

REQUEST TO ESTABLISH DOCKET

(Please Type)

Date	January 24, 2003	Docket No.	030079-TC
1. Division Name/Staff Name:		Division of Competitive Markets & Enforcement/Isler	
2. OPR: Division of Competitive Markets & Enforcement/Isler			
3. OCR: Office of the General Counsel			
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 OR ACRONYMS ONLY if a regulated company.			
B. Provide COMPLETE NAME AND ADDRESS for all others. (Match representatives to companies.)			
1. Parties and their representatives (if any):			
2. Interested persons and their representatives (if any):			
6. Check one:			
<input checked="" type="checkbox"/> Documentation is attached.			
<input type="checkbox"/> Documentation will be provided with recommendation.			
PSC\CCA010-C (Rev 10/01)			

DOCUMENT NUMBER DATE

00778 JAN 24 8

FPSC-COMMISSION CLERK



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

January 21, 2003

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

DISTRIBUTION CENTER
03 JAN 23 AM 9:08

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 addresse(s) 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 location(s) and number(s) of the public telephones are as follows:

City of St. Augustine (904) 829-9457
150 Charlotte Street
St. Augustine, FL 32084

City of St. Augustine (904) 829-9189
75 King Street
St. Augustine, FL 32084

Ms. Blanco S. Bayo
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City of St. Augustine (904) 824-0890
24 Cathedral Place (904) 829-9278
St. Augustine, FL 32084

City of St. Augustine (904) 808-9921
40 St. George Street (904) 808-9976
St. Augustine, FL 32084

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

Original Request (check one) Subsequent Request

- PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-829-9457
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 150 Charlotte St. St. Augustine, FL 32084
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. Augustine

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: 1-20-03
NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Rachel K. Russell, Pres. & COO
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive Homewood, AL 35209 (205) 943-2606

Location Provider

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: Timothy A. Burchfield DATE: 1/14/03
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Timothy A. Burchfield, Dir., Gen. Service
MAILING ADDRESS & TELEPHONE NUMBER: City of St. Augustine, 75 King St, St. Augustine, FL 32084 904/825-1004

Law Enforcement

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

SIGNATURE OF LAW ENFORCEMENT AGENCY: Shoar, Chief of Police
NAME OF LAW ENFORCEMENT AGENCY: St. Augustine Police Department
MAILING ADDRESS & TELEPHONE NUMBER: King St, St. Augustine, FL 32084 904/825-1075

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

- PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-829-9189
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 75 King Street St. Augustine, FL 32084
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. Augustine

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.

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NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Rachel K. Russell, Pres. & COO
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive Homewood, AL 35209 (205) 943-2606

Location Provider

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SIGNATURE OF LOCATION OWNER: [Signature] DATE: 1/14/03
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Timothy A. Burchfield, Dir.Gen. Services
MAILING ADDRESS & TELEPHONE NUMBER: City of St. Augustine, 75 King St, St. Augustine, FL 32084 904/825-1004

Law Enforcement

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: 1/14/03
NAME & POSITION/TITLE (PRINT OR TYPE): David Shoar, Chief of Police
NAME OF LAW ENFORCEMENT AGENCY: St. Augustine Police Department
MAILING ADDRESS & TELEPHONE NUMBER: 151 King St, St. Augustine, FL 32084 904/825-1075

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

- PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-824-0890
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 24 Cathedral Place
St Augustine, FL 32084
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. Augustine

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."

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NAME OF OWNER/OFFICER OF PAY TELEPHONE COMPANY (PRINT OR TYPE): Rachel K. Russell, Pres. & COO
NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive
Homewood, AL 35209 (205) 943-2606

Location Provider

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SIGNATURE OF LOCATION OWNER: Timothy A. Burchfield DATE: 1/14/03
NAME OF PAY TELEPHONE LOCATION OWNER (PRINT OR TYPE): Timothy A. Burchfield, Dir., Gen. Service
MAILING ADDRESS & TELEPHONE NUMBER: City of St. Augustine, 75 King St., St. Augustine, FL 32084 904/825-1004

Law Enforcement

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NAME & POSITION/TITLE (PRINT OR TYPE): David Shoar, Chief of Police
NAME OF LAW ENFORCEMENT AGENCY: St. Augustine Police Department
MAILING ADDRESS & TELEPHONE NUMBER: 151 King St., St. Augustine, FL 32084 904/825-1075

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

- ✓ PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-829-9278
- ✓ PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 24 Cathedral Place
St. Augustine, FL 32084
- ✓ NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. Augustine

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."

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 NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
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Homewood, AL 35209 (205) 943-2606

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32084 904/825-1004

Law Enforcement

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 NAME & POSITION/TITLE (PRINT OR TYPE): David Shoar, Chief of Police
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 MAILING ADDRESS & TELEPHONE NUMBER: 151 King St., St. Augustine, FL 32084 904/825-1074

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-808-9921
PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 40 St. George St. St. Augustine, FL 32084
NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. AUGUSTINE

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."

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NAME OF PAY TELEPHONE COMPANY: BellSouth Public Communications, Inc.
MAILING ADDRESS & TELEPHONE NUMBER: 75 Bagby Drive Homewood, AL 35209 (205) 943-2606

Location Provider

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NAME OF LAW ENFORCEMENT AGENCY: St. Augustine Police Department
MAILING ADDRESS & TELEPHONE NUMBER: 151 King St., St. Augustine, FL 32084 904/825-1074

FLORIDA PUBLIC SERVICE COMMISSION

REQUEST TO BLOCK INCOMING CALLS

Original Request (check one) Subsequent Request

- ✓ PAY TELEPHONE NUMBER: (ONE NUMBER PER REQUEST, NO EXCEPTIONS) 904-808-9976
- ✓ PHYSICAL LOCATION OF PAY TELEPHONE (ADDRESS): 40 St. George St.
St. Augustine, FL 32084
- ✓ NAME OF BUSINESS WHERE PAY TELEPHONE IS LOCATED: City of St. Augustine

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