEMENT AGENCY: Melbourne Police Department
MAILING ADDRESS & TELEPHONE NUMBER: 650 N. Apollo Boulevard, Melbourne, FL 32935

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 305-872-9054
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 70 3RD ST. BIG PINE KEY, FL. 33043

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: CASTAWAYS RV PARK

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 28-26.815(13), F.A.C. 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: Richard H. Holmes DATE: 2-20-01
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes
 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communicatins, Inc.
 MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2500

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: Stuart Perlmutter, Gen Ptnr DATE: 1-29-2001
Castaways RV Park
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): CASTAWAYS RV PARK - STUART PERLMUTTER PTNR
 MAILING ADDRESS & TELEPHONE NUMBER: 401 S OAK WOODWARD STE. 470
BIRMINGHAM, MICHIGAN 48009 248-258-8800

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Richard D. Roth DATE: 1/10/01
 NAME & POSITION/TITLE (PRINT OR TYPE): Sheriff Richard D. Roth
 NAME OF LAW ENFORCEMENT AGENCY: Monroe County Sheriff's Office
 MAILING ADDRESS & TELEPHONE NUMBER: 5525 College Rd., Key West, Fl. 33040 305-292-001

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

RECEIVED
2001
OFFICE

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (561) 483-9977

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 22546 VISTAwood Way
ACCT # 295894

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: TimberWalk CLUB House
at TimberWalk Association INC.

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(13), F.A.C. 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: Rachel Russell DATE: 2/22/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes

NAME OF PAY TELEPHONE COMPANY: BELLSOUTH PUBLIC Communications, Inc.

MAILING ADDRESS & TELEPHONE NUMBER 75 Bagby Drive 205-943-2500
Homewood, AL 35209 1-800-451-2646

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: Anne Miller DATE: _____

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): TIMBERWALK HOA INC

MAILING ADDRESS & TELEPHONE NUMBER: C/O PRIME MANAGEMENT
93257 STATE RD 7 SUITE 202 BOCA RATON FL.
33432

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Captain Andrew Muscolli DATE: 2/17/01

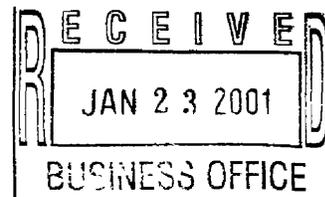
NAME & POSITION/TITLE (PRINT OR TYPE): CAPTAIN ANDREW MUSCOLLI SHERIFF

NAME OF LAW ENFORCEMENT AGENCY: PALM BEACH CO. SHERIFFS DEPT

MAILING ADDRESS & TELEPHONE NUMBER: DISTRICT 7 COMMANDER 18069A US
Highway 441 BOCA RATON FL. 33498

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS



Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (561) 482-9127
 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 22489 Oriole Country Road
Acct # 295855
 NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Windjammer Park at
LOGGERS' RUN TNC

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(13), F.A.C. 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: Rachel Burrell DATE: 2/23/01
 NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes
 NAME OF PAY TELEPHONE COMPANY: BELLSOUTH PUBLIC Communications, Inc.
 MAILING ADDRESS & TELEPHONE NUMBER: 75 Frigby Drive 205-943-2500
Homewood, AL 35209 1-800-451-2646

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: Franka Bureilly, President DATE: 1/9/001
 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): LOGGERS' RUN, INC.
 MAILING ADDRESS & TELEPHONE NUMBER: c/o PRIME MANAGEMENT
23251 STATE RD 7 BOCA RATON FL 33408
561-202

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Alfred M. Shultz DATE: 2/17/01
 NAME & POSITION/TITLE (PRINT OR TYPE): CAPTAIN ALFRED MUSELL SHULTZ
 NAME OF LAW ENFORCEMENT AGENCY: PALM BEACH CO. SHERIFF'S DEPT
 MAILING ADDRESS & TELEPHONE NUMBER: DISTRICT 7 COMMANDER 18069A US HIGHWAY
441 BOCA RATON, FL 33498. 561-538 8671

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

RECEIVED
JAN 23 2001
BUSINESS OFFICE

RECEIVED
FEB 21 2001
BUSINESS OFFICE

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) (561) 482-9205

PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 21322 Ponderosa Drive
Acct # 295831

NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: PowderNorn Park at
Loggers' Run, Inc.

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(13), F.A.C. 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: Rachel Bunnell DATE: 2/22/01

NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Richard H. Holmes

NAME OF PAY TELEPHONE COMPANY: BELLSOUTH PUBLIC Communications, Inc

MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive 205-943-2500
Homewood, AL 35009 1-800-451-2646

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: Jack C. Barling, President DATE: 1/9/2001

NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): LOGGERS' Run, INC.

MAILING ADDRESS & TELEPHONE NUMBER: C/O PRIME MANAGEMENT
23257 STATE RD 7 BOCA RATON FL 33488
3016 303

I, the undersigned Chief of the law enforcement agency in 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 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 CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY: Michael J. ... DATE: 2/2/01

NAME & POSITION/TITLE (PRINT OR TYPE): Michael J. ...

NAME OF LAW ENFORCEMENT AGENCY: PALM BEACH CO SHERIFFS DEPT

MAILING ADDRESS & TELEPHONE NUMBER: DISTRICT 7 COMMANDER 18069A US HIGHWAY
WAY 441 BOCA RATON, FL 33498 561-558-8671