REQUEST TO ESTABLISH DOCKET (PLEASE TYPE)

	(PLEASE TYPE)
ıte	Docket No. 0/1/20
	Division Name/Staff Name Competitive Services/Isler
	OPR Competitive Services/Isler
	OCR Legal Services
	Suggested Docket Title Request for Exemption from Requirement of Rule 25-24.515(13), Florida
mi	nistrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth Public
mr	munications, Inc.
	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)
	2. Interested Persons and their representatives (if any)
. (Check one: XX Documentation is attached.
	Documentation will be provided with recommendation.
	Documentation will be provided with recommendation.
: \	PSC\RAR\WP\ESTDKT.

PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE

FPSC-COMMISSION CLERK

DISTRIBUTION CENTER



01 AUG 17 AM 8: 19

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

August 15, 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

Dear Ms. Bayo:

 COLORING IT PH 4: 37

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:

Convenient Spot Food Store (305) 940-2279 1981 NE 135th Street North Miami, FL 33181

Convenient Spot Food Store (305) 940-2237 1981 NE 135th Street North Miami, FL 33181 Ms. Blanco S. Bayo August 15, 2001 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 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

Carol Bradford

BellSouth Public Communications, Inc.

Enclosures

REQUEST TO MLOCK INCOMING CALLS

PAY TELEPRONE NUMBER: (ON	NUMBER PER REQUEST, NO	exceptions)	305 940-221	<u>'4</u>
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	No.	orth Miami, F	L 33181	
NAME OF BUSINESS WHERE PAY				<u> </u>
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NAME OF PAY TELEPHONE COMPANY			ations Inc.	
MAILING ADDRESS & TELEPEONE N				
MILLIAN ADDRESS & ISSUERANCE A	Homewood.	AI 35209	(205) 943-21	50
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Form PSC/CMU-2 (02/99)

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO SLOCK INCOMING CALLS

Original Request (check one) - Subsequent Request
PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 305 940-2237
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 1981 VF 135 ST
North Migmi FL 33181
HAME OF BUSINESS WHERE PAY TELEPEONE IS LOCATED: Convenient Spot Food Store
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 837.05, 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: 9 That for Rea DATE: 8-9-01
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Rachel K. Russell
HAME OF PAI TELEPHONE COMPANY: BellSouth Public Communications Inc.
MATLING ADDRESS & TELEPHONE MUNEUR: 75 Booky Drive
Homewood, AL 35209 (205)943-2606
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 937.06, to this fact by my signature below. I am aware that pursuant to Section 937.06, include 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: DATE:
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 INFORCEMENT AGENCY: NAME & POSITION/TITLE (PRINT OR TYPE): THOMAS S. HOOD. CHIEF OF POLICE NAME & POSITION/TITLE (PRINT OR TYPE): NORTH MIAMI POLICE DEPARTMENT MAILING ADDRESS & TELEPHONE MEMBER: 700 NE 124 STREET. NORTH MIAMI, FL 33161

Form PSC/CMU-2 (02/99)