REQUEST TO ESTABLISH DOCKET

(PLEASE TYPE)

(22000 1224)	
te September 10, 2001 Docket	No. OI
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), F1	orida
ministrative Code, That Each Pay Telephone Station Shall Allow Incoming Calls by BellSouth P	ublic
mmunications, Inc.	• • • • • • • • • • • • • • • • • • • •
Suggested Docket Mailing List (attach separate sheet if necessary)	
 A. Provide NAMES ONLY for regulated companies or ACRONYMS ONLY regulated indust as shown in Rule 25-22.104, F.A.C. B. Provide COMPLETE name and address for all others. (Match representatives to 	
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.	
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PSC/RAR 10 (Revised 01/96)

DOCUMENT NUMBER-DATE 11310 SEP 11 =

FPSC-COMMISSION CLERK



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

August 28, 2001

DISTRIBUTION CENTER

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:

 OI AUG 31 PM 3: 4

Enclosed please find the original and 5 copies of our request for a two-year walker 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:

Gate Petroleum Company 8070 Atlantic Blvd. Jacksonville, FL 32211 (904) 724-5676

Gate Petroleum Company 8070 Atlantic Blvd. Jacksonville, FL 32211 (904) 724-5937

1 1 3 1 0 SEP II 5

FPSC-COMMISSION CLERK

Ms. Blanco S. Bayo August 28, 2001 Page 2

Gate Petroleum Company 8070 Atlantic Blvd. Jacksonville, FL 32211 (904) 721-8620

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.

Carol Bradford

Enclosures



Petroleum Company

August 20, 2001

Ms. Carol Bradford BellSouth Public Communications 75 Bagby Drive Homewood, Alabama 35209

Per the attached signed forms, Gate Petroleum Company is requesting that incoming calls be blocked on the three (3) pay stations located at 8070 Atlantic Blvd., Jacksonville, Florida. The telephone numbers involved are: 904-724-5676, 904-724-5937 and 904-721-8620.

Should you require additional information, please contact Kathy Perry at 904-448-2916. Thank you for your assistance in this matter.

Yours very truly,

Wayne Levitt

Chairman and CEO/Gate Marketing

WL:kp

Attachments: 3

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

AUG 2 4 2001

X	Original Requ	est (check one)	☐ Subsequ	ent Request
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PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-724-5676 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 8070 Atlantic Blvd., Jacksonville, FL NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Gate Petroleum Company 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: Kachil NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): KIIChe \ NAME OF PAY TELEPHONE COMPANY: Del Communications. MAILING ADDRESS & TELEPHONE NUMBER: 943-2606 35209 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 tury shall be guilty of a misdemeanor of the second degree. SIGNATURE OF LOCATION OWNER: Wayne Levitt NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR PYPE): 9540 San Jose Blvd. MAILING ADDRESS & TELEPHONE NUMBER: Jacksonville, FL 32257 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: NAME & POSITION/TITLE (PRINT OR TYPE): Nat Glover, Sheri Jacksonville Sheritf's Office

Ray Street

FL

Jacksonville,

NAME OF LAW ENFORCEMENT AGENCY: MAILING ADDRESS & TELEPHONE NUMBER:

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

☐ Original Request (check one) ☐ Subsequent Request

FL

PAY TELEPHONE NUMBER: (ONE NUM	• •		
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NAME OF BUSINESS WHERE PAY TELE	PHONE IS LOCATED: Gate	Petroleum Com	pany
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NAME OF OWNER/OFFICER OF PAY TELEPI	HONE COMPANY (PRINT OR TYPE):	Rachel K. R	ussell
name of pay telephone company: ${\cal B}$			
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MAILING ADDRESS & LELEFHONE NUMBER	- 17	1 2 00	
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FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

☐ Original Request (check one) ☐ Subsequent Request PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-721-8620 PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 8070 Atlantic Blvd., Jacksonville, FL NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: Gate Petroleum Company 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: (Ca. NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Kach NAME OF PAY TELEPHONE COMPANY: Dell MAILING ADDRESS & TELEPHONE NUMBER: 3520 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 daily shall be guilty of a misdemeanor of the second degree. SIGNATURE OF LOCATION OWNER: **DATE:** 07-30-01 NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): _Wayne Levitt 9540 San Jose Blvd. MAILING ADDRESS & TELEPHONE NUMBER: Jacksonville, FL 32257 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.

Jacksonville Sheriff's Office

501 E. Bay Street

Jacksonville, FL 32202

SIGNATURE OF CHIEF OF RESPONSIBLE LAW ENFORCEMENT AGENCY:
NAME & POSITION/TITLE (PRINT OR TYPE): __Nat_Glover, _ Sh.

NAME OF LAW ENFORCEMENT AGENCY:

MAILING ADDRESS & TELEPHONE NUMBER: