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BEFORE THE

FLORIDA PUBLIC SERVICE COMMISSION

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In The Matter of : DOCKET NO. 891194-TL

Proposed tariff filings :  
 by SOUTHERN BELL TELEPHONE :  
 AND TELEGRAPH COMPANY :  
 clarifying when a : PUBLIC SERVICE HEARING  
 nonpublished number can :  
 be disclosed and introducing :  
 Caller ID to TouchStar :  
 service. :

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Holiday Inn  
 International Airport  
 International Rooms B and C  
 5750 T.G. Lee Boulevard  
 Orlando, Florida

Florida Public Service Commission

Wednesday September 26, 1990

Met pursuant to notice at 6:30 p.m.

BEFORE: COMMISSIONER THOMAS M. BEARD  
 COMMISSIONER BETTY EASLEY

APPEARANCES:

DAVID FALGOUST, Southern Bell Legal  
 Department, 4300 Southern Bell Center, 675 West  
 Peachtree Street, Northeast, Atlanta, Georgia 30375,  
 Telephone No. (404) 529-3865, appearing on behalf of  
 Southern Bell.

DOCUMENT NO.  
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## 1 APPEARANCES CONTINUED:

2 E. BARLOW KEENER, Southern Bell Legal  
3 Department, 150 West Flagler Street, Suite 1910, Miami,  
4 Florida 33130, Telephone No. (305) 530-5558, appearing  
5 on behalf of Southern Bell.

6 JACK SHREVE and CHARLIE BECK, Office of the  
7 Public Counsel, Claude Pepper Building, 111 West  
8 Madison Building, Room 812, Tallahassee, Florida  
9 32399-1400, Telephone No. (904) 488-9330, appearing on  
10 behalf of the Citizens of the State of Florida.

11 ANGELA GREEN, Florida Public Service  
12 Commission, Division of Legal Services, 101 East Gaines  
13 Street, Tallahassee, Florida 32399-0861, Telephone No.  
14 (904) 487-2740, appearing on behalf of the Commission  
15 Staff.

## 16 ALSO PRESENT:

17 MARSHALL CRISER, Operations Manager, Southern  
18 Bell Regulatory Relations

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P R O C E E D I N G S  
(Hearing convened at 6:30 p.m.)

COMMISSIONER BEARD: Call this to order.

Would you publish the notice, please?

MS. GREEN: Pursuant to notice, a customer meeting was held in 26th day of September 1990, in Orlando, Florida. This is Docket No. 891194-FL, proposed tariff filings by Southern Bell.

COMMISSIONER BEARD: Take appearances.

MR. SHREVE: Charlie Beck and Jack Shreve, Office of Public Counsel, Claude Pepper Building, Tallahassee, Florida, representing the Citizens of the State of Florida.

MR. KEENER: David Falgoust and Barlow Keener, representing Southern Bell Telephone and Telegraph Company, and with us Marshall Criser.

MS. GREEN: Angela Green, Florida Public Service Commission, on behalf of the Commission Staff.

COMMISSIONER BEARD: Good evening and thank you all for coming.

I am Commissioner Tom Beard and with me tonight is Commissioner Betty Easley. As simply a matter of seniority, I will be presiding tonight, and it is our desire in coming to Orlando to hear from the public as to their interests, concerns and questions

1 that they might have with respect to the issue of  
2 Caller ID and associated services surrounding that.  
3 And that is the primary purpose tonight is to hear from  
4 you, the public.

5 I would not promise in all instances that we  
6 can answer every question that you might have but  
7 certainly as a part of the hearing process that will  
8 take place in Tallahassee, we will endeavor to get all  
9 those answers if we cannot tonight give you all those  
10 answers. A part of that is the hearing process.

11 Tonight we will be taking testimony again  
12 from the public. We try to keep it as informal as we  
13 possibly can. However, in order to make your testimony  
14 a part of the public record in this case, we will ask  
15 that each of you that intend to testify stand and be  
16 sworn in. We'll do it in group. We don't intend in  
17 any way to intimidate anyone. We want you to feel as  
18 comfortable and relaxed as you can with TV cameras  
19 rolling and all this other stuff. (Laughter) But we  
20 want you to be as relaxed and comfortable as you  
21 possibly can so that we can hear from you, because that  
22 is, in fact, the goal tonight, okay. So please feel  
23 free if you have something you want to say, we try to  
24 make the process as unintimidating as we possibly can  
25 so that you'll be comfortable in coming and talking to

1 us.

2 Okay. Do we have any preliminary or opening  
3 matters that we need to take care of?

4 MS. GREEN: Not to my knowledge,  
5 Commissioner.

6 COMMISSIONER BEARD: Mr. Keener?

7 MR. KEENER: No matters, Commissioner.

8 COMMISSIONER BEARD: Mr. Shreve?

9 MR. SHREVE: Nothing.

10 COMMISSIONER BEARD: Okay. You want to call  
11 the first witness, then?

12 MR. SHREVE: And if anyone else comes in that  
13 wants to or decides they want to testify or make a  
14 statement, we'll just have it where you can sign up  
15 right over here on the corner.

16 Cheryl Phoenix.

17 COMMISSIONER BEARD: If you would, when  
18 you're called, please come up to the stand and I will  
19 swear you in.

20 And while you are doing that, if everyone  
21 else who intends to testify tonight, if you would  
22 please stand with me and raise your right hand and  
23 let's do everybody at once, it will save time.

24 (Witnesses sworn collectively.)

25

CHERYL PHOENIX

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appeared as a witness on behalf of the Citizens of the State of Florida and, having been first duly sworn, testified as follows:

WITNESS PHOENIX: My name is Cheryl Phoenix.

COMMISSIONER BEARD: Yes, and if you would, when you come forward, if you'd give your name and address, please, for the record.

WITNESS PHOENIX: Okay. My name is Cheryl Phoenix. I'm the Director for the Florida Coalition Against Domestic Violence, P. O. Box 532041, Orlando, Florida, 32853.

COMMISSIONER EASLEY: Would you say your last name?

WITNESS PHOENIX: Phoenix, like the city.

Last year domestic violence hot lines in Florida received over 60,000 calls from people needing information and emergency shelter. What I would like to discuss tonight is what the effects will be to those 60,000 callers, plus, and their children if Caller ID is approved as proposed.

Every 15 seconds a woman is battered by her partner in this country. What we know of physical battering is that it is one of several ways an abuser maintains control over his partner.



1           When the battered woman finds the resources  
2 and support to leave the abuser, sometimes the fight  
3 has ended, but more often than not it has just begun.

4           Abusers use threat to keep a woman in fear.  
5 Threats to hurt her, her family; threats to hurt or  
6 take the children; threats to kill her and the  
7 children. We only have to remember back to the  
8 Santiago children in Polk County this year to realize  
9 that abusers also carry out these threats.

10           For a woman who has left the abusive  
11 situation, the key to staying alive for herself and for  
12 her children is to keep her location hidden from her  
13 abusive partner.

14           What Caller ID would do is take that key away  
15 from battered woman and give it back to their abusers.  
16 Since presently 30% of all female homicide victims are  
17 killed about their partners and or ex-partners, we can  
18 only guess how many more women and children will be  
19 hurt and possibly killed if their locations are known.

20           The Florida Coalition Against Domestic  
21 Violence, a membership organization representing 29  
22 battered women shelters and many concerned citizens, is  
23 vehemently opposed to Caller ID. We see it as being  
24 lethal and unnecessary.

25           If Southern Bell wants to assist in

1 decreasing the number of harassing, obscene phone  
2 calls, then provide us with the option of obtaining  
3 Call Trace on a per-use charge. This would allow law  
4 enforcement officers to deal directly with abusive  
5 phone callers and could also be used by domestic  
6 violence victims to document continued harassment from  
7 abusers. If a victim has an injunction for protection  
8 and this documentation, the abuser could be arrested  
9 before any further potential violence erupts.

10           Although there are blocking options available  
11 for Caller ID, we have many unanswered questions  
12 regarding them. We have been told that domestic  
13 violence programs will be provided with per-line  
14 blocking free of charge so that no one will be able to  
15 obtain the number of the shelter through Caller ID. We  
16 have also been told that victims of domestic violence  
17 will be able to obtain the same service free of charge  
18 but on a case-by-case basis.

19           My question tonight is: How will that be  
20 decided? Will the nearest domestic violence program  
21 have to certify that she, indeed, is in danger? What  
22 if that woman has never called the shelter? And how  
23 will domestic violence programs be compensated for the  
24 staff time? If this is not the case, will the victim  
25 of battering have to personally detail all the physical

1 and sexual abuse she has received and that of her  
2 children? Must she remember all of the threats made to  
3 her life and her sanity to keep that person away? And  
4 do we have the right to ask the victim to detail that  
5 painful information in order to maintain the safety she  
6 has worked so hard to achieve.

7           If per-line blocking were not offered free of  
8 charge to all Southern Bell customers as is being  
9 proposed, a victim may very well have to detail these  
10 experiences again to Southern Bell or to a domestic  
11 violence program. My question, though, is: How will  
12 the Company be able to review thousands of blocking  
13 applications and how long will that take? Until then,  
14 will a battered woman have to take her children to the  
15 nearest pay phone when it's time to call Dad, as  
16 Southern Bell has suggested? How many more hoops must  
17 people jump through in order to stay alive?

18           The last question to be answered is, if a  
19 person obtained per-line block, will that also block  
20 their number from being transmitted to 911 agencies in  
21 times of emergency, as it is in other states?

22 From what I have been told it will not. I just think  
23 that's a question we all need to be very clear about.

24           We understand that Southern Bell has called  
25 members of our organization with some of these answers

1 this afternoon. We are asking for answers to all of  
2 these questions to ensure the safety of Florida  
3 citizens.

4 These are questions that we've asked before  
5 and, again, we're requesting answers. We hope that the  
6 Florida Public Service Commission will wait until  
7 they're very sure, very safe answers to these questions  
8 before deciding on which of these services will be  
9 offered to Florida citizens, if any.

10 Thank you.

11 COMMISSIONER BEARD: Thank you. Questions?

12 MR. KEENER: No questions.

13 MR. SHREVE: No questions. Thank you very  
14 much.

15 COMMISSIONER BEARD: Thank you.

16 (Witness Phoenix excused.)

17

18 MR. SHREVE: Mr. Brady.

19 STEVE BRADY

20 appeared as a witness on behalf of the Citizens of the  
21 State of Florida and, having being first duly sworn ,  
22 testified as follows:

23 WITNESS BRADY: Good evening. My name is  
24 Steve Brady. I'm the Legal Advisor with the Florida  
25 Department of Law Enforcement here in Orlando, Florida.

FLORIDA PUBLIC SERVICE COMMISSION

1 And as the Public Service Commission knows, law  
2 enforcement is opposed to Caller ID. And I'm not going  
3 to get into specifics as to exactly why we're  
4 concerned.

5 Mr. Joe Cocchiarella, from MBI; Don  
6 Marblestone, from Statewide Prosecution, will address  
7 some of those issues. But I think it's fair that since  
8 you know our concerns, and I have been called to speak  
9 prior to those two, and to the rest of the audience --  
10 I see we have quite a few people out here who do want  
11 to speak -- it's probably fair to maybe advise the  
12 people who are here to testify on behalf of Caller ID  
13 as to some of the problems that law enforcement sees  
14 with this Caller ID proposal.

15 Caller ID is basically a concept where  
16 someone in their home will have a device that shows a  
17 digital readout of the telephone number from which the  
18 telephone call has been placed. Now, that's a nice  
19 idea; it's a proposal that you can see who is calling  
20 and determine whether or not you want to answer the  
21 phone.

22 Law enforcement has a problem with that  
23 because we have undercover agents and informants who  
24 also use the telephone to make phone calls to what we  
25 call "bad guys," drug dealers, other persons that are

1 committing offenses. And think about what would happen  
2 in cases in which we make that phone call and the bad  
3 guy sees the number that is being called from? He'll  
4 turn right around, call that number, and he'll  
5 determine, "Hey wait, this is the Orlando Police  
6 Department. I'm dealing with cops." He's got two  
7 options: One, just don't go through with the deal. Or  
8 if he's too far into it, go ahead, meet with that  
9 informant, meet with that undercover officer and  
10 eliminate the problem. I think you all know what I  
11 mean by "eliminate the problem."

12 Now, Southern Bell has suggested different  
13 ways for law enforcement to get around this. I'm not  
14 going to go into those specifics in case this is  
15 adopted and we have to utilize some of those  
16 alternative means of getting around this Caller ID.  
17 However, I'm here to tell you one thing: That  
18 technology is so far advanced that the alternatives  
19 they are giving us will only be viable for maybe  
20 another year or two and then what? And I suggest to  
21 you that the alternatives that Southern Bell is  
22 providing us is also available to the bad guys.

23 There is, in my understanding, two  
24 alternatives for Southern Bell that would be just as  
25 effective as Caller ID, and that technology is

1 available. That technology is Call Block, which I have  
2 myself at home I've used. And Call Block is simply  
3 when someone calls you, that first telephone call, and  
4 you decide "I don't want to accept any more calls from  
5 that particular telephone," you hang up and you just  
6 punch in a code and you will no longer receive phone  
7 calls from that particular telephone. In conjunction  
8 with another means of -- technology I believe is  
9 available and that's Call Trace. When someone calls  
10 you, you punch in a code, and the telephone company  
11 will be able to trace where that phone call was placed.

12 Now, with those two methods working in  
13 conjunction with each other, when you get an obscene or  
14 abusive phone call, you punch in the Call Trace, and  
15 the telephone company will trace where that telephone  
16 call was placed from. Second, you hit Call Block and  
17 you will no longer receive telephone calls from that  
18 particular telephone.

19 Now, you say, "Why go through all this?"  
20 What if the person moves to a pay phone? It's the same  
21 problem you'll have on Caller ID. If someone calls you  
22 from their residence and says something obscene and you  
23 say to yourself, "Well, that number he called from was  
24 ---" and you see the number on your little digital  
25 printout on caller ID, you punch that number in and

1 say, "I'm not going to accept any more phone calls from  
2 that number," all the person has to do is go to  
3 different number, and when he calls you, it will show a  
4 different number. You say, "This is fine." You pick  
5 it up and it's the same guy again but from a different  
6 phone.

7 So you have problems with Caller ID. You  
8 have some other problems with what I suggested, but  
9 they are basically the same. One has no greater  
10 potential than the other. However, with Caller ID, I  
11 think the helpfulness that that provides is outweighed  
12 by the need for law enforcement to be able to make  
13 phone calls, undercover phone calls, without the fear  
14 of ruining the investigation, or worse yet, putting law  
15 enforcement officers' lives in danger.

16 And I'm sure there are going to be other  
17 representatives from law enforcement who have more to  
18 say about this particular issue. And I know there are  
19 a lot of people here who want to speak, and I thank you  
20 very much for your time.

21 COMMISSIONER EASLEY: Mr. Brady, can I ask  
22 you a question?

23 WITNESS BRADY: Yes, ma'am.

24 COMMISSIONER EASLEY: Mr. Brady, does your  
25 statement that you all oppose Caller ID represent a



1 change in FDLE position?

2 WITNESS BRADY: We oppose it if we don't have  
3 the alternatives we want implemented. And that is  
4 Southern Bell -- I know Centel has offered the per-call  
5 blocking, which is not to be confused about the  
6 blocking I was referring to, Southern Bell, of course,  
7 has not suggested that. And -- Joe, are you going to  
8 speak about that as far as the problems with --

9 COMMISSIONER EASLEY: I just wanted to make  
10 sure I was clear as to whether or not -- my  
11 understanding was FDLE had taken the position that they  
12 did not oppose Caller ID as long as there was unlimited  
13 blocking or the solutions to law enforcements'  
14 problems. I just wanted to make sure I understood  
15 that.

16 WITNESS BRADY: That's correct, and Mr.  
17 Cocchiarella will be talking about universal call  
18 blocking and things like that.

19 COMMISSIONER EASLEY: Thank you, sir.

20 WITNESS BRADY: Like I said, you already know  
21 our position, and I just wanted to make the audience  
22 clear about basically what our concerns are with law  
23 enforcement.

24 COMMISSIONER EASLEY: Thank you.

25 WITNESS BRADY: Thank you, ma'am.

1 MR. SHREVE: Thank you.

2 (Witness Brady excused. )

3 - - - - -

4 MR. SHREVE: Beck Dunn.

5 BECK DUNN

6 appeared as a witness on behalf of the Citizens of the  
7 State of Florida and, after being first duly sworn,  
8 testified as follows:

9 WITNESS DUNN: Good evening. My name is Beck  
10 Dunn. And I am the President of the Florida Coalition  
11 Against Domestic Violation, and my address is P. O. Box  
12 797, Lakeland, Florida 33802. I'm also the Director of  
13 a Local Domestic Violence Shelter.

14 I'd like to say to you that we are concerned  
15 --- as a coalition of domestic violence programs, we're  
16 concerned for the victim who flees for protection but  
17 must worry about every phone that she picks up. We're  
18 concerned for the victim who cannot trust her own  
19 children on the telephone alone for fear that they may  
20 make a mistake dialing a code or they may just forget  
21 the procedure.

22 We're concerned for every victim who cannot  
23 make ends meet already, yet she is asked to pay for the  
24 privilege of her own privacy and perhaps the privilege  
25 of buying her own life. And we're talking about

1 purchasing freedom which, in our opinion, boils down to  
2 corporate extortion.

3           We're also worried about professionals such  
4 as myself and my Staff who carry beepers and are on  
5 call constantly and must return phone calls from  
6 everywhere, not only our own homes, but we must return  
7 phone calls from homes of our friends or homes of our  
8 colleagues, or various places who may not purchase any  
9 of the blocking devices that are offered by the  
10 telephone system. And I know that a lot of people tell  
11 us that we should go to pay phones. And I'll say to  
12 you concerning the victim that many victims are in  
13 danger of someone even knowing what town she is in.  
14 And I say "she" in the context that we know that 95% of  
15 all reported domestic abuse cases are reported by  
16 women.

17           So I'm telling you that I know people  
18 personally who are right now in fear of someone knowing  
19 what town they live in. Because when you tell someone  
20 who lives in a town of 3,000 that it's okay for someone  
21 to know what town they are in. Anybody, especially the  
22 police officers in the room, can tell you that it would  
23 take me probably two hours to find her in a town that  
24 small if I knew what town she was calling from me. So  
25 the dangers continue.

1 I'd like to just voice a few of the problems  
2 that we have other than the ones I've already  
3 mentioned.

4 We're concerned about the technology. We  
5 know that technology is certainly far beyond the years  
6 that most people realize. But the technology I'm  
7 talking about also includes such things as your ability  
8 to purchase an unlisted, unpublished number. I happen  
9 to have an unlisted, unpublished number, and I can  
10 quote to you in the five years I've had that, that I  
11 have had two people call me who said they got the  
12 number anyhow. And when I contacted the phone system,  
13 what they told me was that a computer was down; that  
14 there was something wrong with their technology and the  
15 person was allowed to get my number anyhow. So we're  
16 concerned that the technology, even though it is very  
17 sophisticated and is very far beyond the years of most  
18 people's imagination, still may have some glitches that  
19 we can't live with, and especially the victims of  
20 domestic violence.

21 In the case of per-call blocking, we know  
22 that that is an offer to us that sounds pretty good on  
23 the surface but for call blocking has some problems.

24 The major problem I see with call blocking is  
25 the fact that not only do adults use the telephone but

1 young children use the phone; and you're asking  
2 sometimes three- and four-year-olds, even a  
3 nine-year-old, to remember a code to punch into the  
4 phone before they make any phone call.

5 I have nieces and nephews and other family  
6 members who are quite sophisticated but to ask them to  
7 remember something like that every time they pick up  
8 the phone is just unreasonable, and to expect a parent  
9 to keep an eye on that child every moment they are in  
10 the house is certainly unreasonable. Of course, the  
11 same argument goes for having visitors. Someone visits  
12 the home and dials the number of an ex-spouse's family,  
13 not even thinking, not even knowing. We're telling  
14 people they have to educate everyone who comes through  
15 their door in order to possess a telephone, and that's  
16 all there is to it for them.

17 As far as telling people that they need to go  
18 to pay phones, I think that most shelters have pay  
19 phones. And one of the things they are offering us is  
20 a per-line blocking. And I don't know if everyone here  
21 knows what per-line blocking means but they are  
22 offering us -- the phone system is offering us the  
23 ability to purchase a block on our own telephone line.  
24 In other words, I buy my telephone and in order to keep  
25 you from finding out my number, I have to pay for that.

1 I have to pay them money, probably in the form of a  
2 monthly fee.

3 Every shelter that I know advises battered  
4 women to get a telephone as soon as you get to where  
5 you are going, that private, secret safe location, get  
6 yourself a telephone.

7 And I can tell you now that battered women  
8 who end up in shelters don't have money. And to get  
9 them to purchase a phone or the services of a phone,  
10 have it installed and pay all the fees attached to  
11 that, and then purchase a per-line blocking service or  
12 even a per-call blocking service, and then a monthly  
13 fee on top of that is really an extraordinary thing.

14 I will say that -- reiterate what Ms. Phoenix  
15 said earlier, that we have been made the offer by the  
16 phone company that perhaps they will issue a blocking  
17 service free of charge to battered women. And they  
18 have offered us the opportunity to become the screeners  
19 for that blocking system.

20 I can only tell you that I do not have enough  
21 insurance to cover the liability involved in screening  
22 someone like that. And I refuse to take that  
23 responsibility, and I don't think that anyone here  
24 would want to pay the price of one life in making a  
25 wrong decision along those lines.

1 I'd also like to say that the Caller ID  
2 system itself poses some problems to general consumers,  
3 not just battered people or victims of violent crimes,  
4 but I pose to you a couple of examples.

5 For example, yourself, you have teenage  
6 children perhaps. You're home and you're screening all  
7 of your calls. You've purchased your service, you're  
8 Caller ID service, and you're not picking up your  
9 telephone for any number you do not recognize, because  
10 that's what it's for, to screen your calls. Well, what  
11 if your teenager has had a wreck? What if they are  
12 lying in a ditch someplace and a police officer from a  
13 strange telephone is trying to get you know that? Or  
14 what if your child is broke down in a rural or remote  
15 area or in a bad neighborhood? I mean, you're not  
16 going to pick up the telephone for your own child, and  
17 I think that poses a very important consumer question  
18 for us.

19 I think that another, just kind of a simple  
20 problem that this poses is the fact you're asking us to  
21 memorize the numbers that we want to block, or maybe  
22 you're asking us to keep a list by our phone of all the  
23 numbers we want to block, that we don't want to respond  
24 to when we see it on our board. But I think that, you  
25 know, I've got a two year old who moves things around,

1 and oh, gosh, where's my list? Am I going to pick up  
2 the phone or not? That sounds a little surface but the  
3 truth is it's a problem. It's going to be a problem  
4 for everyone who has the service.

5           The last thing I'd like to say about that is  
6 that it could actually be dangerous for someone to own  
7 a Caller ID system. And I'm talking about something  
8 that was said to me yesterday by a man. I was sort of  
9 debating this with him and he said to me, "Well, I'll  
10 tell you what, if someone calls my house harassing me,  
11 if someone calls making obscene phone calls, I'm going  
12 to get that Caller ID and I'm going to take care of  
13 this myself." And I'm just sort of debating with him a  
14 little bit and I'm saying, "Yeah, but what if I'm  
15 making that phone call and I dial the wrong number?"  
16 What if I've just accidentally dialed your number and I  
17 happen to be the last brick on your pile of stress, are  
18 you going to come after me?" And he says, "I might."  
19 And I said, "Well, how are you going to deal with that  
20 when you go to jail for beating up an innocent person?"  
21 And he said, "I'll deal with that when it happens."  
22 And I think that's the attitude of a lot of people who  
23 have been getting obscene and harassing phone calls,  
24 they really do intend to enforce something like that,  
25 and I suspect that we could see an era of vigilantism



1 that we haven't seen before.

2 Two final messages to you: I think the  
3 expense of Caller ID is a very important issue, not  
4 just for the common consumer or for battered people but  
5 for everyone. The fact that someone mentioned earlier  
6 that there are just a few services being offered to us  
7 now but wait a year or two and see what kinds of things  
8 we're going to have to purchase.

9 I think that in the area of advertisement, I  
10 know many, many people who buy according to  
11 advertisement. And I know battered women who see the  
12 ads that say, "Buy Caller ID because you'll be able to  
13 tell if someone is calling you." And she automatically  
14 thinks well, "Then the abuser, I'll know his number,  
15 and I'll know whether or not that's him calling me."  
16 And the truth is, she could accomplish the exact same  
17 thing with an inexpensive, ready-to-use answering  
18 machine, which does the exact same thing.

19 Finally, I'd like to close and read to you  
20 something that the Florida Coalition Against Domestic  
21 Violence received from the New Jersey Coalition for  
22 Domestic Violence. I don't know if everyone here  
23 knows, but New Jersey has Caller ID. And my  
24 understanding, according to this letter, is that the  
25 Bell Systems are quoting success in New Jersey, and I

1 would like to read to you from this letter. It is  
2 addressed to the State Domestic Violence Programs from  
3 Barbara M. Price, the Executive Director of the New  
4 Jersey Coalition for Battered Women. It is dated  
5 August 24th, 1990.

6 "It has come to our attention that there is  
7 some incorrect information being dispensed by other  
8 phone companies about the New Jersey Coalition for  
9 Battered Women's position on Caller ID. The Coalition  
10 has serious reservations about Caller ID. The  
11 solutions suggested by the New Jersey Bell involve  
12 additional equipment and phone service which they  
13 insist they will provide free of charge. Our concern  
14 is that even if the solutions they propose how long --  
15 even if --" I'm sorry -- "our concern is that even if  
16 the solutions they propose work, how long will they  
17 provide free service and equipment? Also, as New  
18 Jersey Bell has already learned, each shelter program  
19 is different, which means one solution is not available  
20 for everyone. We're concerned that the need for  
21 individually-designed systems might raise further  
22 issues.

23 "Despite all of this that Caller ID is in  
24 place in New Jersey and has been in there for three  
25 years. It was the first state to have it. The New

1 Jersey Coalition for Battered Women, at this time, is  
2 most interested in securing the safety of battered  
3 women, staff, and volunteers. We are proceeding with a  
4 test project to work with the New Jersey Bell on  
5 solving the concerns that Caller ID presents for our  
6 programs. However, I must make it very clear that our  
7 efforts to have input to solutions that indirectly or  
8 directly affect us and our cooperation with the New  
9 Jersey Bell should not be construed as support by the  
10 Coalition for Caller IDs. We have stated this in  
11 writing to the New Jersey Bell and asked them not to  
12 tell other phone companies that we support Caller  
13 ID."

14 Thank you very much.

15 COMMISSIONER BEARD: Thank you.

16 Questions? Mr. Shreve?

17 MR. SHREVE: No questions.

18 MR. KEENER: No questions.

19 COMMISSIONER BEARD: Thank you very much.

20 WITNESS DUNN: Thank you.

21 (Witness Dunn excused.)

22

23 MR. SHREVE: Mr. Marblestone?

24

25

DON MARBLESTONE

1  
2 appeared as a witness on behalf of the Citizens of the  
3 State of Florida and, having being first duly sworn,  
4 testified as follows:

5 WITNESS MARBLESTONE: Good evening.

6 It looks like you're taking all the negatives  
7 first.

8 My name is Don Marblestone. I'm the Chief  
9 Assistant Statewide Prosecutor for the State of  
10 Florida. I guess I'm here on behalf of my agency, Mr.  
11 Antonacci, and also myself, and I'll try not to  
12 duplicate too much what Mr. Brady has indicated to you  
13 or prospectively what I think Mr. Cocchiarella will  
14 indicate to you.

15 Thirteen of my 16 years I was an attorney has  
16 been spent as a prosecutor. Southern Bell is touting  
17 Caller ID as a panacea for obscene harassing phone  
18 calls. And I'd like to point out that there is no  
19 mechanical capture of the displayed phone number. This  
20 displayed phone number will be of no use in the  
21 prosecution in a courtroom of such a case. Call Trace,  
22 we believe, is the answer. A permanent record is on  
23 file with the phone company; law enforcement will  
24 assist phone company security officers in the  
25 investigation of a case. There will be a permanent

1 record, an electronic permanent record that can be  
2 taken into a court of law to substantiate somebody,  
3 victim of domestic violence, obscene phone call in the  
4 middle of the night, anything of that nature.

5 I notice in the handout here we also have  
6 concerns that the Caller ID could violate Florida  
7 Statute Chapter 934, which is our security of  
8 communications statute, and that at least one Supreme  
9 Court of another state, Pennsylvania, has indicated  
10 that they believe Caller ID violates their Wiretap Act.  
11 And I would point out to the Commission that about two  
12 years ago all of the various states that do have  
13 wiretap or oral intercept legislation similar to  
14 Florida's are now modeled after Title III of the United  
15 States Code. So while I haven't checked Pennsylvania's  
16 statutes, I would --

17 COMMISSIONER EASLEY: They are not the same.

18 WITNESS MARBLESTONE: I'm not saying it is  
19 exactly the same, ma'am, but I am saying that it's  
20 going to be similar, because the Federal authorities  
21 have mandated that all state oral intercept statutory  
22 authorities come in line with Title III of the United  
23 States Code and must meet the muster as to certain  
24 basics and be modeled after that.

25 We currently have in Chapter 934 what is

1 known as "trap and trace, pen registers," things of  
2 that nature. And it might very well be that the Caller  
3 ID that Southern Bell is proposing, if used by a  
4 private citizen, may or may not violate that Chapter;  
5 but, ironically, if used by law enforcement, may very  
6 well violate that Chapter. I also have personal  
7 concerns in light of some recent cases of the Florida  
8 Supreme Court that Caller ID could violate the Privacy  
9 Amendment to the Florida Constitution.

10 I share very much with Mr. Brady that if the  
11 Commission allows any form of Caller ID to be allowed  
12 by Southern Bell, that there must be universal blocking  
13 available on a per-call basis to all consumers. I'm  
14 not saying we would be happy with a system that way,  
15 but if over our objections this system comes to pass,  
16 at the very minimum universal blocking is needed.

17 So far it's my understanding Southern Bell  
18 has not offered universal blocking but has offered  
19 blocking say only to law enforcement. And, of course,  
20 the bad guy in that situation will know the call is  
21 being blocked and it must be an undercover police  
22 officer or informant trying to call me.

23 I share with Mr. Brady and I'm sure with Mr.  
24 Cocchiarella the prospective danger to law enforcement  
25 officers, their families, police undercover informants

1 and their families. You know, please undercover work  
2 is not a 9-to-5 job, and very frequently investigations  
3 that I have been involved in, informants and undercover  
4 police officers at all times, day or night, have had to  
5 make calls to "bad guys," as Mr. Brady referred to  
6 them. That sometimes necessitates a police officer  
7 from his own home, his own dwelling, calling the bad  
8 guys.

9           Also, most police agencies that are  
10 conducting any type of undercover operations normally  
11 have within the police agency what is called, sometimes  
12 referred to as a "called line." And that would be not  
13 necessarily if you pick up the line, that they would  
14 say, "Such and such police department," but it is a  
15 regular telephone line going into the police agency  
16 that is used for such things.

17           There are ways that anybody, legitimately or  
18 illegitimately, if they know the number of the  
19 telephone caller, can trace back through  
20 cross-reference directories, or other methods, what  
21 have you -- I guess some of the more ingenious bill  
22 collectors would know exactly how to do this and find  
23 out the physical location of that number.

24           As I believe Attorney General Butterworth has  
25 communicated to the Public Service Commission, the only

1 benefit -- the real benefit that will really come out  
2 of Caller ID is to aide telemarketers, boiler-room  
3 operators, and other people, whose goal is to fleece  
4 the public. They'll be able to target certain groups  
5 of individuals, for example, the elderly. They can run  
6 a series of advertisements with a number to call that  
7 might interest say, any particular group -- I'll use  
8 the elderly as an example. All they have to do is call  
9 that group, say, to get information on Medicare  
10 assistance or something like that. And then that  
11 boiler room captures that phone number, and from that  
12 phone number, they now have an identifiable group that  
13 they can then attempt to fleece, whether it's penny  
14 stock manipulators or any other kind of fraud artists  
15 that are permeating the state of Florida and have been  
16 for a couple of decades.

17 I think this is a threat. It's worse than  
18 the blanket sales of mailing lists. As a consumer like  
19 Mr. Brady, speaking personally who has a nonpublished,  
20 nonlisted phone number, it's inconceivable to me that  
21 Southern Bell would want me to pay extra amount of  
22 money every month to be nonpublished, nonlisted, yet  
23 every time I call the hardware store, the gas station,  
24 wherever, they are automatically going to know my phone  
25 number, unless I, again, purchase another service from



1 them, which they may or may not make available,  
2 universal blocking. They are trying to catch the  
3 consumer at both ends.

4 I almost feel like Southern Bell, instead of  
5 the little Bell insignia, ought to have the dollar sign  
6 insignia, because I believe that Southern Bell -- their  
7 only motivation in this is not to serve the public,  
8 it's to make money. The people they are going to make  
9 money from are not Mr. and Mrs. Middle America out  
10 there going about their daily business. It is the  
11 telemarketers, the boiler-room operators, and the other  
12 individuals that use the phone as a tool to make money.

13 I'll wind up now because I know there are a  
14 lot of people here that want to address you.

15 A few years ago you all may remember, we had  
16 a national debate in this country. We had a debate in  
17 the state of Florida regarding so-called armor-piercing  
18 bullets, armor-piercing ammunition. And the gun  
19 manufacturers, the ammunition manufacturers, certain  
20 other groups said, "This is a perfectly legal product.  
21 This is going to benefit the hunters, and this is going  
22 to do this, and it's perfectly legitimate." And, in  
23 fact, those business entities just wanted to make money  
24 by selling that ammunition -- but you don't need an  
25 armor-piercing bullet to take down a deer or a squirrel

1 or a turkey. In fact, what they are is designed to  
2 kill individuals and, in fact, pierce the bullet-proof  
3 vests of police officers.

4 And I ask this Commission to consider very  
5 carefully the fact that Caller ID would be the  
6 electronic armor-piercing bullet of the '90s.

7 Thank you.

8 MR. KEENER: Let me clarify the record that  
9 Mr. Marblestone pointed out that the Pennsylvania  
10 Supreme Court has made a decision regarding Caller ID.  
11 Just to correct the record, it's a lower appellate  
12 court in Pennsylvania that has made that decision. The  
13 Supreme Court in Pennsylvania hasn't heard the matter.

14 MR. SHREVE: Thank you. Valerie Sciamonte.

15

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16

VALERIE SCIAMONTE

17 appeared as a witness on behalf of the Citizens of the  
18 State of Florida and, having been first duly sworn,  
19 testified as follows:

20 WITNESS SCIAMONTE: My name is Valerie  
21 Sciamonte and I live in Orlando, Florida, and I'm for  
22 the service for two reasons. One, it would give me a  
23 lot more privacy at home. I could determine whether I  
24 wanted to answer the phone or not. And second of all,  
25 it would reduce obscene phone calls. Thank you.

1 COMMISSIONER EASLEY: Hold on just a minute.

2 COMMISSIONER BEARD: Questions?

3 MR. KEENER: No questions.

4 COMMISSIONER BEARD: Mr. Shreve?

5 MR. SHREVE: No questions.

6 COMMISSIONER BEARD: Thank you ma'am.

7 Appreciate it.

8 MR. SHREVE: Rita Smith.

9 - - - - -

10 RITA SMITH

11 appeared as a witness on behalf of the Citizens of the  
12 State of Florida and, having been first duly sworn,  
13 testified as follows:

14 WITNESS SMITH: My name is Rita Smith, and I  
15 live in Winter Haven, Florida, 900 Avenue M, Southeast.

16 I want to make two points. One is that I can  
17 screen my own phone calls, and I would rather do that  
18 than have to pay an extra service for that. In  
19 addition to one service to find Caller ID and the  
20 second service I'd have to additionally pay for if I  
21 wanted to block my Caller ID going out. So I find it  
22 interesting that we have to pay for services. Not  
23 being listed in the phone book, you know, that's an  
24 interesting process all by itself; to have an unlisted  
25 number, and they are not doing anything except keeping

1 you out. It's an interesting process.

2           The other thing I want to make is that any  
3 personal comfort to myself I think is clearly  
4 outweighed by the number and types of people who are  
5 asking you not to do this. The reasons that they are  
6 telling you are life threatening reasons. The reasons  
7 are very, very good reasons, and for my own personal  
8 comfort to be at issue here I think, for me as an  
9 individual, it just doesn't weigh. There is not even a  
10 question here. And addressing you, representing the  
11 Public Service Commission, I expect you to represent me  
12 as the public. That's the power you have been given  
13 and that's what you have been asked to do as a  
14 Commissioner. And as a member of the public and  
15 certainly agencies and organizations that are serving  
16 the public are telling you, "This isn't a good idea.  
17 We don't want it." There are too many questions  
18 involved in it. And this is a corporation over here  
19 asking to make money. And that just doesn't weigh very  
20 well, in my opinion, and as a Public Service  
21 Commission, I expecting you to respond to us as the  
22 public and to do what we're asking you to do in very  
23 large numbers all over the state. I think that's all I  
24 wanted to say at this point.

25           COMMISSIONER EASLEY: Questions?

1 MR. KEENER: No questions.

2 MR. SHREVE: None. Thank you. Mr. Collins.

3 - - - - -

4 TOM COLLINS

5 appeared as a witness on behalf of the Citizens of the  
6 State of Florida and, having been first duly sworn,  
7 testified as follows:

8 WITNESS COLLINS: I'm Tom Collins. I'm Chief  
9 of Police in Apopka. I have been such for the last 24  
10 years, that or the Sheriff's Department.

11 I want to state before I read my letter that  
12 I have -- no one belongs to Southern Bell. I have no  
13 interest in Southern Bell, in money or otherwise. But  
14 I've studied this a little bit. I will read my letter  
15 and then I will make some additional remarks.

16 "I viewed the Caller ID system and would like  
17 to relate to you the advantage I see in the system  
18 becoming available to the citizens of Apopka.

19 It deters annoyance calls with the abuser  
20 realizing the system can be installed identifying the  
21 location he is calling from at the time. I understand  
22 in New Jersey annoyance calls were reduced by 50%. In  
23 today's society, law enforcement has its hands full  
24 investigating serious crimes without tracking annoyance  
25 telephone calls. With this system, the calling

1 telephone number is provided immediate rather than  
2 waiting for weeks so remedy action can begin sooner.  
3 In addition, it provides a better record of calling  
4 telephone numbers. Southern Bell has always worked  
5 well with law enforcement to resolve their mutual  
6 problems, and I feel will continue to do the same in  
7 the future."

8 I would like to add the justice system, as  
9 such -- and by the way I'm retiring in February --  
10 there's a lot of crimes I would like to see cut down.  
11 There's a lot of justice I would like to see advanced.  
12 At the present time, the young people that are stealing  
13 cars have figured out ways to all of the different type  
14 of things that they put on they will to keep from  
15 stealing their cars, yet it takes them seven seconds to  
16 get in it and about five seconds to drive it away.

17 Secondly, I feel that they can put some  
18 tracing -- the tracing I have been familiar with. And  
19 tell me let you, for a small town, you can take the  
20 numbers of the telephone, and if one wants to sit long  
21 enough, say in the city of Apopka 886, he can start at  
22 886-0000 and stick around all night, and eventually, he  
23 will call you whether you have a private phone are not.  
24 Just knowing those numbers. So that's how some of the  
25 private phones they call in on.

1           Secondly, I'm interested in the people that I  
2 visit that have received these calls, the older people  
3 that are frightened. They are frightened to the point  
4 that -- I'm really in it for the elderly part since I'm  
5 in that category too, and still will be kicking as long  
6 as I can, I feel that we owe it to them. And I'm not  
7 going to threaten you. I think we do, as Supreme Court  
8 or anybody else feels in doing, we are obligated to  
9 everybody. And if the weight of what it will do to the  
10 people in helping them outweighs the people that are  
11 against or for it, then we owe it to our conscience to  
12 sit there and come up with what we think is right.

13 Thank you very much.

14           COMMISSIONER BEARD: Thank you. Questions?

15           MR. SHREVE: No questions.

16           COMMISSIONER EASLEY: Chief, do you have a  
17 copy of that letter for the court reporter, please,  
18 sir?

19           WITNESS COLLINS: Sure will. I remember you  
20 when you were over in the legislature. (Laughter)

21           COMMISSIONER EASLEY: I thought you weren't  
22 going to tell on me.

23           MR. SHREVE: Renette Dall'au.

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RENETTE DALL'AU

appeared as a witness on behalf of the Citizens of the State of Florida and, having been first duly sworn, testified as follows:

WITNESS DALL'AU: My name is Renette Dall'au. I live in Altamonte Springs, Florida.

I do have an unlisted phone number and I find it distressing to think that I would have to pay to have my phone number blocked. I have had the same number for 15 years, and I don't get harassing phone calls because I'm very picky about who gets my number.

The first thing that I thought of when I heard about this was it would be similar to when HBO came into my area if I had to pay not to get it. I don't think it's right to pay for something to be prevented. People who want it I think should pay for it, but those of us who don't shouldn't have to pay not to get it. Thank you. (Applause.)

MR. SHREVE: Thank you. Judith Bittmann.

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JUDITH BITTMANN

appeared as a witness on behalf of the Citizens of the State of Florida and, having been first duly sworn, testified as follows:

WITNESS BITTMANN: I'm Judy Bittmann. I live



1 in Orlando, Florida. And I'm the Past President of  
2 Spouse Abuse, Incorporated, which is the local domestic  
3 violence program.

4 You've heard from the Florida Coalition  
5 Against Domestic Violence, the general concerns and  
6 very specific concerns that we have.

7 Southern Bell today told us that the Company  
8 would be willing to provide for every shelter, every  
9 Staff member, every volunteer and every battered woman  
10 that we could document free line blocking and that  
11 certainly does address a large concern that the  
12 Coalition and the individual shelters have had.

13 I have two concerns about that -- three.  
14 One, the Staff time that would be necessary to maintain  
15 the ongoing documentation. In our shelter, which only  
16 serves 2-1/2 counties in Central Florida, we receive  
17 approximately 350 phone calls a month from victims of  
18 domestic violence, and no more than 25% of those calls  
19 are repeat calls. The rest of them are all victims who  
20 are new to us.

21 COMMISSIONER EASLEY: Say that number again,  
22 what the percentage of the 350 --

23 WITNESS BITTMANN: 25% are repeat calls.

24 COMMISSIONER EASLEY: Thank you.

25 WITNESS BITTMANN: 75% of that 350 are people

1 who have not called us before seeking assistance. I  
2 have this vision of a boondoggle somewhere in there. I  
3 have been trying to maintain a daily contact with  
4 Southern Bell just to feed in the local numbers here  
5 and there are 29 shelters all over the state.

6 My second concern has to do with victims of  
7 domestic violence who never call a formal program for  
8 help but rely on family members, friends, co-workers.  
9 If the lines are not blocked, those calls would be  
10 immediately viable to the abusive partner who is  
11 probably living right there in the home.

12 And my third concern has, again, to do with  
13 numbers. Extrapolated from FBI statistics, 50% of the  
14 women in this country can expect to be battered by an  
15 intimate partner during their lifetime. 50% of the  
16 women in Florida potentially are victims of battering;  
17 physical abuse by an intimate partner. That seems to  
18 me an incredible number of telephone lines that would  
19 need to be blocked. When, in fact, they needn't be  
20 blocked if they don't purchase the service in the first  
21 place. Thank you.

22 COMMISSIONER BEARD: Thank you. Questions?

23 MR. KEENER: No questions.

24 MR. SHREVE: No questions. Thank you, ma'am.

25 WITNESS BITTMANN: Thank you.

1 MR. SHREVE: Mr. Don Nicholas.

2

3

DON NICHOLAS

4 appeared as a witness on behalf of the Citizens of the  
5 State of Florida and, having been first duly sworn,  
6 testified as follows:

7 WITNESS NICHOLAS: Good evening. My name is  
8 Don Nicholas. I'm from the Seminole County School  
9 Board. I'm representing Robert Hughes, the  
10 Superintendent who could not be here tonight, and wish  
11 to read a letter he has written to you.

12 "As a former teacher, principal and now as  
13 superintendant of Seminole County Schools, I believe  
14 that the new service, Caller ID, would be extremely  
15 beneficial to the public. Obviously, obscene and  
16 harassing telephone calls, as well as bomb threats,  
17 would diminish significantly if such a service were  
18 made available to us. In fact, we currently are trying  
19 to investigate a complaint by one of our teachers who  
20 is receiving harassing calls.

21 "Concern for my students and employees and  
22 their personal security and safety is one of my highest  
23 priorities. I feel that Caller ID would provide a  
24 giant step towards improving both their safety and  
25 their sense of security. Sincerely, Robert Hughes,

1 Superintendent."

2 COMMISSIONER BEARD: Thank you.

3 MR. KEENER: No questions.

4 MR. SHREVE: No questions. Are you going to  
5 allow questions from anyone?

6 COMMISSIONER BEARD: I want to hear from the  
7 public first, okay?

8 MR. SHREVE: No, I don't mean from me, okay?

9 COMMISSIONER BEARD: Well, like I said, I'd  
10 like to hear from everybody first because there are  
11 some people here that are not going to be in  
12 Tallahassee in this instance. They will be, and they  
13 will be able to ask some questions.

14 MR. SHREVE: He wanted to ask a question of  
15 that witness. Okay?

16 COMMISSIONER BEARD: I'm sorry, I  
17 misunderstood. I thought you wanted to question  
18 Southern Bell. I think we need to hear everybody's  
19 opinion first, and then if there is a question perhaps  
20 you can get with him on break and ask him. Go ahead.

21 MR. SHREVE: Ms. Meyers.

22

23

CHARLOTTE MEYERS

24 appeared as a witness on behalf of the Citizens of the  
25 State of Florida and, having been first duly sworn,

1 testified as follows:

2 WITNESS MEYERS: Good evening. I'm Charlotte  
3 Meyers from Ormond Beach, Florida, in Volusia County.

4 I presently serve as Chairman of the School  
5 Advisory Committee of an elementary school in Holly  
6 Hill, Florida, and I'm in favor of Caller ID.  
7 Basically, because as my position as School Advisory  
8 Board Chairman, I sometimes receive harassing or  
9 threatening calls from school parents which at 10 and  
10 11:00 I don't appreciate. Also, I have received calls  
11 where they will hang up on me. The position that  
12 sometimes the advisory board takes on matters  
13 concerning the school is not always popular, and I feel  
14 this service will be beneficial to myself. Thank you.

15 COMMISSIONER EASLEY: Thank you, ma'am.

16 COMMISSIONER BEARD: Questions?

17 MR. KEENER: No questions.

18 MR. SHREVE: No questions. Thank you.

19 Mr. John Weyrick.

20 - - - - -

21 JOHN WEYRICK

22 appeared as a witness on behalf of the Citizens of the  
23 State of Florida and, having been first duly sworn,  
24 testified as follows:

25 WITNESS WEYRICK: It's John Weyrick. Do you

1 need my address? It's P.O. Box 555831, Orlando,  
2 32855. Phone number is 299-3717.

3 COMMISSIONER BEARD: Not unpublished, right?

4 WITNESS WEYRICK: But I don't work for  
5 Southern Bell and that will become apparent. But I  
6 would tell everyone the real reason why this meeting  
7 has to be here tonight.

8 First off is you all are talking about Caller  
9 ID. And New Jersey wasn't the first, in fact,  
10 Harrisburg, Pennsylvania and Orlando, Florida -- how  
11 many people had it? Anybody in the room? Okay. Well  
12 it made the Wall Street Journal, front page. I was one  
13 of the people that had it. I will be glad to submit  
14 this stuff. In '85 I had Caller ID here in Orlando,  
15 Florida. So for those of you who haven't had it, you  
16 are listening to secondhand information, hearsay and  
17 innuendo. Because I am one who had it.

18 The real reason why we're here -- well, you  
19 know, it already exists on 911. The house across the  
20 street from me caught on fire. I ran out with my  
21 wireless telephone and by the time I dialed 911, they  
22 told me my address, my mother's maiden name, my hair  
23 color, everything. So it already exists. The  
24 technology exists. I'm sure there were people telling  
25 Columbus not to sail west.

1                   But it already exists. By the way, a  
 2 wireless telephone is a little radio transmitter.  
 3 Speaking of radio transmitters, there is a movie out  
 4 now starring Christian Slater called, "Pump Up the  
 5 Volume." And for police and the people from the  
 6 battered spouse should see that movie. There is a  
 7 bunch of junk in it, but there is a scene where our guy  
 8 is having his phone traced. And we all think that's  
 9 the end of the movie. And the police sirens are  
 10 wailing and he outwits them. And I won't break the  
 11 plot by telling you how he did it, but it was  
 12 definitely a palm against the forehead. It was so  
 13 easy. Kids that know Intendo and they're out doing  
 14 things to computers. It's easy. If somebody wants to,  
 15 you know, to be beat the technology.

16                   But the reason we're here. The reason we're  
 17 here. We had this system here in 1985 in Orlando. And  
 18 I'll tell you the Southern Bell advertising campaign  
 19 missed the boat. They're out of Atlanta, I understand.  
 20 I think they were all thinking about the Olympics It  
 21 was the worse advertising campaign because it: a)  
 22 Didn't inform anybody and, b) Misled the people that  
 23 did tell. It was a terrible advertising campaign. A  
 24 five-year-old could have come up with a better plan  
 25 because they missed the boat completely.

1                   They had a Mad Magazine cartoonist doing  
 2 pictures -- did you not all catch this? Where was  
 3 everybody. Singing in the shower, the phone rings and  
 4 things, they missed what it was about. And, possibly,  
 5 to put some people at ease, let me share with you that,  
 6 as a businessman, I want this plan because it does two  
 7 things for me.

8                   It does -- have you ever had a secretary give  
 9 you the wrong number? My number is 3717. Did you get  
 10 it 3117 or make a mistake? This stores up to 30  
 11 numbers. So I have a way to document it.

12                   Have you ever had an answering machine and  
 13 someone talks on it like me, too long, and goes on and  
 14 on, "I want to hear from you and call me at" -- and the  
 15 tape runs out. Let me assure you that I believe the  
 16 business of America is business. And I am here to say  
 17 that Caller ID, that we've already had, is a great boon  
 18 to business. If it costs more that's one of the  
 19 prices. Let me share with people that are worried  
 20 about phone lines -- the cellular phones, I'm around  
 21 people all the time that are carrying them, now. There  
 22 are restaurants that say, "No cellular phones," and you  
 23 know it's only a little while before we'll have it on  
 24 your wrist. You know, why keep fighting it? It's  
 25 already been here once. I want to see it come back.



1 Any questions? (Laughter)

2 COMMISSIONER EASLEY: Just one I have to ask.  
3 I'll bet everybody in the room wants to know. What  
4 business are you in? (Laughter)

5 WITNESS WEYRICK: I charge by the word. I'm  
6 a mobile disk jockey. I do private parties, wedding  
7 receptions, class reunions.

8 COMMISSIONER EASLEY: I should have know.  
9 (Laughter)

10 WITNESS WEYRICK: And I'm also in a couple of  
11 movies and commercials. Watch real close; you'll see  
12 me in a few of them, usually in the background.  
13 (Laughter)

14 COMMISSIONER EASLEY: I didn't get a fee to  
15 asking him guys. I really didn't. (Laughter)

16 WITNESS WEYRICK: Thanks.

17 COMMISSIONER BEARD: Thank you.

18 (Witness Wyrick excused.)

19 - - - - -

20 MR. SHREVE: Janice hofmeister.

21 JANICE HOFMEISTER

22 I'm Janice Hofmeister, Post Office Box  
23 700601, St. Cloud, Florida.

24 I'm a private consumer and I want to say that  
25 I am in favor of Call Identifier. I feel that I have a

1 right to know who is calling me. Thank you.

2 COMMISSIONER EASLEY: Thank you, ma'am.

3 COMMISSIONER BEARD: Thank you.

4 COMMISSIONER EASLEY: Any questions?

5 MR. SHREVE: No questions.

6 COMMISSIONER BEARD: Okay. Go ahead, Mr. Shreve.

7 MR. SHREVE: Mr. Mark Dotson.

8 - - - - -

9 MARK DOTSON

10 appeared as a witness on behalf of the Citizens of the  
11 State of Florida and, having been first duly sworn,  
12 testified as follows:

13 WITNESS DOTSON: Good evening. I'm Mark  
14 Dotson. I'm here to represent Dominos Pizza, a  
15 Michigan based company. I'd like to read a statement  
16 that was sent from my corporate offices, if I may.

17 COMMISSIONER EASLEY: Come a little closer  
18 Mr. Dotson.

19 WITNESS DOTSON: I'm sorry. I said I'd like  
20 to read a statement that was sent from my corporate  
21 office.

22 "Dominos Pizza is a Michigan-based company  
23 which specializes in the sale of delivered pizzas to  
24 its customers' homes and places of business.

25 The corporation presently has 5,500 stores

1 located in all 50 states, the District of Columbia and  
2 20 foreign countries. The number is currently  
3 expanding at a rate of approximately one store per day,  
4 per system. Presently 375 of these stores are located  
5 in the state of Florida. Because Dominos Pizza's  
6 primary thrust is delivering, approximately 80% of our  
7 business consists of orders for delivery placed to us  
8 by telephone.

9 "We offer an unconditional guarantee of  
10 delivery within 30 minutes or refund to the customer a  
11 minimum \$3.00 per failure to meet a 30-minute deadline.  
12 This business is heavily dependent upon telephones and  
13 the accurate telephone number and address information  
14 is crucial to meeting the 30-minute delivery commitment.  
15 Additionally, because Dominos Pizza is a visible company,  
16 our stores and drivers are highly susceptible to  
17 fraudulent orders, robbery and even violence.

18 "Systemwide, 462,000 orders were  
19 undeliverable last year. Accounting for \$4,620,000 in  
20 lost revenues to the company. For the first six months  
21 of 1990, 32,730 orders have been undeliverable in the  
22 state of Florida resulting in \$500,1100 -- \$514,113 in  
23 lost revenue. Lost revenue, while significant, is  
24 subordinate to considerations of security for Dominos  
25 Pizza employees.

1           "Each year a significant number of Dominos  
2 Pizza drivers are victims of robbery. Approximately  
3 two-thirds of these robberies are armed robberies where  
4 lives of our drivers have been jeopardized. In an  
5 overwhelming majority of these security incidents,  
6 drivers are setup through a fraudulent order. If  
7 Caller ID or like service is made available, incidents  
8 like these could be virtually eliminated. And in those  
9 cases where a robbery did take place, valuable  
10 information about those responsible could be furnished  
11 to authorities in a timely manner. In northern New  
12 Jersey where 14 stores have been equipped with Caller  
13 ID on a test base, undeliverable orders have been  
14 reduced by more than 90%. No driver robberies have  
15 occurred since the feature's installation despite the  
16 fact that the stores are located into a high security  
17 area.

18           "Presently, in an area where robberies or  
19 undeliverable orders are prevalent, stores call back  
20 customers to verify orders since the thief is unlikely  
21 to give the correct telephone number when placing a  
22 bogus order. This creates an inconvenience for the  
23 store and customers since an extra step is required in  
24 the order process, yet the only effective way to  
25 eliminate potential criminal activity.

1            "This also creates a negative customer  
2 perception since there is a question about the  
3 customer's veracity. In such areas where Caller ID can  
4 enable businesses to enhance service to customers by  
5 enabling those placing legitimate orders to receive the  
6 product in a more timely basis, less cumbersome manner  
7 and since calls where the Caller ID display would be  
8 would be readily acceptable as legitimate. Those that  
9 did not match would be screened more closely. And if a  
10 legitimate reason for a difference exists, an example  
11 being an order from an office or a friend's residence,  
12 we would continue to serve that customer.

13            "As for those who argue that Caller ID can be  
14 used to red line, that is refuse service to an area  
15 based on its telephone exchange, Dominos Pizza believes  
16 this is unlikely. To the contrary, Caller ID provides  
17 a means to differentiate between valid orders from  
18 those that are suspect, enabling the Company to once  
19 again serve an area which may previously have been  
20 judged too risky to service because of a high rate of  
21 robbery, or undeliverable orders. Further telephone  
22 exchange is most often a very poor indicator of the  
23 area's economic status or safety. For example, in  
24 Michigan, the second poorest city in the state shares a  
25 telephone exchange with the second wealthiest community

1 in the country. Therefore, we believe that the  
2 tendency to use this feature to red line would be  
3 minimal as well as ill-advised.

4 "As for the issue of preserving the privacy  
5 of entities such as undercover police officers,  
6 community mental health workers, rape crisis centers  
7 and shelters for battered spouses, identifying  
8 information for these subscribers could be excluded on  
9 a case-by-case basis and we support this. However, we  
10 believe that a blanket denial of Caller ID information  
11 from nonpublished numbers would neither serve the best  
12 interest of the customers with nonpublished numbers nor  
13 those subscribing to Caller Id service.

14 "Finally, on the issue of telephone  
15 marketing, Caller ID only becomes a source of junk  
16 calls for those whose telephone number is already  
17 published in the telephone directory or for those whose  
18 identity is known to the called party. By and large,  
19 nonpublished numbers are not available through  
20 published third-party databases and they are never  
21 available from the telephone company directory or  
22 directory assistance.

23 "Therefore, Caller ID is no more likely to  
24 become a source of junk calls than a consumer credit  
25 card account or a low budget boilerroom telemarketing

1 operation, which instructs its employees to dial all  
2 the numbers in a telephone exchange sequentially to give  
3 a sales pitch. We believe, therefore, that this is an  
4 insignificant problem.

5 "On the other hand, the information can  
6 legitimately be used to contact customers on a quality  
7 survey basis. In this respect, it can actually yield  
8 consumer benefit. Dominos Pizza, for instance, would  
9 use this information to call random customers to make  
10 sure that the product and service that they received  
11 was satisfactory.

12 "In summary, Domino Pizza, Incorporated,  
13 urges the Florida Public Service Commission to act  
14 favorably upon Southern Bell Telephone Company's  
15 request to offer Caller ID. We believe the potential  
16 benefits to consumers and businesses in increased  
17 security, preservation of revenues and consequently  
18 lower prices far outweighs any perceived compromises to  
19 the right of privacy. We further believe that the  
20 present technology makes available the necessary  
21 safeguards to ensure the privacy of an individual who  
22 desires or requires it."

23 COMMISSIONER BEARD: Let me ask you a  
24 question. I guess it's curiosity. If I had an  
25 unpublished number and called you to order a pizza, and

1 you said, "What's your number to call back?" And I  
2 say, "I'm sorry, I don't give the number out. It's  
3 unpublished," what do you all do?

4 WITNESS DOTSON: Frankly, I can't take your  
5 order. I'm the Supervisor of Telecommunication and  
6 Data and control the one-number system that's here in  
7 Orlando. Unless we have a telephone number from a  
8 customer, because of security, we cannot deliver a  
9 pizza or we're not supposed to.

10 COMMISSIONER BEARD: Okay. Just curious.  
11 Other questions?

12 MR. SHREVE: Along that same line, then if  
13 you received a call and had Caller ID and it was  
14 blocked, then you would probably not deliver the pizza?

15 WITNESS DOTSON: If it was blocked -- I'm  
16 going an assume here and someone can correct me if I'm  
17 wrong -- we will have a way of knowing that that is, in  
18 fact, blocked, correct? I mean it's not --

19 COMMISSIONER EASLEY: That hasn't been  
20 decided.

21 MR. SHREVE: If it doesn't come on the  
22 screen, I guess --

23 WITNESS DOTSON: Right, if it doesn't come up  
24 on the screen, I can assume it's blocked, correct?

25 COMMISSIONER BEARD: Yeah. Or you've got a



1 broken machine, one.

2 WITNESS DOTSON: Yeah. Plug it back in.  
3 Dumb answer, okay. There would be a way around that  
4 because there are some customers out there --

5 MR. SHREVE: How would you get around that?

6 WITNESS DOTSON: As I was saying, I have some  
7 customers out there right now that have unlisted,  
8 unpublished numbers that will not give it out. I have  
9 dealt with that in the means of taking a code from them  
10 where I know who they are, and no one else does,  
11 basically.

12 MR. SHREVE: Would you have some way to  
13 determine if a call were blocked that it was blocked by  
14 a friendly caller?

15 WITNESS DOTSON: If it's blocked, I'm going  
16 to be assuming it's blocked for a very good reason and  
17 I wouldn't pry beyond that point.

18 COMMISSIONER EASLEY: You would be talking to  
19 -- what you're saying, I assume, you would be talking  
20 to them, you'd get this code from them even though the  
21 machine didn't display the number.

22 WITNESS DOTSON: Right.

23 MR. SHREVE: Let's suppose it was blocked on  
24 a per-call basis for a fee. Then you would not be able  
25 to get around that, is that correct? Is that what you

1 are saying?

2 WITNESS DOTSON: By the terms of the  
3 corporation, no I couldn't. Because if it's on a  
4 per-call basis, if I understand that, that you first  
5 punch a code before you dial the phone number and then  
6 the call is blocked at that point? Okay.

7 At that point I would not be able to take an  
8 order from the customer strictly because I can't ensure  
9 the security of my personnel that are going out in the  
10 field.

11 COMMISSIONER EASLEY: Now, that doesn't make  
12 any sense. Forgive me, but --

13 WITNESS DOTSON: Okay. I'm sorry.

14 COMMISSIONER EASLEY: -- if you can talk to  
15 the -- unless you would not take the phone call.

16 WITNESS DOTSON: No, I would take the phone  
17 call.

18 COMMISSIONER EASLEY: Because if you can take  
19 the phone call and this guy is one of your unlisted,  
20 unpublished phone numbers, and you can get the code,  
21 you can still deliver

22 WITNESS DOTSON: Yes. If on the other hand,  
23 it was not one of those people, that's what I meant, I  
24 couldn't take the order.

25 COMMISSIONER BEARD: You would truly block

1 calls just like you do an unpublished call now.

2 WITNESS DOTSON: Exactly.

3 COMMISSIONER BEARD: You'd have a prearranged  
4 code, an arrangement with you, or you will not -- you  
5 are not willing to deliver to a number that is not  
6 taken care of.

7 WITNESS DOTSON: That's correct, sir. I  
8 can't.

9 COMMISSIONER BEARD: Okay, okay.

10 MR. SHREVE: So, they would make arrangements  
11 with you ahead of time. If anyone were going to block  
12 a call, they'd make arrangements with you ahead of  
13 time. They would be on your list and then you would  
14 deliver.

15 WITNESS DOTSON: I would speak to them and  
16 see if I could make arrangements at that time for that  
17 matter.

18 MR. SHREVE: Okay. Thank you.

19 COMMISSIONER BEARD: We only brought one  
20 court reporter with us tonight, and she and I probably  
21 need a break at least for a few minutes. We can take a  
22 brief break and then we'll reconvene shortly.

23 (Brief recess.)

24

25 COMMISSIONER BEARD: Okay. If we could go

1 back on the record. If I can briefly, just for the  
2 record, I have a letter that was delivered by Major  
3 James Smeltzer, representing Chief Dennis Peterson from  
4 the Oviedo Police Department who had to leave, so I  
5 will simply give that to the court reporter so it can  
6 be entered on the correspondence side of the record.

7 MR. SHREVE: Commissioner, did you, at this  
8 time, want to give the opportunity to anyone who would  
9 like to agree with any other testimony or anything,  
10 or do you want to take some other witnesses.

11 COMMISSIONER BEARD: A couple things if I  
12 can. We have a large number of people, obviously, that  
13 want to be heard. For expediency purposes, if you want  
14 to, if you have heard somebody else's testimony earlier  
15 and you simply want to come forward and say, "My name  
16 is Tom Beard and I wish to adopt the testimony of so  
17 and so because I agree with exactly what they have said  
18 and they've covered my points." That, in fact, is the  
19 way we'll treat that. It only saves a little time.  
20 Obviously, if you prefer to put it in your own words,  
21 please feel free to do so.

22 There have been a number of people that have  
23 come in and signed up since I have sworn in the  
24 original people that were here first. If I can, those  
25 of you who have signed up to testify, if you would

1 please stand and let me swear you in just for the  
2 purposes of the record, if you don't mind.

3 (Witnesses simultaneously sworn.)

4 MR. SHREVE: Carolyn Pool.

5 - - - - -

6 CAROLYN POOL

7 appeared as a witness on behalf of the Citizens of the  
8 State of Florida and, having been first duly sworn,  
9 testified as follows:

10 WITNESS POOL: I'm Carolyn Pool, Ormond  
11 Beach, Florida, Volusia County and I wish to adopt the  
12 testimony of Charlotte Meyers.

13 COMMISSIONER EASLEY: Thank you ma'am.

14 COMMISSIONER BEARD: Thank you.

15 MR. SHREVE: Charlotte Meyers.

16 MS. MEYERS: I've already testified.

17 MR. SHREVE: Okay. Eric Meyers.

18 - - - - -

19 ERIC MEYERS

20 appeared as a witness on behalf of the Citizens of the  
21 State of Florida and, having been first duly sworn,  
22 testified as follows:

23 WITNESS MEYERS: Good evening. My name is  
24 Eric Meyers and I'm President of the Riviera Country  
25 Club at 500 Calle Grande in Ormond Breech, Florida.

1 And being in the golf business, I would like to  
 2 advocate that we are service oriented and, therefore,  
 3 we do rely heavily on our services, whether they be  
 4 selling reservations on the first tee or reservations  
 5 in the restaurant area. And I do feel in favor of  
 6 Dialer ID, of Caller ID, because there are times that,  
 7 if someone were out to say, "Okay we're just going to  
 8 just use up your tee times." And we're not a big  
 9 business like Dominos, but speaking from a small  
 10 business, economically that would be a benefit to our  
 11 line of business. So I do thank you.

12 COMMISSIONER BEARD: Thank you.

13 MR. SHREVE: Karen Skinner.

14 - - - - -

15 KAREN SKINNER  
 16 appeared as a witness on behalf of the Citizens of the  
 17 State of Florida and, having been first duly sworn,  
 18 testified as follows:

19 WITNESS SKINNER: Good evening. My name is  
 20 Karen Skinner and I reside in Seminole County. I'm  
 21 volunteer of Child Advocacy for Seminole and Orange  
 22 Counties here to represent the children who have been  
 23 victims of abuse and cannot speak for themselves; whose  
 24 mothers, often victims as well, have gone to great  
 25 lengths, in some cases prison, to ensure the safety and

1 well-being of their children, and in the hopes of  
2 preventing the abuser from establishing their  
3 whereabouts.

4           This phone system will supply these  
5 individuals with the information, thereby jeopardizing  
6 the very lives of these women and children. I cannot  
7 stress enough the importance of maintaining anonymity.  
8 I ask you to please consider the serious repercussions  
9 that might result if Caller ID is instituted. Take a  
10 moment, if you will, to remember little Bradley McGee  
11 and Ivy and the atrocities they suffered.

12           There are approximately 2 million child abuse  
13 cases reported annually across the country. Of those  
14 as many as 2 to 5,000 children will die. Statistics  
15 show from 1988 to 1989, in some areas of Florida, a 40%  
16 increase in these incidences of abuse. By the way,  
17 Florida is second in the nation, second highest in the  
18 nation, with an average, annual average, of 138,000  
19 cases. With the increased abuse of drugs and alcohol,  
20 these numbers will continue to rise.

21           I would ask that you look around or even into  
22 the faces of your own children and think about those  
23 innocent children suffering at the hands of an abuser.  
24 Can you, in good conscience, put this action through  
25 knowing the consequences that these women and children

1 might suffer? Is the almighty dollar worth more to you  
 2 than human life? I pray this is not the case. The  
 3 Bible says, "Do unto others as you would have them do  
 4 unto you." Put yourselves in their place. Let your  
 5 conscience be your guide. The very future and lives of  
 6 these children lies in your hands. The only other  
 7 thing that I would like to add to that is that this is  
 8 America and I wonder what happened to freedom of  
 9 choice? Thank you. (Applause)

10 MR. SHREVE: Thank you. Melody Lane.

11 - - - - -

12 MELODY LANE

13 appeared as a witness on behalf of the Citizens of the  
 14 State of Florida and, having been first duly sworn,  
 15 testified as follows:

16 WITNESSSS LANE: Hello, my name is Melody Lane  
 17 and I came over here from Melbourne, Florida tonight to  
 18 speak on behalf of Caller ID.

19 As a single mother I'm frequently alone and  
 20 recently I had the dubious honor of two such harassing  
 21 telephone incidents. The first eventually became so  
 22 terrorizing that I had to change my number and I slept  
 23 for months with the lights on. I was just terrified.

24 The second incident really clarified the need  
 25 in my mind for Caller ID. I started receiving the



1 harassing phone calls, and just quite by accident, I  
2 found out who was making the calls. I let this person  
3 know that, yes, I did know who was making the calls and  
4 the calls magically stopped. I personally feel that  
5 the people that make these calls are cowards. And if  
6 you take away their cloak of anonymity they will stop.

7 In addition, I wish to express my support for  
8 Caller ID without blocking because I feel blocking  
9 defeats the purpose. I'm aware of the various concerns  
10 and I do sympathize, but the technology that brings us  
11 Caller ID can also solve their problems. Thank you.

12 (Applause)

13 MR. SHREVE: One question.

14 COMMISSIONER EASLEY: Ms. Lane, hold on just  
15 a minute.

16 MR. SHREVE: One second. You feel that  
17 blocking would defeat the purpose even if there were a  
18 fee for the blocking, wouldn't you?

19 WITNESS LANE: Yes.

20 MR. SHREVE: Thank you. Denise Orłowski.

21

22

DENISE ORŁOWSKI

23 appeared as a witness on behalf of the Citizens of the  
24 state of Florida and, having been first duly sworn,  
25 testified as follows:

FLORIDA PUBLIC SERVICE COMMISSION

1 WITNESS ORLOWSKI: Denise Orłowski. Palm  
2 Bay, Florida. I'm here as a citizen.

3 I'm here for urge you to allow us to have at  
4 Caller ID concept. I sympathize with the abuse centers  
5 and the law enforcements. I commend them on what they  
6 are trying to do, but I feel that I have rights and I  
7 should be entitled to make a decision whether or not I  
8 would want this Caller ID.

9 I feel Caller ID might have helped me in a  
10 harassing phone call situation that I just experienced.  
11 The start of harassing phone calls led to the break-in  
12 of my home in which the police suggested that I get an  
13 unlisted phone number, buy a gun and move. Perhaps  
14 Caller ID would have helped in this situation. At  
15 least, I would have felt safer feeling that I had some  
16 kind of security.

17 I don't think most people would use this  
18 service to screen their calls. However, in cases where  
19 your are getting harassing phone calls, you would have  
20 a number to refer to.

21 In this day and age, we look for any kind of  
22 security that we can find. With the technology that's  
23 available, I feel there has to be some kind of  
24 compromise that could help both the consumer and the  
25 people that are trying to help with the law enforcement

1 and the abuse centers. Thank you.

2 COMMISSIONER EASLEY: Thank you.

3 COMMISSIONER BEARD: Thank you.

4 MR. SHREVE: Thank you. Warren Ludwig.

5 - - - - -

6 WARREN LUDWIG

7 appeared as a witness on behalf of the Citizens of the  
8 State of Florida and, having been first duly sworn,  
9 testified as follows:

10 WITNESS LUDWIG: My name is Warren Ludwig.  
11 I'm a resident here in Orange County.

12 I have been in favor of this Caller ID  
13 concept since I read about it in NewsWeek Magazine a  
14 couple years ago. I have become even more strongly in  
15 favor of it recently.

16 I testified against a drug dealer operating  
17 out of my apartment complex. He was arrested and put  
18 in jail and he was back out on the street before I got  
19 my next paycheck. It's the truth. For months after  
20 that he harassed me every way he could. I incorporated  
21 the police. They say, "We'll talk to him." No good;  
22 didn't work.

23 I called the phone company, they put a trap  
24 on my line, but this fellow was very familiar with the  
25 process and would make calls from telephones outside or

1 from telephones that were not within the trap network.  
2 Couldn't stop him that way.

3           As the lady before me testified, the police  
4 took an attitude that it's my problem, and their  
5 suggestion was change my phone line. Well, I don't  
6 know about you, but for me to change my phone number is  
7 a big deal. Even when I did change my phone number, it  
8 only helped for about a month. It started all over  
9 again.

10           The police, after that, took the same  
11 attitude only this time it was, "Why don't you move?"  
12 Like, "What's wrong with you? Why don't you wake up  
13 and move?" That went on and on and on. Finally, this  
14 guy got arrested on something else and he's in jail  
15 now. But if I would have had a phone number, I could  
16 have done something with that phone number and the  
17 police told me, right then and there, that if they had  
18 had the phone number, they could have done something.  
19 Let me go on to something else.

20           About 20 years ago I was a teacher in junior  
21 college. I received calls from students expressing  
22 their dislike of my teaching methods. They didn't like  
23 my wife, they didn't like my daughter, they didn't even  
24 like my mother.

25           COMMISSIONER EASLEY: It's a good thing you

1 didn't have a dog.

2 WITNESS LUDWIG: It's a good point.

3 (Laughter)

4 When I talked with the police up there, they  
 5 said there was absolutely nothing they could do about  
 6 that and that was long before any of the modern  
 7 technology was employed. But even today, if I employed  
 8 the methods, all they are are legal methods that would  
 9 deal with these children rather harshly when I would  
 10 have preferred to work it through my principal of the  
 11 school. If I can get their phone number, give it to  
 12 the principal and let him work out that with their  
 13 parents would be a much better solution than  
 14 incorporating the police and whatever agencies would  
 15 take charge of that. So the Caller ID would be a  
 16 benefit there.

17 One of the tragedies of working as a teacher  
 18 is sometimes you have distraught students. I had a  
 19 19-year-old man, young man, call me up very early in  
 20 the morning distraught over his love life. I tried to  
 21 talk him out of doing anything. Let's talk it over in  
 22 the morning, let's call your parents, let's get a  
 23 counselor. He was not prepared to do any of that.

24 He hung up on the phone I called the police.  
 25 I said, "Hey, I just got off the phone with him. He's

1 threatening to kill himself." Is there anything they  
2 can do? "No. If we had a system we could have traced  
3 it but even that doesn't always assure it." And on  
4 Saturday morning, while my daughter was watching cartoons,  
5 there was a news program that showed he stepped in front  
6 of a train.

7 For 20 years this has been on my mind, that  
8 had I had just this one little tool, at least I could  
9 have given the police the phone from where he was  
10 calling from. It may not have saved his life, but it  
11 would have sure helped me deal with the situation.

12 This seems to be a situation where it's the  
13 law officials against the public here in this regard,  
14 and that's really a shame. I'm the son of a policeman.  
15 I grew up in a family of five children, and my dad did  
16 undercover work. He was a plain-clothed policeman.  
17 And in his bedroom they had two phones, one was a  
18 regular line, one was a line that we could not touch  
19 under fear of penalty of death. We couldn't answer it;  
20 we couldn't call out on it; none of us ever did. Never  
21 had a problem, and believe me, we were not good kids.

22 (Laughter)

23 And as a teenager, you say to mom and dad,  
24 "But there are two phones in the house, can't I use  
25 one?" No, it don't work out that way. That phone

1 worked through a network that the police had  
2 established where he could receive and give calls and  
3 not be traced to the home there. And I'm sure that all  
4 of those problems can be worked out. In this  
5 technological world, those things can be dealt with,  
6 and this should not be the police against that subject.  
7 They should be strongly in favor of it; as an aid to  
8 their profession, not as a hindrance.

9 I can go on and on and on about this. But  
10 enough said. I would like to add, though, that any  
11 attempt to add blocking features to this is absurd.  
12 The advantage of this system will far outweigh those  
13 needs for personal blocking. If I can block a call and  
14 I'm a criminal, then there is absolutely no reason to  
15 have Caller ID. And that is the situation you will  
16 create. Those people who have things to hide, as well  
17 as good upstanding people, will incorporate the  
18 blocking features and will totally defeat any attempt  
19 of me to protect my privacy and my family and my home.

20 So I strongly recommend that you incorporate  
21 this system quickly, and you incorporate it without  
22 blocking and have the blocking available only for those  
23 agencies, like this spousal abuse agencies, where they  
24 do need physical protection, and those can certainly be  
25 worked out. Thank you.

1 MR. SHREVE: Mr. Ludwig, it's your opinion  
2 that any type of blocking even on a per-call basis,  
3 even if there is a fee charged for it, would make this  
4 system useless?

5 WITNESS LUDWIG: I realized that -- a few  
6 months ago I had expressed a consideration that a  
7 blocking system might be good. The more I thought  
8 about it, and the more logic I applied to it, the  
9 stronger it became absolutely no feature available  
10 except to designated agencies on a one-by-one basis,  
11 not as a group or a blanket coverage, but everyone  
12 applied for that blocking and have a criteria set up to  
13 qualify for it and maintain it.

14 MR. SHREVE: I just want to make sure. So you  
15 feel if there is an availability of blocking even for a  
16 fee, in general, it would make the system worthless.

17 WITNESS LUDWIG: Absolutely. It'd be  
18 worthless.

19 MR. SHREVE: Thank you, sir.

20 COMMISSIONER BEARD: Thank you, Mr. Ludwig, I  
21 appreciate your comments about the son of a law  
22 enforcement officer. I'm the son of a sheriff and I  
23 understand the fear of death and God. (Laughter)

24 MR. SHREVE: Mr. Babington.

25



1 TOM BABINGTON

2 appeared as a witness on behalf of the Citizens of the  
3 State of Florida and, having been first duly sworn,  
4 testified as follows:

5 WITNESS BABINGTON: Good evening. My name is  
6 Tom Babington. I'm a resident of Longwood, Florida.  
7 And I'm Manager of Telecommunications for Orange County  
8 government.

9 I would like to thank the members of the  
10 Commission for this opportunity to testify on a issue  
11 important to Orange County government because of safety  
12 and because of cost.

13 In Orange County, the at-risk population  
14 consists of law enforcement and HRS personnel, as you  
15 have defined, as well as the criminal justice  
16 community, including the judiciary, public defender,  
17 state attorney and various court personnel. As a  
18 matter of business practice, members of this community  
19 often initiate calls not only from their offices but  
20 from their residences, the residences of family and  
21 others whenever necessary. Working hours are not fixed  
22 between Monday and Friday from 8:00 to 5:00, and the  
23 working environment is not limited to their office and  
24 their business line. Mobility and flexibility are key  
25 aspects of their operational requirements. Per-line

1 blocking is not feasible for this community because of  
2 the mobility and the need to place a call from the  
3 place and at the time and immediacy of their choosing.

4 Many of these individuals already pay a fee  
5 to Southern Bell to maintain a nonpublished number  
6 because of the line of work, because of their  
7 profession, because of their role in serving the needs  
8 of the public.

9 Caller ID will impose an additional fee to  
10 allow them to continue to protect the identity of the  
11 telephone they use to place business calls, which, of  
12 course, is the same number used by their family for  
13 personal calls. The cost of residential nonpublished  
14 numbers is paid for by the individual, not by the  
15 County. I would expect that our policy toward Caller  
16 ID would remain consistent. Thus the cost to block  
17 residential calls, regardless of the method, would also  
18 be paid by the individual. I am making the assumption  
19 that such policy is applied throughout the state and  
20 that city, county and state agencies and their  
21 respective criminal justice communities are aware that  
22 individuals may very well have to pay this additional  
23 fee.

24 Your July 5th, 1990, memorandum regarding  
25 Docket 891194-TL includes the following statement and I

1 quote, "It is not the intention of the Commission to  
2 put any undue financial burden on these agencies",  
3 meaning those funded by the state tax dollars, "as a  
4 result of Caller ID." You then provide a model based  
5 on certain assumptions, which reflects a \$7,000 increase  
6 per year for HRS and a \$30,000 increase per year for state  
7 law enforcement agencies. That same paragraph closes with  
8 the following quotation: "Although these amounts aren't  
9 large compared to these agencies' total budgets, publicly  
10 funded agencies must nevertheless watch every penny."

11           This seems to me to reflect your willingness  
12 to impose an additional cost on the ratepayer, although  
13 not one comparatively large. I have to wonder out loud  
14 how large is large enough? How large would convince  
15 you that this product at these costs is too large for  
16 the consumer and taxpayer.

17           The closing admonishment for public likely  
18 funded agencies to watch every penny is appreciated.  
19 The citizens of Orange County, I expect, are in  
20 complete agreement with you and might see the avoidance  
21 of Caller ID costs and the product as an excellent way  
22 not only to watch every penny, but to know that some  
23 pennies will not be spent by their local government.  
24 Somewhere, ladies and gentlemen, Evertt Durkson is  
25 winching in his grave. The cost to Orange County

1 taxpayers for Caller ID is not yet known. The need  
2 for additional telephone lines or network software  
3 reconfiguration cannot yet be calculated.

4 Orange County government is a major customer  
5 of Southern Bell. We employ a vast array of their  
6 circuit and network features to provide the best, most  
7 economical service to Orange County government offices  
8 as possible. We can when we -- we do so when we can  
9 chose to pay for the services that we want. If we  
10 chose not to deliver Caller ID from business lines used  
11 by our criminal justice community, we may then be in a  
12 position to have to pay for a service that, in fact, is  
13 not in our best interest.

14 A grace period allowing a customer to avoid  
15 start up and recurring cost may be fine for a small  
16 business that remains with one published number in one  
17 location for the life of the business. But that type  
18 of introductory pricing will not be economically viable  
19 for a large dynamic public organization that must grow  
20 and move in response to the demands of the community.

21 It appears that a significant amount of time  
22 and effort and cost have been invested not merely in  
23 the discussion of what Caller ID is, but in how to make  
24 Caller ID work, specifically, for law enforcement.  
25 This in itself should send a clear signal to the

1 Commission that the product is flawed. However, the  
2 negative aspects do not yet seem apparent enough for  
3 the Commission to reach that conclusion. This is not a  
4 simple issue. It's resolution should not be underestimated.

5 I suspect that it would be far easier to  
6 legislate the sale of a handgun that had two barrels.  
7 One pointing at the victim and other pointing the  
8 person holding the weapon. Although its technical  
9 specification might have some interesting engineering  
10 appeal, it would only take one use to convince us all  
11 of it's deficiency.

12 On August 2nd of this year I sent a letter to  
13 PSC Chairman Michael Wilson expressing similar  
14 concerns, and urging that he seek the advice of all  
15 members of the criminal justice community. In that  
16 letter, I also expressed that, based on my experience  
17 and almost 20 years in the telecommunication industry,  
18 one factor I've seen recur over and over is that  
19 sometimes technology fails. Having said that, I felt  
20 somewhat arrogant and maybe slightly regretted it.

21 In your document on July 5th, you indicated  
22 that the flagship central office Class 2 switch was the  
23 DMS-100, and that many of the methods for providing  
24 blocking could only be used out of that particular  
25 switch. That was the switch that you could count on.

1 The DMS-100 is the switch in the main central office  
2 here in Orlando. The DMS-100 is the switch that 11:00  
3 this morning started losing programming for call  
4 forwarding, call hunting, call transferring and a  
5 number of other software stored logic features. And as  
6 of 3:30 this afternoon the status was that there were  
7 still difficulties with it. The same type software  
8 programming that provides Caller ID is similar to the  
9 software programming that provides these other  
10 functions. It's possible, it is not evident, it is not  
11 for sure, that during this same period, these five or  
12 six hours today, the Caller ID working off the DMS-100  
13 might possibly have failed during that time.

14 In a small business or even in a large  
15 business, it would not have cost me. But if you ask me  
16 to have bet my life on it, were I a law enforcement  
17 officer, I'm not going to take that bet.

18 The number of the delays and the fact that  
19 this hearing is taking place tonight do suggest to me  
20 that the Commission has very serious concerns. I hope  
21 your continued deliberations result in the conclusion  
22 that the product should not be approved. Ladies and  
23 gentlemen, thank you very much. (Applause)

24 COMMISSIONER EASLEY: I feel constrained to  
25 tell you that was not an admonition to local government

1 to watch be every penny. It was a recognition that  
2 local government has to watch every penny.

3 WITNESS BABINGTON: Then I'll accept that and  
4 that's fair.

5 COMMISSIONER EASLEY: Thank you, sir.

6 WITNESS BABINGTON: Thank you.

7 COMMISSIONER BEARD: Let me ask you a quick  
8 question. If I understand what you're saying, the  
9 software was going down this afternoon; if Caller ID  
10 were there the software associated with Caller ID, in  
11 fact, probably would have gone down as well or there is  
12 a possibility?

13 WITNESS BABINGTON: That's my perception. I  
14 think someone from Southern Bell could better answer  
15 that for you.

16 COMMISSIONER BEARD: If the software for  
17 Caller ID went down, it would seem -- I'm trying to  
18 think through this -- it would seem that your concern  
19 would be if the software associated with blocking went  
20 down and Caller ID stayed up, as opposed to Caller ID  
21 going down. If it goes down, you just lose the ability  
22 to recognize the number and law enforcement is not  
23 injured then.

24 WITNESS BABINGTON: Correct.

25 COMMISSIONER BEARD: It's if you had blocking

1 and it went down and Caller ID stayed up --

2 WITNESS BABINGTON: The interrelationship of  
3 those two features in the same switch, I don't think  
4 you would keep one and lose the other. I would expect  
5 -- and I think what happened today is some features  
6 stayed up; others went down. Features that were there  
7 this morning went away, came back again in the  
8 afternoon. I think you would see in a failure some  
9 intermittent availability of both features --

10 COMMISSINER BEARD: Okay.

11 WITNESS BABINGTON: -- and possibly at some  
12 point the simultaneous loss of both.

13 COMMISSIONER EASLEY: Thank you, sir.

14 WITNESS BABINGTON: Thank you.

15 COMMISSIONER EASLEY: Any questions?

16 MR. KEENER: We have a comment.

17 MR. CRISER: Commissioners, if it would be  
18 appropriate, I'd just like to note for the record that  
19 Southern Bell's proposal to offer blocking to law  
20 enforcement agencies, violence intervention agencies,  
21 and other organizations which fulfill criteria for  
22 blocking has been proposed at no charge to those  
23 agencies, and that proposal has been made not just at a  
24 one-time come all type of an offer, but to work with  
25 those agencies. We're working with HRS today to



1 establish a process by which we're able to both take  
2 people off the list and add people to the list as their  
3 needs or employee's needs or their clients needs may  
4 change.

5 COMMISSIOENR EASLEY: Thank you.

6 COMMISSIONER BEARD: I also mention that the  
7 letter that you wrote that asks us to consult with law  
8 enforcement agencies. That was not necessary. They  
9 were all there the next day consulting with us.

10 MR. SHREVE: Mr. Smeltzer.

11 UNIDENTIFIED SPEAKER: I believe that was the  
12 letter from the police chief.

13 COMMISSIONER BEARD: Yes, thank you.

14 COMMISSIONER EASLEY: Thank you very much.

15 COMMISSIONER BEARD: Thank you. Thank you.  
16 Appreciate it.

17 MR. SHREVE: Commissioners, I mentioned to  
18 you earlier there were two individuals that would like  
19 to testify that would not like to use their names and I  
20 believe all the TV cameras are gone now.

21 COMMISSIONER BEARD: Good. Okay.

22 MR. SHREVE: If you'd like to have them come  
23 up --

24 COMMISSIONER EASLEY: Print media, doesn't  
25 matter, right?

1 MR. SHREVE: No cameras and we're okay.

2 Whoever would like to testify first.

3 COMMISSIONER BEARD: Have you been sworn?

4 WITNESS POPE: Yes, I have, I was after the  
5 break. Thank you.

6 - - - - -

7 LYNNE POPE

8 appeared as a witness on behalf of the Citizens of the  
9 State of Florida and, having been first duly sworn,  
10 testified as follows:

11 WITNESS POPE: I'm Lynne Pope and I'm a  
12 formerly battered wife. And I have an unique situation  
13 in that my batterer moved out away from my home, but my  
14 children are still required to call him. Well, for a  
15 while I tried going to work and making collect calls,  
16 but he's not home until after 7:30 at night. So when I  
17 got the little piece of paper that says all this Caller  
18 ID, you know, he can get my number. I just panicked.  
19 And I did call the telephone company and they went  
20 through their normal routine and they finally did get  
21 back with me, which I was surprised, and they told me I  
22 couldn't get the blocking. So I was --

23 COMMISSIONER BEARD: That you could not?

24 WITNESS POPE: I could not get the blocking.  
25 So I was very devastated. So I'm in a situation now

1 that -- you know, I don't really know what to do.  
2 Because when this man gets my number, he calls me in  
3 the middle of the night just long enough to wake me up  
4 and then hangs up the phone. And I've gotten a  
5 answering machine and all that kind of stuff to cut  
6 down on that kind of thing for me and for my self-  
7 esteem and my benefit, but I just wanted you to know  
8 those situations do happen.

9 COMMISSIONER BEARD: Yes, ma'am. Thank you.

10 MR. SHREVE: Thank you. (Pause)

11 MS. GIBSON: I have not been sworn in, yet.

12 (Witness sworn.)

13

- - - - -

14

SUSAN GIBSON

15 appeared as a witness on behalf of the Citizens of the  
16 State of Florida and, having been first duly sworn,  
17 testified as follows:

18 WITNESS GIBSON: I'm Susan Gibson, a victim  
19 of abuse, and this is a feat of courage for me to  
20 speak, but I believe strongly enough to make my  
21 viewpoint heard.

22 You have heard from the Coalition Against  
23 Domestic Violence and Spouse Abuse, and they have  
24 provided the statistics and I am one of those  
25 statistics.

1           The support group has given me security as  
2 has my unlisted number. And the knowledge of a safe  
3 shelter with an unlisted number that I can go to. Let  
4 those who want Caller ID have it, like HBO as a woman  
5 previously said, and pay for it. But I do not want to  
6 be penalized financially as I do not want it. Thank  
7 you. (Applause)

8           MR. SHREVE: Thank you. Rosemary Mieszczyk.

9

10

ROSEMARY MIESZCZYK

11 appeared as a witness on behalf of the Citizens of the  
12 State of Florida and, having been first duly sworn,  
13 testified as follows:

14           WITNESS MIESZCZYK: Good evening. My name is  
15 Rosemary Mieszczyk. I live in Orlando. However, my  
16 business address is 3895 Lake Emma Road in Lake Mary.

17           COMMISSIONER EASLEY: Would you spell your  
18 last name, please, ma'am?

19           WITNESS MIESZCZYK: M-i-e-s-z-c-z-a-k.

20           COMMISSIONER EASLEY: Thank you.

21           WITNESS MIESZCZYK: And as a consumer and a  
22 business woman, I am opposed to Caller ID.

23           First of all, I resent that Southern Bell is  
24 not giving me a choice. Like everybody else, I pay  
25 monthly for my service, and I don't want to have anyone

1 command to me the type of service that I should have.  
2 This also violates my rights.

3           Secondly, years ago I was also a victim of  
4 someone who has threatened and harassed me. In fact, I  
5 used to get telephone calls, oh, three, four hours  
6 during the night about 40, 50, 60 times he'd call me 2,  
7 3, 4, 5:00 in the morning. The first people that I did  
8 call to help me was Southern Bell, but because the  
9 person that was making these phone calls lived in  
10 Winter Park and was with a different telephone company,  
11 Southern Bell was absolutely helpless and could not  
12 help. So I did the other things. Yes, I did move. I  
13 changed my telephone number, and I did get an unlisted  
14 number. And I have the same unlisted number today, and  
15 here again, I pay dearly for the privilege of having  
16 this unlisted number.

17           Now, as I mentioned, I am a business woman  
18 and I work six days a week. I put in 50, 55, 60 hours  
19 during the week. I am harassed at work by salesman and  
20 people come to my door and so on. Well, before I go  
21 into that, I also wanted to say that six months ago in  
22 March Southern Bell has changed the billing system of  
23 the telephone, the business telephone calls in Lake  
24 Mary.

25           We have now what they call Market Reach.

1 They did decrease our telephone bill about 6 or \$7 a  
2 month, but we have to pay for every single telephone  
3 call that we make, plus we pay for the time that we're  
4 on the phone. If I want to call just, say, the hair  
5 salon next door to me, I have to pay for that phone  
6 call. So, therefore, as I receive my phone calls  
7 during the day, I do return what I think are the  
8 important phone calls or phone calls from my clients.  
9 But when I get the telephone calls from sales people or  
10 distributors that I know can wait a day or two, I try  
11 to make a lot of these phone calls from home. As a  
12 small business person, I try to save where I can and  
13 cut down my bill. So, therefore, I make several phone  
14 calls from home. Here again, because I work six days a  
15 week, I put in these late hours, when I get home, I  
16 believe that I should have this peace and quiet and not  
17 get harassed from people. Because I make calls, say,  
18 the afternoon that I go in late and I make these phone  
19 calls and now my unlisted telephone number is appearing  
20 on their modem, whatever. And as Mr. Marblestone  
21 mentioned earlier, that yes, people will be using these  
22 telephone numbers in their boiler room and so on for  
23 these phone calls. I don't believe that I deserve that  
24 kind of treatment. And Southern Bell, of course, is  
25 doing this just so they can pad their pocketbook more.

1 They are going to gouge us as much as they can for the  
2 service. This will just be the beginning of something  
3 new and it's going to continue and continue, and as a  
4 consumer and a telephone, which is something that we  
5 all have, we're going to be paying for it.

6 And in ending, I just want to say that the  
7 people that feel they are getting telephone calls that  
8 they want to have blocked out and so on, Southern Bell  
9 already has a service, and we did receive this little  
10 flier in our bill. In fact, I received two of these  
11 today, one in each telephone bill. Thank you.

12 COMMISSIONER BEARD: Thank you, ma'am.

13 MR. SHREVE: No questions. Thank you. Anne  
14 McGuire.

15

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16 ANNE MCGUIRE

17 appeared as a witness on behalf of the Citizens of the  
18 State of Florida and, having been first duly sworn,  
19 testified as follows:

20 WITNESS MCGUIRE: I'm Anne McGuire. I'm from  
21 Winter Park. And I, too, received one of the notices  
22 from United Telephone. And one of the things that was  
23 spelled out here in their brochure, the little leaflet  
24 was "United's Express Touch" and Southern Bell's  
25 TouchStar services work together to provide you with

1 increased convenience and security", but I don't see  
2 any security and they are referencing also the Caller  
3 ID.

4 First of all, I'm a private party, just  
5 complaining on my own. I call the telephone companies,  
6 I call Southern Bell. They wouldn't talk to me because  
7 I wasn't one of theirs customers. When I called United  
8 Telephone, there was no one, and I tried extensively to  
9 get anyone who could give me information and prices on  
10 what this is going to cost a person. There is no  
11 information on that available to anyone anywhere.

12 Also, here in Florida, this is a state where  
13 you have the most population of people from other  
14 states, many of whom are single parents, who are  
15 divorced people, who have just a set income. This town  
16 is known for minimum wage. And people cannot afford  
17 all these things that are coming down the pike. We're  
18 already in a recession. And what next? I mean it's  
19 nothing but another way of getting a raise for the  
20 telephone company. And I don't think that I should  
21 have to pay for the privilege of not having this. I  
22 don't want it. I already pay a surcharge for a private  
23 line and I don't think I should have to pay additional  
24 prices just to say I don't want my phone number  
25 advertised everytime I make a phone call. I rarely,



1 rarely give it out because I have been through that  
2 harassment bit. I don't need that at this point in my  
3 life.

4           And lots of people have, as I say, set  
5 incomes, restricted incomes. They cannot afford it.  
6 The first thing you know it'll backfire, people will  
7 have to do without phones. They just can't keep up  
8 with everything. Even to come to this meeting was  
9 costly with the price of gas going up. So the world is  
10 -- while it's getting smaller in some ways, the  
11 activities of the people are going to be more  
12 restrictive, and one of the things will be the  
13 telephone. They are going to have to take a second  
14 look at that.

15           This is just another charge in defense of  
16 living and this is exactly what it is. Because to be  
17 charged, whether it be on a per-unit basis or per-monthly  
18 basis, it will be an additional charge in defense of  
19 living. And where does it stop?

20           I also am active in a crisis line and very  
21 often I do phone work from home on behalf of this line.  
22 I always give the telephone number of the crisis line.  
23 I never give my own. And in doing this kind of work  
24 and other volunteer work, I don't want to give my phone  
25 number or have it known to those who I'm calling, but

1 it would be if this were put into effect. And I think  
 2 it has to be rethought, and I think -- I don't feel  
 3 that the privacy of the police department or battered  
 4 wives is anymore valuable than my privacy. I think I  
 5 should have a say in that. I should have the right to  
 6 say, "No, I don't want it and don't charge me for  
 7 that." (Applause)

8 COMMISSIONER BEARD: Thank you.

9 - - - - -

10 MR. SHREVE: Mr. Gene Leonard.

11 GENE LEONARD

12 appeared as a witness on behalf of the Citizens of the  
 13 State of Florida and, having been first duly sworn,  
 14 testified as follows:

15 WITNESS LEONARD: Yes, my name is Gene  
 16 Leonard. I'm from Tampa. I represent the Florida  
 17 State Fraternal Order of Police.

18 I think that Mr. Brady and Mr. Marblestone  
 19 have pretty well said everything we believe from the  
 20 law enforcement side, but I would like to add that the  
 21 Florida State Fraternal Order of Police goes on record  
 22 opposing the implementation of the Caller ID system  
 23 until the Bell Company or any other telephone company  
 24 that's going to install it can comply with all the  
 25 needs of law enforcement. And I know what you were

1 talking about the sheriff, Mr. Beard, I used to work  
2 for him so I understand your plight. (Laughter)

3 COMMISSIONER BEARD: He's a little bit tough  
4 when he wants to be.

5 WITNESS LEONARD: He sure was.

6 COMMISSIONER BEARD: I missed your name. I'm  
7 sorry.

8 WITNESS LEONARD: Gene Leonard.

9 COMMISSIONER BEARD: Thank you.

10 MR. SHREVE: Mr. Jim Adkins.

11 - - - - -

12 JIM ADKINS

13 appeared as a witness on behalf of the Citizens of the  
14 State of Florida and, having been first duly sworn,  
15 testified as follows:

16 WITNESS ADKINS: My name is Jim Adkins. I  
17 work for the City of Brooksville. I'm a Fire Chief.  
18 Speaking for the other element of the emergency  
19 services.

20 We have a city of a population of  
21 approximately 7,000 people. Since Tallahassee, I went  
22 back and asked my department to pull a few records in  
23 regards to false calls.

24 Of this I have about 45 pages, and like I  
25 said, I have a population of about 7,000 people. On

1 these are false calls. Of that list, I have malicious  
2 and bomb threats, which our school system has incurred  
3 22; nursing homes, 21; hospitals 10; government  
4 complexes grounds and buildings, 3; residential areas,  
5 residential houses and homes, we have 80; different  
6 type utility companies, 2; and commercial  
7 establishments, businesses and whatever like that, 39.

8 COMMISSIONER EASLEY: In what period of time,  
9 I'm sorry, Chief?

10 WITNESS ADKINS: This database that we have  
11 runs from 1981, I believe they ran it yesterday, and it  
12 came up to the 8th month of '90; during that range of  
13 time.

14 COMMISSIONER EASLEY: Okay. Thank you.

15 WITNESS ADKINS: And like I said, we have a  
16 small community.

17 What I'm talking about here is I know the  
18 concerns that law enforcement have. I'm also a law  
19 enforcement officer, and I echo their concerns. I echo  
20 the battered women and all their concerns.

21 The problem that I'm bringing up here is a  
22 situation that when I have units that's responding to  
23 these type malicious calls, they do not come over the  
24 911 or 911 system. They, more than likely, originate  
25 from a home or someplace into the place of business, be

1 it school, nursing home, hospital, whatever, then that  
2 nursing home, hospital, school calls our dispatch  
3 center on the E911 system so they usually receive the  
4 call first.

5 This puts a potential of life loss into my  
6 employees along with any other appropriate agencies  
7 responding. Of these calls, I did just an estimation  
8 as to the cost factor, and we're talking about dollars,  
9 which we do in small budgets and small towns, these  
10 type calls have cost approximately \$47,000 in equipment  
11 and personnel services dealing with these type  
12 situations.

13 On these type situations, I have about 17  
14 years in this type service, and I'm also looking for  
15 retirement as the police chief said here previously.  
16 But they're not likely to be prosecuted. I'm hoping  
17 that the call system, ID system, would give another  
18 element for the law enforcement to identify the origin  
19 of the call that's placed.

20 I have been on numerous situations in school  
21 systems where the school has been vacated for a hour,  
22 two hours, three hours on bomb threats. I hear  
23 concerns from teachers, administrators. I have been to  
24 nursing homes where the nursing home has had to been  
25 vacated due to the severity of the situation and the

1 caller. Usually, directions to vacate these type  
2 buildings and places is given by the law enforcement,  
3 at least, in our community it is in bomb threats and I  
4 believe it could be throughout Florida; it's about the  
5 same thing. And when it comes to find out who placed a  
6 call or whatever it was, more than likely in all cases  
7 I know of, except one, that there has never been a  
8 prosecution.

9 I have one which we did get a prosecution on  
10 and it is very unique. We had a law enforcement  
11 officer on the scene right then and there, and I got a  
12 restitution for expenses incurred and my operational  
13 cost of \$265.16 cents that went back into the city  
14 funds.

15 I thank you. And I'm hoping that the  
16 concerns of people here that's not desiring to have  
17 this Caller ID would be addressed by the telephone  
18 company and the appropriate agencies and things and  
19 come out to some type of mutual understanding.

20 My telephone number at my house has been the  
21 same number for approximately 18, 19 years, something  
22 like that. I don't know exactly. It is not listed.  
23 Being -a chief of a department in a town, believe me, I  
24 do get harassing phone calls. I enjoy them. When I'm  
25 home, they don't bother me but I do not enjoy them when

1 my wife is home and kids. I have two teenagers and  
2 well, you can just imagine the scenario of having that.  
3 But we do get quite a few harassing phone calls at my  
4 home. But I feel by having a telephone in my home, I  
5 do have a right to know who is calling me. And I feel  
6 if I call somebody else they possibly could have the  
7 right to know that I've called them. I thank you.

8 COMMISSIONER BEARD: Thank you. Questions.  
9 Thank you.

10 MR. SHREVE: Mr. Joe Bernardini.

11

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12

JOE BERNARDINI

13 appeared as a witness on behalf of the Citizens of the  
14 State of Florida and, having been first duly sworn,  
15 testified as follows:

16 WITNESS BERNARDINI: Commissioners, for the  
17 record, my name is Joe Bernardini. I live in  
18 Brooksville, Florida and I am a member of the city  
19 county.

20 I'd like to go on record also saying I'm an  
21 employee of Southern Bell, but I'm no way here  
22 representing Southern Bell. And they were really kind  
23 of thought this might have an adverse effect, me  
24 testifying before your Commission, but I feel adamantly  
25 about this subject and I'll explain why.

1 I've got three reasons. The first one is I  
2 have been involved in law enforcement, I was a former  
3 police officer and been involved with the Hernando  
4 County Sheriff's Auxillary for 16 years; been on  
5 numerous complaints of harassing and threatening phone  
6 calls. A lot of times the most action you can take is  
7 advising the subject of their options of moving,  
8 changing your phone number. Those things that really  
9 don't comfort them that much. You leave saying, "We'll  
10 try to keep an eye on the area", and knowing that  
11 throughout the night you will be lucky if you get back  
12 by there even in a week. I know that the Commission,  
13 the phone company, law enforcement, the abuse centers  
14 can come to some workable agreement on this Caller ID.  
15 I feel very confident in that there -- something can be  
16 worked out in that area.

17 As an elected official, as you know,  
18 sometimes you have to make some decisions that are not  
19 very popular and sometimes you're the recipient of  
20 calls after those decisions. Fortunately, I have not  
21 been on the receiving end of those. However, some of  
22 my colleagues have and just lately the Chairman of the  
23 Hernando County Democratic Executive Committee was the  
24 recipient of several life-threatening telephone calls.  
25 And Caller ID may have prevented this, as has been said



1 here tonight, a lot of those people are cowards and if  
2 they thought you could find out who they were, they  
3 would not do those type of things.

4           What really prompted me to testify tonight,  
5 as I like to testify on behalf of being a father of two  
6 teenage daughters. I did have the misfortune of being  
7 the receipient, or they did, of an obscene call. My  
8 oldest daughter was 16 at the time. She had been  
9 instructed to hang up. And we knew that the individual  
10 knew her because they asked for her by name. So I went  
11 through the normal routine, I had my phone number  
12 changed and I thought this took care of it. However,  
13 the individual found out the number, and with teenage  
14 daughters it's hard to keep those numbers secret. He  
15 called and asked for my daughter, the oldest one. My  
16 youngest one said, "She's not home." And the individual  
17 asked well, "How old are you?" And she was 12 at the  
18 time, and she told him, and they proceeded into their  
19 little thing that they do, and she called me at work  
20 was very upset. The devistation that it caused on her,  
21 when I got home -- I came immediately home from work,  
22 prompted me to testify. If this could prevent one  
23 child from having to go through this type of  
24 harassment, to me it would be well worth the effort.  
25 And like I said, I think some of these problems could

1 be worked out with the abuse centers. I just would  
2 like you to look favorably upon this request by  
3 Southern Bell, give me a tool that I could possibly  
4 use, that law enforcement could use and other  
5 individuals. Thank you.

6 COMMISSIONER BEARD: Thank you.

7 MR. SHREVE: Thank you. Mr. Clive Thomas.

8

9 CLIVE THOMAS

10 appeared as a witness on behalf of the Citizens of the  
11 State of Florida and, having been first duly sworn,  
12 testified as follows:

13 WITNESS THOMAS: I work for a radio station.

14 (Laughter)

15 COMMISSIONER EASLEY: You brought your own  
16 fan club.

17 WITNESS THOMAS: My news people left when you  
18 had the break, so I'll have to --- (Laughter)

19 COMMISSIONER EASLEY: You can't trust  
20 anybody.

21 COMMISSIONER BEARD: This has been an evening  
22 for unique.

23 WITNESS THOMAS: Well, it's WWNZ Radio and on  
24 WWNZ Radio in Orlando I'm a talk show host. I have  
25 interviewed Mr. Strictler from Southern Bell on this

1 new device.

2 I know a good deal about how it works, and it  
3 is an amazing and, in a lot of ways, a very beneficial  
4 device. Now, let me tell you something about our  
5 station. If I were here on behalf of management, I'm  
6 sure as many other business people, I'd be asking you  
7 to go ahead and give permission to this technology to  
8 be used.

9 My life's been threaten by calls made to the  
10 radio station. The entire radio station has been  
11 threatened. It happens to be in a bank building and  
12 when the bomb threats came in, the FBI came in because  
13 we are bank building but we had no way of tracing the  
14 call.

15 The capper of all of it, I think, and I hope  
16 this doesn't make any of the people at Southern Bell  
17 blush, but one of our callers, one of our disgruntled  
18 listeners, called Southern Bell, posed as a member of  
19 management of the radio station and asked that they  
20 change our switchboard number and they did. (Laughter)

21 So we didn't get any calls on the air for a  
22 day and a half. The other thing about business,  
23 whenever you go into a department store, someone will  
24 come up to you, if it's properly run, and will ask you,  
25 "Can I help you?" Well, of course, what they are

1 really saying is, "Will you abandon your privacy and  
 2 let me try and sell you something?" And in  
 3 broadcasting we're in the sales business, we love to  
 4 have lists of all the people who call us because there  
 5 are advertisers and people who aren't even advertisers  
 6 who would like to buy those lists. So I'm sure there  
 7 are a lot of good reasons why my station would like to  
 8 have this technology made available.

9 I'm here to speak against it this evening  
 10 because, as part of my job as a talk show host, over  
 11 the years I have done interviews with consumer  
 12 advocates and with a kind of strange breed who has  
 13 become very concerned about the erosion of privacy in  
 14 our country. I'd like to speak briefly on those two  
 15 subjects.

16 First on the consumer plain. It really does  
 17 appear to me that what the Public Service Commission is  
 18 being asked to do in this case is to take something of  
 19 value that is possessed by every citizen in this  
 20 community and in this state; that is the right to have  
 21 an unpublished number or the right to have a number  
 22 which is private, which people don't know about unless  
 23 you choose to tell it to them or tell them your name in  
 24 which case, they can look it up in the book. That's  
 25 something that has a dollar value. The phone company

1 puts a dollar value on it when they tell you how much  
2 it costs to have it unpublished. But it has a human  
3 value as well. And you're being asked to take this  
4 thing of value away from the citizens of this state and  
5 to give it to a private corporation. And the private  
6 corporation is being quite up-front about it, of  
7 course, telling us that they are then going to then  
8 sell this thing of value. And they are going to sell  
9 it and make a profit with it. They are going to sell  
10 this right to privacy to people who don't want you to  
11 have that right to privacy. And also, in some  
12 privileged cases, if you could convince them that you  
13 shouldn't give up this right to privacy because you're  
14 a police officer or a battered spouse, they'll sell it  
15 back to you quite possibly for a fee. (Applause.)

16 I don't think that's the kind of a request  
17 the Public Service Commission should look kindly upon.  
18 You're not in the business of taking away our assets  
19 and giving them to corporations who can then sell them  
20 to other people or back to us.

21 Second point. It is the matter of the  
22 abandonment of privacy. I don't want to have to live  
23 in a society where I have to continually second guess  
24 everything I do. Two examples: If someone is in my  
25 home at a party or a neighbor comes over to my house

1 and says, "Gee, can I use your phone?" I don't think  
2 twice. I say, "Sure, use the phone." But with this  
3 system in progress, I'm going to need to know, "What do  
4 you need to use my phone for? Who are you going to  
5 call? What are you going to say, and do you mind if I  
6 listen?" (Laughter) "You know the way things are, if  
7 you're going to harass your wife and they're going to  
8 get my number, I don't want the cops knocking on my  
9 door." Second- guessing yourself all the time.

10 And the other problem is when you answer an  
11 ad and we do that lot of that by whim from the  
12 newspaper or whatever. Aluminum siding, a car,  
13 whatever it is. You're going to think, "Now, wait a  
14 minute, maybe they are just going to take my name, my  
15 number down and they're going to have some salesman  
16 call me. Should I make this call from a pay phone?"

17 I remember book about the Bannas crime family  
18 20 years ago in which they said that you could tell a  
19 mafia don or a cop because they always walked around  
20 with a pocketful of quarters. And, you know, a lot of  
21 us are going to have to keep quarters around, for half  
22 the time we're going to use pay phones.

23 That's it really. I'm concerned that this is  
24 another niche in our loss of privacy, and it is a  
25 terrible invasion of our own property to be seized by

1 you and given to them.

2 I close by saying there is an old blues song,  
3 and it's a -- it pretty well describes what happens  
4 when we wake up one morning and find that most of our  
5 right to anonymity and privacy and spontaneity is gone.  
6 The song says, "You never miss the water until the well  
7 runs dry." It's getting dry and I hope the PSC doesn't  
8 drain it any further than it has been. Thank you.

9 (Applause)

10 MR. SHREVE: Thank you. Mr. Joseph  
11 Cocchiarella.

12 JOSEPH COCCHIARELLA  
13 appeared as a witness on behalf of the Citizens of the  
14 State of Florida and, having been first duly sworn,  
15 testified as follows:

16 WITNESS COCCHIARELLA: I'm Joseph  
17 Cocchiarella, and I'm with the State Attorney's Office  
18 here, 250 North Orange Avenue, in Orlando, Florida.

19 It was suggested earlier that this has come  
20 down to the law enforcement against the public, but  
21 we've heard from enough other members of the public  
22 that I think that we can see that that's not entirely  
23 true. Those of us in law enforcement are, of course,  
24 concerned with public safety, but we want to do it in a  
25 way that protects privacy rights and confidentiality

1 when it's necessary. And my mother told me a long time  
2 ago that it doesn't do much good to say something  
3 negative. What you really need to do is say something  
4 positive and some other people have taken it upon  
5 themselves to do just that. To make a positive  
6 suggestion is how we can deal with this issue of  
7 harassment over the phone or threatening phone calls  
8 and how we can cut that down through technology.

9           And I think the best suggestion that I've  
10 heard is to allow the users to use the technology of  
11 Call Trace on a per-usage basis, or be charged on a  
12 per-usage basis.

13           To that end I believe the Office of the  
14 Public Counsel, Mr. Jack Schreve has filed a petition  
15 that the Public Service Commission consider that. I  
16 don't know the internal workings of that system but the  
17 positive thing we're here to say is that we can achieve  
18 these benefits and we can eliminate some of the horrors  
19 if they're eliminatable, if that is, in fact, a word,  
20 through the use of Call Trace. The technology we  
21 already have available, but it's just built in a way  
22 that makes it, or reduces it's usefulness quite a bit.

23           For those of you who don't know in the  
24 audience, you can, right now, through the technology of  
25 the phone company, trace a phone call that comes to



1 your phone by, I think it's the entry of three digits,  
2 touch three keys.

3 UNIDENTIFIED SPEAKER: It's very limited.

4 WITNESS COCCHIARELLA: Correct. It's limited  
5 at this time. The most limiting thing about it is that  
6 you have to of sign up for it ahead of time, and then  
7 you get billed \$4 a month whether you have a harassing  
8 phone call or threatening phone call, or whether you  
9 ever use it. I suppose there's a connection fee. I  
10 don't know that for a fact. But at the very least, you  
11 get billed \$4 a month. If you could do this at any  
12 time without having signed up for it ahead of time; in  
13 other words, if every phone in the system could do it  
14 if it got a threatening phone call, if it got a  
15 harassing phone call, the horror stories that we've  
16 heard may not occur. This would have the same benefit  
17 to Caller ID. The benefit we hear touted for Caller ID  
18 is that the person can see who's calling them and then  
19 theoretically that can be traced back -- they can see  
20 the phone number and then theoretically we can use a  
21 cross reference with the phone company subscriber  
22 information to trace it back.

23 The Call Trace system does the same thing.  
24 It provides us the same benefit only the information is  
25 provided to the phone company through the security

1 offices and then forwarded to law enforcement. Again,  
2 we've heard that schools have to deal with threatening  
3 bomb threats. Well, if they'd come in, and they don't  
4 have to have signed up for it ahead of time, they can  
5 press the digits for Call Trace, and the information is  
6 captured at the phone company.

7           Now I've been a prosecutor for 10 years in  
8 Orange County, Florida, and I know that in a court of  
9 law, we're going to get a lot further with business  
10 records, with hard copy records that were printed out  
11 in the security offices of the phone company than we  
12 are with our victim saying, "Well, yes, I got this  
13 harassing phone call and I looked and saw these  
14 flashing numbers on the screen," then we have to take  
15 the additional step of tracing that back and so on and  
16 so forth.

17           What I'm saying is you already have your  
18 victim as your witness. What you really need is some  
19 corroborating evidence. If you have to rely on your  
20 same victim for the phone numbers, you've really added  
21 nothing. But if you can use business records of the  
22 phone company then, then you have something you can  
23 prosecute with and you can deal with that issue of  
24 actually going after these people.

25           Now, I suspect that most of this is

1 really moot because both Caller ID and Call Trace are  
2 easily defeated by the use of the pay phone and perhaps  
3 the whole argument for Caller ID is in itself specious  
4 just because of that and no other reason. But my point  
5 is, if Caller ID has a benefit, it's that we can trace  
6 the phone number. That benefit can be achieved through  
7 Call Trace available to us on our phones on a  
8 per-usage basis. I think it's almost irresponsible  
9 that we don't have it at this point.

10           The technology is in place. Every woman who  
11 gets an obscene phone call should be able to key in  
12 those digits and get that call traced, but she can't  
13 right now, not unless she has foreseen the possibility  
14 or already had several problems already. She can't do  
15 it on the first phone call unless she's got ESP. She  
16 has to have foreseen the possibility and signed up for  
17 it and pay for it whether she needs it or not.

18           Caller ID though, traces phone calls, but it  
19 does it in a way that creates a lot of additional  
20 problems and I don't have to go over them too much in  
21 depth because we've heard from a lot of other people  
22 already.

23           We already know that the police have a  
24 problem with Caller ID. We already know that it is a  
25 real safety issue for us. I suspect that if this was

1 the only way to protect the public, the concerns of the  
2 law enforcement would not be that important because it  
3 would be good for the public at large, but again the  
4 point is Call Trace can accomplish the good for the  
5 public at large without creating a safety issue for the  
6 police.

7           We know that the abused spouses and the  
8 people who try to protect them have a problem with it.  
9 I think we can foresee that other public figures, such  
10 as celebrities, maybe some of our news people, they're  
11 all gone now, but some of these news people that are  
12 public figures, they may eventually have a problem with  
13 giving out their home number every time they call the  
14 dry cleaners, or -- well, I have to give it to the  
15 pizza people or I don't get a pizza. But, you know,  
16 they call the dry cleaners or some other businesses,  
17 they're going to give out their home numbers, and we  
18 know that there's been celebrated cases where public  
19 figures became the target of harassment and even  
20 violent crime.

21           Many professionals who carry beepers have got  
22 to return that call. The nature of their business,  
23 whether it's business for gain or whether it's for the  
24 public good, has exigencies in it. They get beeped.  
25 They carry that electronic leash around with them.

1 They see a number they don't recognize; they pretty  
2 much have to return that call because that's the nature  
3 of the business, they wouldn't have the beeper to begin  
4 with. They're calling from their home phone, they're  
5 calling from a friend's phone, they're giving out  
6 numbers, perhaps to people that they don't want to give  
7 out.

8           You know, the most obvious example has been  
9 brought up over and over again, the uncover officers.  
10 And part of my assignments at the State Attorney's  
11 Office is I'm assigned to be Director of the  
12 Metropolitan Bureau of Investigation, and we conduct  
13 undercover investigations. And as was pointed out  
14 earlier, these officers get these phone numbers, they  
15 may be being called by a drug dealer, they may be  
16 called by the supervisor from a phone that they just  
17 don't recognize. They have to call it back. The  
18 reality is they have to call it back now and they have  
19 to call it back from where they're at; whether it be at  
20 a friend's house, or a radio announcer's house, or  
21 their own house. They've got to call it. And now  
22 they're delivering that phone number to the drug dealer  
23 because he'll be the first one to sign up for Caller  
24 ID. Let's have no doubt about that. We've already  
25 found that they get everything first. They've got the

1 money and they've got the interest to be protected.  
2 They have all the bells and whistles. They love the  
3 technology whenever it comes out.

4 But there are many people other than just the  
5 undercover police officer. Again, the public figures,  
6 the professionals. We heard reference to the judiciary  
7 judges, defense attorney, state attorney, investigators,  
8 state attorneys themselves.

9 For years, I dealt with a docket that kept me  
10 quite busy from 9 to 5, and it was only in the evening  
11 that I had time to scramble and try to contact my  
12 witnesses for the next day, because there was a whole  
13 list of cases set up for the next day. And at night, I  
14 went home and I called the witnesses and I said, "Look,  
15 you know, the judge's calling the case tomorrow. You  
16 need to be there." Well, violent crime doesn't always  
17 occur in nice parts of town. So the witnesses to the  
18 violent crime are always -- not always people I want to  
19 give my home phone number to. But I do need to call  
20 them. I do need to get them into court. I do need to  
21 get them in there to testify. Our investigators trying  
22 to track these witnesses do the same thing. They take  
23 their work home with them. And the public defenders,  
24 the defense attorneys who we often so often clash with  
25 have the same problem because they don't get hired by

1 the nicest people. But they go home and they need to  
2 contact these people, they need to call their friends  
3 and buddies for witnesses to come and be a character  
4 witness for them in court or whatever. They need to  
5 call these people at home and they don't want to  
6 deliver this phone number.

7           So, there's a lot of situations in this world  
8 where people need to contact people that they might not  
9 be good buddies with and they don't want to deliver  
10 their number to them. It's not just the undercover  
11 officer who has this problem.

12           And if we get into a situation where we try  
13 to deal with each one of these, we're playing stop gap,  
14 we're playing catch-up all the way.

15           If you're real strict about who you give Call  
16 Block to, and again, make no mistake, they've already  
17 offered call blocking to me because of the undercover  
18 work our agency does and so on and so forth. We'll  
19 have the access to it. Police officers may be the ones  
20 who get protected and nobody else.

21           And therein comes the second positive thing  
22 we want to suggest. I've suggested that Call Trace is  
23 an alternative and a better one to finding out who's  
24 making bad phone calls. Another positive suggestion is  
25 the universal call blocking. That would be a situation

1 where any citizen or any person who's purchased  
 2 Southern Bell service can block a phone call as it goes  
 3 out if they think there's a need to. If they're  
 4 calling somebody that they just don't want to deliver  
 5 their phone number to.

6 Now, interestingly enough, I've heard several  
 7 people talk today saying, "I don't want to have to pay  
 8 for this service -- I don't want you to charge me in  
 9 addition for call blocking." What they apparently  
 10 don't understand is don't worry about it. You're not  
 11 even being offered it at this point. You don't have  
 12 the option. I can get call blocking because of my  
 13 business, but most of you don't even have the option to  
 14 get it and pay for it. And that's a problem I think to  
 15 the public at large.

16 Now, why do I have a particular interest in  
 17 it? Because again, because of our undercover work. If  
 18 all of you have access to universal call blocking then  
 19 when we use it, we'll blend in. Right now they say,  
 20 "Oh sure, you can block your phone calls, you're  
 21 undercover officers, they won't have to give out their  
 22 home numbers." If only the police can block telephone  
 23 calls, what does it tell a drug dealer when he gets a  
 24 blocked telephone call? I've heard that only dopes do  
 25 dope, but they're a little bit smarter than that. They



1 can figure out that if only the police can do it when  
2 they get that call, "It's the police." So sure, I have  
3 an interest in the rest of you getting call blocking  
4 because then I can blend in with the rest of you.

5           Additionally the first people to use call  
6 blocking will be other paranoid dope dealers. Dealers  
7 deal with dealers. So when dealers call dealers,  
8 they're going to block their phone calls so the dealer  
9 can't really refuse blocked phone calls because it  
10 might be one of his bad-guy buddies that he needs to do  
11 business with. Because after all, he's in business and  
12 he can't quit taking phone calls just like the business  
13 man can, because he's got to continue to earn his  
14 living as illicit as it may be. So, our positive  
15 suggestions again, let's give -- call blocking is an  
16 option to everybody, and not just the select few. If  
17 you're real strict about it, only I have it and a few  
18 other people have it, that maybe they've said that  
19 they'll give it to the abused spouse people. Okay,  
20 great, but we already heard one of them say well she  
21 tried to get it and she didn't qualify. So if you're  
22 real strict, if you've got standards, maybe people who  
23 need it aren't going to get it. If you're more  
24 liberal, if you do recognize that well, the news  
25 anchor's needed, and the professional's need it, I

1 mean, the Governor's going to want it, isn't he? I  
2 mean, you know, how long before the State Legislators  
3 figure out, "Hey, wait a minute. You mean these cops  
4 down there in Orlando can get call blocking and I  
5 can't? I've got to give out my home number?" They're  
6 going to insist on it, they've probably got the clout  
7 to pull out. Pretty soon, we've got a class system:  
8 those who can block and those who can't. Let's give  
9 universal call blocking to everybody. It will be a  
10 status symbol. It will be like, you know, the beeper  
11 and the cellular phone, and so on and so forth. You  
12 know, "My calls come through blocked, yours don't."

13           Let's not create that class system. Let's  
14 put everybody on an equal basis. And this has been  
15 alluded to a few other places. If we're going to have  
16 Caller ID, if we're going to give that person the  
17 ability to see who's calling him, then let's give the  
18 people who need that confidentiality, in those few  
19 situations, the opportunity to block those calls. Some  
20 people say, "Well, then what's the use of having Caller  
21 ID?" Well, you know you are getting a blocked call,  
22 you know you're getting somebody that doesn't want your  
23 number, and if that's the way you feel about it, you  
24 just won't answer the phone. Just like the people at  
25 your door. If somebody comes to your door and they are

1 wearing a mask and you don't like that, you don't  
2 answer the door. If you don't want to take a call from  
3 a masked phone call, you're not going to have to do it.  
4 But you're in a much better situation than I think the  
5 alternatives would give you.

6           Again, it's really not an issue of whether  
7 we're going to pay for a call blocking or not; it's  
8 whether or not we're going to get it.

9           Interestingly enough, this isn't the only way  
10 this stuff can be offered. Centel, another Florida  
11 provider has filed for the same request, and I guess  
12 they've got to address the same Public Service  
13 Commission about what they can get and what they  
14 haven't.

15           But from our point of view, they're being  
16 much more responsible with the citizens and their  
17 service subscriber. They're offering universal call  
18 blocking to everybody. They say, "We want Caller ID,  
19 we want universal call blocking." They also offer Call  
20 Trace on a per-call basis. People in their service  
21 area are much safer. They can trace their phone calls  
22 with three touches on their phone. New Jersey Bell  
23 which was mentioned -- or whatever their name is, but  
24 in New Jersey, where they have Caller ID now, and yes,  
25 we are hearing that the law enforcement people have

1 problems with it also, but they, at least, offered Call  
2 Trace at the same time. So we have problems with  
3 Caller ID, but if you're going to give it to us, let's  
4 get the Call Trace to help our people out. They can  
5 trace all phone calls, and let's get per-call blocking.

6           The benefits of Caller ID really -- I  
7 mentioned this earlier, but they can all be defeated  
8 with a pay phone.

9           Let's get serious. Rarely are bomb threats  
10 made from the person's home phone. It just doesn't  
11 happen that much. We're not going to save schools a  
12 lot of emptying out of their halls by putting a Caller  
13 ID system in there. We're certainly not getting any  
14 further ahead than the Call Trace system. I mean, when  
15 I was in high school bomb threats got to be popular  
16 among some of them near-do-wells, you know, and some of  
17 the guys that like to smoke out behind the gym, and so  
18 on and so forth. The bomb threats were all made from  
19 the pay phone in the lunch room. Caller ID was not  
20 going to stop those. You know, everybody knew where  
21 they were making them from, and quite frankly, if they  
22 had Caller ID and they knew it came from the pay phone  
23 in the lunch room, they're still going to empty the  
24 school out because they're not going to take a chance.  
25 so it's not going to eliminate the problem.

1           The benefits can be defeated by using a pay  
2 phone and you can usually defeat Call Trace the same  
3 way. But they can also all be duplicated with current  
4 technology, so what's the point? Well, we can get the  
5 same benefits from what we have. Call Trace Call  
6 Block was mentioned earlier. What are you going to do  
7 if you're getting harassing phone calls and you've got  
8 Caller ID? You're going to see that phone number, "Oh,  
9 that's the bad guy's phone number" and you're not going  
10 to take the call, right? Well, if you know what his  
11 phone number is, you know, you're going to be able to  
12 do this with Call Block anyway, and you don't even need  
13 to know his phone number, because with Call Block, you  
14 get a call, you just -- you key in the service and you  
15 can't get calls from that anymore. And if you're --  
16 just the opposite, if you're a person that only wants  
17 to take calls from certain numbers that you recognize,  
18 you say, "I only want to take calls from certain  
19 numbers." I've got a list of numbers and I know which  
20 calls to take from, use Call Priority, already in the  
21 system. You key in those phone numbers, those are the  
22 only numbers that come into your phone. I don't know  
23 too many people who would want to live like that  
24 because again, your kids might get hurt and somebody  
25 might call you with an emergency. Let's face it, we

1 all have to take calls from unrecognizable phone  
2 numbers.

3           And the other thing which I hesitate to say,  
4 because it does require a purchase, is that really the  
5 benefits -- all the call screening can be done with an  
6 inexpensive answering machine. Not everybody can  
7 afford to buy things, but getting Caller ID is going to  
8 cost you \$90 a year. You can get an answering machine  
9 probably for half of that, and it's yours forever and  
10 it's got a lot of other benefits, also.

11           Caller ID's only real benefit over Call Trace  
12 is it allows vigilante justice. If we can trace calls  
13 with Call Trace, and we can trace calls with Caller ID,  
14 but Caller -- the Call Trace goes back to the phone  
15 company. The real benefit is that the user can see the  
16 number himself, he can go take the law into his own  
17 hands and it looks good in the movies when Charles  
18 Bronson does it, but in real life, it causes a lot of  
19 tragedy. And that's the main benefit other than the  
20 one Southern Bell really wants it for, which is so they  
21 can sell it to businesses. The main benefit to the  
22 consumer would be the opportunity to engage in  
23 vigilante justice, which in the end, he's going to get  
24 arrested and prosecuted for anyway, and it's going to  
25 ruin his life. So it's not a great idea.

1           Also, in New Jersey, I believe the statistic  
2 for how many residents really did sign up for it --  
3 when it was all said and done, how many consumer's  
4 really benefit out of it was incredibly low? And only  
5 from memory, I thought this was too low to be true, so  
6 it's probably higher than this, but what I remember  
7 reading in some of the documents I've got on this, was  
8 that it was 2.4% of residential customers.

9           If it's higher than 2.4% somebody can correct  
10 the record, but everything I've read indicated it was  
11 very low. Very few residents get any benefit out of  
12 it. The benefit's going to go to the businesses and  
13 other people who want to invade your privacy.

14           The personal level's already been brought up  
15 before. Many of us in this business have already bit  
16 the bullet and we pay extra for unlisted and our  
17 unpublished numbers. We don't get that paid for by the  
18 Governor or anybody else, but now you're going to  
19 degrade even that service. And as was mentioned  
20 earlier, that's always been an interesting concept. We  
21 pay so you don't have to do something, but that's the  
22 way it is.

23           Southern Bell will say that we don't want  
24 Caller ID I suspect -- I'm sorry, call blocking,  
25 because that makes Caller ID very unuseful. Well

1 unlisted phone numbers have never made the phone book  
2 unuseful because most people don't use the unlisted  
3 phone numbers. The phone book is still a big profit  
4 area, it's still very popular, everybody's got one.  
5 Of course, you give them out for free, but it's still  
6 real popular in spite of the fact that you can get an  
7 unlisted phone number. Call Blocking will not defeat  
8 Caller ID any more than unlisted numbers defeated the  
9 phone book.

10 I think Don Marblestone's analogy was a very  
11 good one earlier. Armor-piercing bullets, if they had  
12 a good purpose in society we probably would have not  
13 had a problem with them. But there wasn't a real good  
14 benefit other than the fact that they could kill cops.  
15 This is the electronic equivalent of armor-piercing  
16 technology, with no real benefit that we can't get from  
17 Call Trace. And Call Trace, in fact, has some very  
18 much more positive benefits. It already exists, it's  
19 on everybody's phone right now, if you would just sign  
20 up for it. If they would just change their billing  
21 system you'd be made safer by Call Trace and people who  
22 need to protect their confidentiality, and it's not all  
23 cops -- a lot of other people want to get anonymous  
24 phone calls, especially the news industry. They need  
25 to get those anonymous tips to find out about what's



1 going on and what's not going on. Anonymous tips are  
2 going to dry up, confidentiality's going to dry up with  
3 Caller ID. Call Trace will address the public benefit  
4 and the public safety issue. Let's not talk about  
5 defeating that, let's talk about what we can get that  
6 will improve the situation. I think Call Trace would.

7 COMMISSIONER EASLEY: Thank you. (Applause)

8 WITNESS COCCHIARELLA: Okay.

9 MR. SCHREVE: Excuse me?

10 COMMISSIONER EASLEY: Mr. Cocchiarella?

11 COMMISSIONER BEARD: Mr. Cocchiarella?

12 CROSS EXAMINATION

13 BY MR. KEBNER:

14 Q Mr. Cocchiarella, I've got one question for  
15 you.

16 A Yes, sir.

17 Q You were comparing Caller Trace to the  
18 armor-piercing bullets. Are you saying that you're  
19 against Call Trace -- I mean, I'm sorry, Caller ID?

20 A I was speaking of Mr. Marblestone's analogy.

21 Q All right, I'm just asking you, are you  
22 against Caller ID completely?

23 A If we had our choice, I think Caller ID, and  
24 several people said, degrades privacy and  
25 confidentiality quite a bit. We are against Caller ID.

1           Now, "technology marches on; you can't start  
2 progress" and all those cliches tell me that probably  
3 Caller ID is going to come in in some form or the  
4 other. And if it does, what I'm saying is we need  
5 universal call blocking to put everybody on the same  
6 footing; put the call maker and the call recipient on  
7 the same footing. Each one can protect their  
8 confidentiality and privacy if he wants to; each one  
9 can refuse to deal with the other if he wants to.

10           No, we are against Caller ID. We think that  
11 Call Trace offers all the benefits with none of the  
12 detriments. The only benefit it doesn't offer is the  
13 telemarketing and I think -- I know the Caller ID is a  
14 good business thing and that you can market it to  
15 businesses or Southern Bell can market it to  
16 businesses, but I think for the consumer, all the  
17 benefits of Caller ID come in Call Trace. So "we're  
18 against Caller ID" is unnecessary. What I'm saying is  
19 a fallback position and strictly a fallback, if you  
20 give us Caller ID because Americans love electronic  
21 gizmos and we can't do without them, then give us  
22 universal call blocking. That's one more gizmo, but at  
23 least it puts everybody on an equal footing.

24           Q     Is your position that you're against Caller  
25 ID, does that represent the law enforcement task force

1 position that's been working -- dealing with Southern  
2 Bell and with the Commission, or is that just your  
3 personal position?

4       A     It's the position of the State Attorney's  
5 Office in the Ninth Circuit and the Metropolitan Bureau  
6 of Investigation, which is the local task force of  
7 officers working in the area of drugs, narcotics, vice  
8 and organized crime. I also know it's the position of  
9 the Orange County Sheriff's Office, having spoke with  
10 the Sheriff today, and the position of the Orlando  
11 Police Department. The Florida Department of Law  
12 Enforcement has spoke today. It's one of the largest  
13 agencies in the state. The Attorney General has taken  
14 a similar position. The Fraternal Order of Police was  
15 heard from today. They represent 17,000 people. So --

16       Q     Excuse me. I was just asking you if your  
17 position -- if you're representing the position of the  
18 Florida Department of Law Enforcement and the position  
19 of the law enforcement task force --

20               COMMISSIONER BEARD: Gentlemen, we're not  
21 going to continue this debate. Okay. We're here to  
22 hear from the public. I want to finish that tonight  
23 and not after midnight. Okay. I think he has answered  
24 your question. He went further than to answer your  
25 question. Okay. And I think that you understand his

1 position. Now, I appreciate it. Thank you.

2 MR. SHREVE: Thank you very much.

3 (Witness Cocchiarella excused.)

4

5 MR. SHREVE: Mr. Gary Earl.

6 COMMISSIONER BEARD: Let me ask you a  
7 question before you do that, please. How many do you  
8 have left, do you think, Mr. Shreve?

9 MR. SHREVE: 11.

10 COMMISSIONER EASLEY: Let's take a break.

11 COMMISSIONER BEARD: We better take a break  
12 before we have to amputate some fingers over here.

13 (Laughter)

14 (Brief recess.)

15

16 COMMISSIONER BEARD: Back on the record.

17 MR. SHREVE: Gary Earl.

18

GARY EARL

19 was called as a witness on behalf of the Citizens of  
20 the State of Florida and, having been first duly sworn,  
21 testified as follows:

22 WITNESS EARL: My name is Gary Earl. I'm a  
23 resident of Sanford, Florida. I'm the Executive  
24 Director of the Private Industry Council in Seminole  
25 County and sit on a number of boards of local

1 organizations.

2 I am completely sympathetic with the concerns  
3 of some of those who feel somewhat endangered by the  
4 technology. However, I believe that you've heard  
5 adequate statements that technologically these concerns  
6 can be taken care of. And certainly that is something  
7 that the Commissioners could look into beyond the scope  
8 of a public hearing.

9 I would simply say this, and I'll try to be  
10 very, very brief. In listening to everything that's  
11 been said tonight, you've heard concerns related to  
12 safety of individuals, and that is certainly debatable  
13 in terms of whether or not that can be taken care of  
14 technologically, and I believe it can be.

15 The second is an issue of privacy and what  
16 puzzles me and perhaps perplexes me by what I've heard  
17 tonight is that you've heard comments about the privacy  
18 of a caller. You've had nothing or heard nothing about  
19 the privacy of a callee.

20 I am the father of five teenage kids, and  
21 quite frankly, if privacy is an issue, it should be on  
22 the part of the callee, not the caller. If a caller  
23 chooses to invade my privacy by making a phone call and  
24 doesn't want to tell me who they are or where they're  
25 calling from, quite frankly, I cannot think of one

1 honest reason why anyone would want to make that phone  
2 call or why I would want to pick it up and answer it.

3 And quite frankly, if privacy is an issue, I  
4 think we need to talk about the privacy of the callee,  
5 not the caller. Thank you.

6 COMMISSIONER BEARD: Thank you. Questions?

7 (Witness Earl excused.)

8

9 MR. SHREVE: Thank you. Katrina Neller.

10 KATRINA NELLER

11 was called as a witness on behalf of the Citizens of  
12 the State of Florida and, having been first duly sworn,  
13 testified as follows:

14 WITNESS NELLER: Hi. My name is Katrina  
15 Neller. I live in Ocala, Florida where this is not an  
16 issue yet.

17 The reason I'm here tonight is because since  
18 1971, I've lived in Orlando. Two years ago I began  
19 receiving some obscene phone calls while a resident of  
20 Orlando.

21 COMMISSIONER EASLEY: Could you speak up just  
22 a little bit? Thank you.

23 WITNESS NELLER: The nature of the phone  
24 calls lead me to believe that this person probably knew  
25 me. I wasn't sure if I knew this person. My husband

1 and I looked into a number of options that were  
2 available and we felt like we would not want to involve  
3 law enforcement. We felt like if we knew this  
4 individual we would best deal with it on our own.

5 I think the Caller ID is a wonderful program.  
6 I feel that if I knew the number of the person that was  
7 calling me, we could call that person back. If we knew  
8 this person we could offer counseling. My husband is a  
9 minister. These are our personal views. We don't  
10 think law enforcement can step in and always solve  
11 every issue that there is. We feel that it's not  
12 necessarily a vigilante approach that one may take.  
13 It's simply defensive living.

14 Just by talking to another person sometimes  
15 you can get through. I personally believe that a lot  
16 of the callers that make these offensive are cowards  
17 and I know that just by -- the mere fact that their  
18 number is displayed will deter a lot of it. Also,  
19 oftentimes children make these calls. They have  
20 nothing better to do. If I was a parent and I received  
21 a phone call from a child, I would like better to call  
22 the child's parents and deal with the issue than have  
23 to get a service like the trace or something like that  
24 where you involve law enforcement. I'm very much  
25 against the universal block. I think it would defeat

1 the purpose of Caller ID. Thank you.

2 COMMISSIONER BEARD: Thank you.

3 MR. SHREVE: One question if I could, please.

4 You believe the universal block would defeat the  
5 purpose of Caller ID, whether it's free or whether it's  
6 a fee for it, is that correct?

7 WITNESS NELLER: Yes, I do.

8 MR. SHREVE: Thank you.

9 (Witness Neller excused.)

10

- - - - -

11 MR. SCHREVE: Peter Rieff.

12

PETER RIEFF

13 was called as a witness on behalf of the Citizens of  
14 the State of Florida and, having been first duly sworn,  
15 testified as follows:

16 WITNESS RIEFF: My name is Peter Rieff. I'm  
17 the resident agent in charge of Drug Enforcement  
18 Administration, Orlando. As part of my job I'm  
19 responsible for supervising approximately 25 people in  
20 the business of putting traffickers in jail. We are  
21 opposed to Caller ID. And I'm not going to belabor  
22 that very long. But I do have a few suggestions to  
23 you.

24 Basically, Caller ID, if it is introduced,  
25 should only be introduced with universal per-call



1 blocking. Southern Bell must work with law enforcement  
2 to provide other special technical considerations  
3 allowing undercover operators to continue to convince  
4 our adversaries that we are being truthful when we are  
5 speaking to them. A delay of at least 120 days from  
6 the decision of the PSC before Caller ID can be  
7 implemented. This time frame is considered a minimum  
8 necessary to develop and deploy training programs  
9 deemed imperative to educating personnel to the new  
10 procedures necessary for their continued survival ---  
11 for our continued survival.

12 For this Commission to grant less serves only  
13 to pose undue and potentially life-threatening  
14 complications on an already dangerous job. Thank you  
15 very much.

16 COMMISSIONER EASLEY: Thank you.

17 COMMISSIONER BEARD: Thank you.

18 MR. SHREVE: Thank you.

19 (Witness Rieff excused.)

20 MR. SHREVE: Mr. Larry Loveland.

21

22 LARRY LOVELAND

23 was called as a witness on behalf of the Citizens of  
24 the State of Florida and, having been first duly sworn,  
25 testified as follows:

FLORIDA PUBLIC SERVICE COMMISSION

1                   WITNESS LOVELAND: Good evening. I'm Larry  
2 Loveland. I'm the President of Data Source which is an  
3 Apopka customer premises equipment manufacturer and  
4 distributor. We are in the process of implementing and  
5 bringing to market some customer premises equipment in  
6 the form of Caller ID adjuncts.

7                   For those of you that don't know what these  
8 are or what they look like, these are the little boxes  
9 that everybody's talking about. This one is a stand-  
10 alone unit that would fasten next to your telephone.  
11 This one is one that interfaces with a personal  
12 computer. This is the real thing that everybody is  
13 worried about, especially from the business standpoint.

14                   I'm not going to spend a lot of time debating  
15 the privacy issues and everything. I'm looking for the  
16 business aspects of this and saying that the business  
17 potential aspects provide societal benefits that can be  
18 measured in dollars and cents. We heard some of those  
19 earlier. I'm not going to cite any statistics.

20                   I would also like to ask a few questions,  
21 eventually, to find out how the Commission actually  
22 works and what proposals are before it, because  
23 apparently I'm ignorant. The people from Southern Bell  
24 have told me that there is now no blocking tariff  
25 request before your Commission, is that correct?

1 COMMISSIONER BEARD: Let me tell you my best  
2 perception, if I can, of where we stand.

3 They submitted a tariff, which we denied, and  
4 in essence said that generally speaking, there are  
5 benefits to Caller ID. We are aware that there are  
6 also offsetting problems. Ultimately we decided to go  
7 to hearing. That brings together the public hearings  
8 where we come to Jacksonville, to Orlando, and to Miami  
9 to hear from you and ultimately on the 28th and 29th of  
10 November, a formal hearing in Tallahassee where we will  
11 get into the technical details.

12 I suspect what will happen is the Commission  
13 Staff and the Commissioners will be exploring what all  
14 the options are that are available, what are the  
15 implications of those options, technically speaking. I  
16 mean, we've even -- I've heard some talk about not only  
17 do you have Caller ID and call blocking, but perhaps  
18 you have block the blocker. I mean, you have all kinds  
19 of technical things. We can have block the blocking  
20 blocker. I guess we can go on and ad infinitum and we  
21 would talk about it.

22 WITNESS LOVELAND: Indeed, if I was to  
23 receive a call from a blocked party, I would want an  
24 intercept that says, "I don't receive calls from  
25 blocked parties."

1           COMMISSIONER BEARD: And that is, in fact, I  
2 think there's a technology that at least partially  
3 exists.

4           WITNESS LOVELAND: That technology is  
5 available.

6           COMMISSIONER BEARD: So, I think what will  
7 happen is we, as a Commission, need to explore all the  
8 technological options that are available. I think what  
9 will come from that is not a simple approval or  
10 disapproval of a tariff. I think that we'll probably  
11 set some parameters for -- if services are offered  
12 along these lines in Florida, here's how, here's the  
13 minimum requirements. It may be your --

14           WITNESS LOVELAND: How about the services  
15 Caller ID that is already available? Will you change  
16 any of that?

17           COMMISSIONER BEARD: I'm not sure I  
18 understand that question.

19           WITNESS LOVELAND: I get my Sprint bill every  
20 month and it tells me every number that's called me.  
21 Will you change that at all?

22           COMMISSIONER EASLEY: That's a different --

23           WITNESS LOVELAND: It's an 800 in-bound  
24 service.

25           COMMISSIONER EASLEY: -- yeah, that's a

1 different issue.

2 WITNESS LOVELAND: It's ANI which is slightly  
3 different.

4 COMMISSIONER BEARD: I know, I understand.

5 WITNESS LOVELAND: -- but it's the same basic  
6 premise.

7 COMMISSIONER EASLEY: And if it's interstate  
8 we can't do anything about it.

9 WITNESS LOVELAND: Okay. That's intrastate  
10 or interstate?

11 COMMISSIONER EASLEY: Interstate.

12 WITNESS LOVELAND: Those numbers are all  
13 displayed.

14 The other thing is this -- from a  
15 technological standpoint, this is a subset of what are  
16 referred to as class features, I believe. We talk  
17 about them as CLASS with BellSouth, TouchStar with  
18 United, different areas. And I look at these like the  
19 call back, the automatic call back. When I hear the  
20 concerns of the police departments, I sympathize with  
21 those. But if I was the drug dealer out there already,  
22 I'd have these services in place and you'd be in  
23 trouble already. That would be the situation. From  
24 that standpoint, when I look at ANI, and it's  
25 availability already being there in certain instances,

1 will this also be considered as part of the Caller ID  
2 issue?

3 COMMISSIONER BEARD: I don't think that it is  
4 intended to be a part of that. I can't assure you that  
5 when and if decisions are made here that there might  
6 not be some ancillary discussions that then occur based  
7 on the relationship of ANI and its utilization.  
8 Obviously with the Voice Mail services, those kind of  
9 things that private industry provides they obviously  
10 desire ANI as a part of that. But I don't think that  
11 is specifically a part of this docket to be discussed  
12 at this time.

13 WITNESS LOVELAND: I don't know if that's in  
14 this -- the case in the state of Florida now, but part  
15 of the CLASS features is automatic dial back.

16 COMMISSIONER BEARD: Right.

17 WITNESS LOVELAND: And on that automatic dial  
18 back that number that is dialed back also has to be  
19 displayed on the bill. Is that true here in Florida  
20 also, is that by regulation?

21 COMMISSIONER BEARD: I don't --

22 COMMISSIONER BASLEY: I don't think so.

23 WITNESS LOVELAND: Well, any call automatic  
24 dial back, that would be within, I guess, outside the  
25 LATA. Anything that went outside the LATA or was a

1 tollable charge call would show up on my bill, true?

2 MR. CRISER: To be sure that I understand the  
3 question -- you're talking about a toll call?

4 WITNESS LOVELAND: Yes, any toll call.

5 COMMISSIONER EASLEY: That's different.

6 COMMISSIONER BEARD: I would think you would  
7 have to. If you're dialing it, it's going to show the  
8 number you called.

9 WITNESS LOVELAND: Well, yes. The automatic  
10 call back. That feature is part of the CLASS feature.  
11 I don't have to dial that number, it comes in, the  
12 switch stores it, I press automatic call back, and it  
13 dials that, but that number would still show up. So if  
14 it was a private number calling --

15 COMMISSIONER BEARD: You still have to be  
16 billed for a toll call --

17 WITNESS LOVELAND: I would still be billed.

18 COMMISSIONER BEARD: -- and if you're billed  
19 for a toll call normally you have to be shown the toll  
20 call you made regardless of how the number was dialed.

21 WITNESS LOVELAND: Okay.

22 The other thing is, I've been somewhat  
23 involved up in New Jersey with implementing some of  
24 these types of devices, and I would like to find out if  
25 you are going to use some of the Bell Atlantic's

1 statistics in basing your data. Are you looking at  
2 that or are you going strictly on the local statistics  
3 of what might be or are you looking at historical  
4 statistics in making decisions related to this?

5 COMMISSIONER BEARD: I think that's going to  
6 be a function of what the parties bring to us. I would  
7 suspect that the phone company would use whatever  
8 statistics they can find that would support their case.  
9 I suspect equally so that Mr. Shreve will use the  
10 statistics that he can find that will support his case  
11 as opposed to the Commissioners, going out and  
12 requesting statistics, that's normally not appropriate.

13 WITNESS LOVELAND: Do you examine the body of  
14 information brought to you rather than seeking it out?

15 COMMISSIONER BEARD: That is right. We have  
16 had excellent results in the past with these entities  
17 turning up every stone to get everything they can to  
18 prove their case.

19 WITNESS LOVELAND: Forgive my ignorance, I'm  
20 just trying to understand how you go about making these --

21 COMMISSIONER BEARD: The only exception to  
22 that would be to the extent that our Staff in a case  
23 visualizes or sees an area that they think there's a  
24 void that neither side has sufficiently brought out the  
25 information, the Staff will then bring that information



1 in with a witness as well. I suspect this time with  
2 the number of participants that we have had and will  
3 continue to have, that I would be surprised if that  
4 were necessary.

5 WITNESS LOVELAND: Okay. I look at this as  
6 two sides of an issue; I look at the residential side,  
7 and I look at the business side. Indeed, what we've  
8 heard here tonight is the residential side for the most  
9 part of the privacy issue and who owns that privacy  
10 information. I think Mr. Collins, it was, that made an  
11 elegant speech about that and the ownership of  
12 information.

13 What I want to address just for a moment is  
14 when this is used for a business purpose there are a  
15 couple of major benefits and potential pitfalls.

16 From the major benefit side we see this as  
17 being able to offer customer service in many  
18 businesses; not just pizza, or, you know, banking.  
19 There are a number of things whereby a database can be  
20 accessed as the number comes in. The computer can  
21 bring up information about the last order, effectively  
22 saving time and energy on the phone and saving industry  
23 many dollars and indeed justifying all the cost of  
24 that. From the downside, the major disadvantage or  
25 problem we see with that is red lining, and I would

1 like to understand if there are any regulations  
2 pertaining to red lining within the PUC's or any body  
3 of law in the state of Florida at the present time.  
4 Has that issue been addressed?

5 COMMISSIONER BEARD: I don't know the answer  
6 to that question to be perfectly honest with you. I  
7 today, can't answer that question. I don't know --

8 COMMISSIONER EASLEY: Would you define red  
9 lining the way you mean it?

10 WITNESS LOVELAND: Red lining would mean  
11 having a call come in from an NXX or an area that we've  
12 defined as probably not a market area of ours or a  
13 socially undesirable area.

14 COMMISSIONER EASLEY: Refusing to do  
15 business?

16 WITNESS LOVELAND: Refusing to do business or  
17 refusing to accept calls from that area even.

18 COMMISSIONER EASLEY: I doubt that that's in  
19 our jurisdiction.

20 COMMISSIONER BEARD: I'm sure it's not in our  
21 jurisdiction. I don't know if the state's statutes  
22 address it, and even if they did, if it's an interstate  
23 call. I mean, I call JC Pennys and they greet me, "How  
24 are you doing, Mr. Beard? What is it that you wanted  
25 to buy today?"

1                   WITNESS LOVELAND: Sure. And they're doing  
2 it ANI.

3                   COMMISSIONER BEARD: So I know what they've  
4 got, they have ANI. And they have my number, and my  
5 address and my hat size and everything else.

6                   COMMISSIONER EASLEY: Credit rating.

7                   COMMISSIONER BEARD: I don't think --- that  
8 would probably take some Federal legislation, if there  
9 is any, and I simply don't know the answer to that  
10 question.

11                   WITNESS LOVELAND: Okay. Just basically, I  
12 want to say that we are in support of Caller ID with no  
13 blocking, totally unrestricted. We view blocking as  
14 limiting the effectiveness of the service, and would  
15 not be in favor of that at all.

16                   COMMISSIONER BEARD: Okay.

17                   WITNESS LOVELAND: Thank you very much.

18                   COMMISSIONER BEARD: Thank you very much.

19                   MR. SHREVE: Thank you

20

21                   MR. SHREVE: Kathy Hoskinson.

22

23                   KATHY HOSKINSON  
24 appeared as a witness on behalf of the Citizens of the  
25 State of Florida and, having being first duly sworn,  
26 testified as follows:

1                   WITNESS HOSKINSON: My name is Kathy  
2 Hoskinson. I'm from Lake Mary, Florida.

3                   And I'd just like to speak as a consumer;  
4 that I'd like to state that I am in favor of Caller ID.  
5 Currently my home number is an unlisted number, but I  
6 see that technology is moving in such a direction that  
7 this may not be a viable option for me. There are  
8 services that are going to be coming in the future that  
9 will prevent this from being something that's very  
10 feasible, such as, I'm sure some of you have heard  
11 about home shopping so that you can do your shopping  
12 from your home and such as that. And technology is  
13 leading us in the direction that the passing of  
14 information, and the technology is there, that it  
15 really -- I don't see that by not having Caller ID  
16 you're really gaining anything.

17                   One of the interesting points I think that's  
18 been brought up -- everybody has been talking about  
19 that you're addressing -- that this is an issue for  
20 Florida, but if it's already approved in New Jersey  
21 which -- is that correct it is? And maybe Southern  
22 Bell can help me here, is if I call to New Jersey and  
23 someone has Caller ID, maybe not currently, but the  
24 technology is leading in such a direction they will  
25 have access to my directory number in New Jersey,

1 correct? And --

2 COMMISSIONER BEARD: Currently, I think it  
3 would not because it would be given out of area because  
4 it's the long distance. But my understanding is like  
5 yours, that technology in the next couple of years will  
6 present that feasibility as well.

7 MR. RIEFF: Currently in New Jersey we have  
8 within the LATA and it's not crossing LATAs yet, which  
9 is your local area transport.

10 WITNESS HOSKINSON: So we're talking just a  
11 matter of a few years and then if I want -- you know,  
12 and they call me, then I'm not going to be able to see  
13 who that person is where they, you know, they can see  
14 that there. So, you know, I don't think that's  
15 correct. So if they can see mine, I want to be able to  
16 see theirs.

17 COMMISSIONER BEARD: Nobody is going to be  
18 calling New Jersey anymore.

19 WITNESS HOSKINSON: Another point that this  
20 gentlemen brought up also. It's my opinion and feeling  
21 is that there are currently other services offered by  
22 Southern Bell where my number is already available.  
23 and it was a good point I think made by him on the  
24 repeat dialing feature, I believe it is.

25 COMMISSIONER EASLEY: Call back.

1           WITNESS HOSKINSON: So, you know, that  
2 doesn't help, like you said, in the cases of domestic  
3 violence or the police agencies. They haven't really  
4 gained anything because there are still ways. And in  
5 my opinion that's not the only one, there are other  
6 services being currently marketed, even here in the  
7 Orlando area, that would also allow this to be done in  
8 other ways.

9           I do believe that the blocking is a very  
10 important thing. I'm not sure -- I think there is a  
11 lot of details that need to be worked out, a lot of  
12 criteria that needs to be set, and that these concerned  
13 agencies need to work with Southern Bell to work that  
14 out. I do believe that is important.

15           I think, too, that one of the things from  
16 listening to some of the things that people have said  
17 here tonight, I don't think that it's very clear really  
18 what Southern Bell's position completely is on what  
19 they are actually offering here in Florida. And is it  
20 different than what is being offered in New Jersey?  
21 Can you clarify that for me?

22           COMMISSIONER BEARD: As best I can tell you,  
23 they came to us and requested Caller ID, essentially  
24 with no blocking. Law enforcement and social abuse  
25 agencies raised the questions, many of which have been

1 reiterated here tonight. We took a look at that and  
2 determined there were problems there, certainly.

3 We then basically sent those people out to  
4 see if those problems could be resolved. That has not  
5 occurred. And obviously, there has become greater  
6 interest, and you now, as you have seen tonight, have  
7 residential individuals who sit on both sides of the  
8 issue, so it continues to grow.

9 I personally think we're at a point in time  
10 where we're going to have to examine it, all that's  
11 available, and make some generic decisions for Florida  
12 on how a service such as this, regardless of the phone  
13 company, how it should be offered. I think that's  
14 where we are at.

15 I don't know where they currently stand on  
16 what they are requesting back before us. But I think  
17 that's the real net results of what's going to happen,  
18 is to look at all the technologies and what's in the  
19 best interest of the citizens?

20 WITNESS HOSKINSON: That was going to be my  
21 final recommendation is that, you know, more  
22 investigation be done to the other similar type  
23 services that are being offered and make sure that -- I  
24 think that a lot of the people that spoke here tonight  
25 or just not educated on the other services that are

1 available and that really, by fighting Caller ID,  
2 they're not solving the problem.

3 COMMISSIONER BEARD: Well, I think we have  
4 to, and I tell you, to give you a prime example, in  
5 Tallahassee I have Caller ID if I want it now, oddly  
6 enough by getting the automatic call-back. And all I  
7 have to do is go to my answering machine, turn it on,  
8 punch automatic call-back, and I'll get the tones, and  
9 I can figure out what the number is. And I can cross  
10 LATA lines, too, for that matter, if I wanted to. And  
11 I think technology is racing so far ahead that we're  
12 going to have to begin to think generically about  
13 what's going on.

14 WITNESS HOSKINSON: Thank you.

15 COMMISSIONER FASLEY: Thank you.

16 MR. SHREVE: Thank you.

17 (Witness Hoskinson excused.)

18 - - - - -

19 MR. SHREVE: Mike Brownlee.

20 MIKE BROWNLEE

21 appeared as a witness on behalf of the Citizens of the  
22 State of Florida and, having being first duly sworn,  
23 testified as follows:

24 WITNESS BROWNLEE: My name is Mike Brownlee,  
25 I live in Orlando, Florida. And my position is on for



1 Caller ID with unlimited free call blocking. It really  
2 goes back to what Gary, from Seminole County, with the  
3 Private Industry Council said when the issue, really,  
4 here is the callee's rights; the same way as if  
5 somebody is knocking on your door, you have the right  
6 to look through that peephole and see whether or not  
7 you want to answer that door. That's what Caller ID  
8 would mean to me in the privacy issue there.

9 As you consider your decision, I'd like to  
10 point out a marketing blunder I feel Southern Bell has  
11 made that has really not helped their cause here  
12 tonight.

13 We've heard from special interest groups, the  
14 law enforcement agencies, and the battered wives  
15 groups, and things like that, and they are here armed  
16 and ready with their opinions. And I think their  
17 points are all well-taken, and I think Southern Bell  
18 can address those issues and how to overcome some of  
19 those objections.

20 If, in these bills that we get every month  
21 and the public would have known about this, "Here is a  
22 service that we'd like to offer to you," I think we  
23 would have seen a greater representation of the average  
24 consumer here tonight. And as a consumer, I'm ready  
25 for better service from Dominos Pizza, from the Orlando

1 Utilities Commission and not having to wait on hold for  
2 45 minutes because they'll be able to service their  
3 customers faster; because, as he pointed out, before  
4 they even answer the phone, they've got your account  
5 right there in front of them.

6 And, again, I'd just like to say that I think  
7 it's the callee's rights rather than the caller's right  
8 that are at stake here. With the unlimited blocking,  
9 it puts people on a level playing field.

10 Thank you.

11 COMMISSIONER BEARD: Thank you.

12 (Witness Brownlee excused.)

13

14 MR. SHREVE: Yvonne Opfell.

15

YVONNE OPFELL

16 appeared as a witness on behalf of the Citizens of the  
17 State of Florida and, having been first duly sworn,  
18 testified as follows:

19 WITNESS OPFELL: I'm Yvonne Opfell, and I  
20 live in Orlando. I'm a plain, unadulterated citizen;  
21 no companies, I'm just me.

22 I always thought obscene phone calls were for  
23 somebody else, but when you get one it really shocks  
24 you. I got an obscene phone call a few years ago  
25 before all this new technology was coming in, and I

1 thought I handled the call very, very well and got all  
2 done, put the receiver down; my mother was sitting  
3 there and she said, "What's the matter?" And I said,  
4 "Well, I just got an obscene phone call."

5 I would have loved to have been able to trace  
6 that call and had that number right then and there,  
7 because I was real sure who it was, not positive, but  
8 real sure. And we had a lawsuit against this  
9 individual. And if I could have traced that call and  
10 proven that he had called me and given me this lovely  
11 conversation, our lawyer would have been very happy and  
12 it would have helped our lawsuit. I think this is  
13 something that is very important. I hope it passes and  
14 good luck to all of you because you have a hard  
15 decision to make, and thank you.

16 MR. SHREVE: Thank you.

17 (Witness Opfell excused. )

18

19 MR. SHREVE: Raymond Bassett.

20

RAYMOND BASSETT

21 appeared as a witness on behalf of the Citizens of the  
22 state of Florida and, having been first duly sworn,  
23 testified as follows:

24

WITNESS BASSETT: I'm Raymond Bassett.

25

Orange County School Board member for 20 of the last 24

1 years. And, Jack, I remember working on your airplane  
2 quite a few times out at the airport.

3 MR. SHREVE: Too many times. (Laughter)

4 WITNESS BASSETT: And I see you're still  
5 around so it must have been a successful venture on my  
6 part, too.

7 COMMISSIONER EASLEY: The airplane is still  
8 flying, too.

9 MR. SHREVE: Not very much though.

10 WITNESS BASSETT: You mean you still got that  
11 same old twin?

12 MR. SHREVE: As a matter of fact, yes.

13 WITNESS BASSETT: I thought it was worn out  
14 when we sold it to you.

15 COMMISSIONER EASLEY: It was. (Laughter)

16 COMMISSIONER BEARD: There are many people  
17 that have flown with him that believe you, too.

18 MR. SHREVE: Luckily I'm always able to blame  
19 the landings on the plane. So it works out okay.

20 WITNESS BASSETT: I am running for reelection  
21 this year and if the local talk show host who is here  
22 is not successful, I will be back in for another four  
23 years which will give me 24 years.

24 I'll give a little personal experience then  
25 I'll speak for the system in Orange County.

1           Years ago before all this modern technology  
2 we have where everything is push-button computers and  
3 everything else, my son was going with a young girl --  
4 I was going to say lady, but it was a young girl -- and  
5 she was much more amorous than he was and he broke it  
6 off. And I lost the use of my telephone for pretty  
7 close to six months. We had no Call Tracing, no Call  
8 Forwarding, no push-button this, push-button that. And  
9 finally in desperation I went to a good friend with the  
10 telephone company -- and I won't even say which one it  
11 was -- and through contacts with the FBI and the CIA --  
12 who was the president then? I forget who it was back  
13 then. But anyway, it took me a period of about three  
14 months to have them locate where the calls were coming  
15 from. They wouldn't tell me who the person was, but  
16 they said they had threatened them with lawsuits, loss  
17 of their telephone use for life and all this kind of  
18 stuff, and the calls finally ceased.

19           The point is that if I had had this service  
20 at that time, it would be a matter of just pushing a  
21 button or looking at the dial. I'm not even sure how  
22 it works. And I would have been able to go to Mr.  
23 Cocchiarella and his people and let him go ahead and  
24 prosecute and find out where the call was coming from  
25 and have them ceased.

1           Now, I'm saying I lost the use of that  
2 telephone. I lost the use of that telephone in that I  
3 was getting calls as long as ten -- ten hour periods as  
4 close as five minutes apart. I don't know how you can  
5 do this, and I couldn't change my telephone number  
6 being a public official. Some Legislators say we have  
7 to be available to our public so it was a listed  
8 number. And if I put in a private number, I would  
9 still have the other one, so really, I lost the use of  
10 it.

11           Technology is advanced and I understand that,  
12 and I don't understand the technology this gentleman is  
13 talking about completely. I've got a computer and if  
14 I'm lucky enough, I can turn it on and get some garbage  
15 back out of it. But technology is advancing very  
16 rapidly, and in that particular case I could see where  
17 I could have used this service very much.

18           Last night at our school board meeting, for  
19 those of you who are not familiar with school boards,  
20 there are two or three things that are very sensitive  
21 in the community. One is the children, first and  
22 foremost. I'm not sure whether it's first or not, but  
23 dollars are in there too, but which of it comes first  
24 depends on who you're talking to. Then the third one  
25 is sex education. We started talking about sex

1 education last night. 20 years ago we brought it up; I  
2 lost the use of my telephone for a long time and boy  
3 did I get the threats.

4           Threats don't really bother me too awful much  
5 because I now have an answering machine. And if  
6 there's somebody I don't want to talk to, I don't have  
7 to listen to it, or I don't have to call them back; and  
8 half of them that hang up are probably falling in that  
9 category. But it would sure be nice on occasion if  
10 this turns into what it did last time, which was a very  
11 nasty situation for me and the other six board members  
12 as well as a lot of our Staff people and all down  
13 there, were getting phone calls at home, it would be  
14 nice to be able to chop it off short so we don't have  
15 to put up with that garbage.

16           You on the Commissioners -- Commissioners  
17 know that occasionally your time is not your own,  
18 especially when your telephone is ringing and someone  
19 wants to talk to you. They don't always like to  
20 identify themselves but they can sure tell you where to  
21 go and how to get there. So I can see where it would  
22 be used there.

23           Now, that was personal experience and it may  
24 be again. If so, I'm going to be writing letters to  
25 all of you please get it in there because I'd like to

1 know who is calling me.

2 We do on occasion get bomb threats within the  
3 schools. And if you don't know where the call is  
4 coming from or can't identify the caller, or have some  
5 way of finding out what is really being said by whom,  
6 the only alternative we have is to evacuate that  
7 school. Dollars are not coming down from the state  
8 legislature for kids standing out here on the curb when  
9 they should be in the classroom. It's hard enough to  
10 keep the schools open. If the school is built fast  
11 enough to house the children the people seem to be very  
12 adept at producing today -- we picked up about 5,300  
13 students this year alone. But every time we evacuate  
14 that school, in effect we lose a day in school for all  
15 of those students.

16 Another little point that isn't in this  
17 letter is that I don't know what the percentage is, but  
18 a good percentage of the calls that come in come from  
19 within the school. And the detective was right, that's  
20 where they come from. But stop and think. In the  
21 school, for instance, Dr. Phillips will have over 4,000  
22 students -- I don't know how many telephones, which  
23 phone. But every one of those phones has a telephone  
24 number so we know where it's coming from. It's coming  
25 through the switchboard; it's coming from a pay phone.



1 With this kind of identification number, we can tell  
2 you immediately. We catch probably half of them,  
3 mainly because Johnny or Janie is standing next to the  
4 other one says, "Hey, I saw them make the call this  
5 time," and we do prosecute them; we have things to do,  
6 but a lot of them get away with it.

7 But during the '89-90 school year, various  
8 schools in Orange County, we have about 115 and I'm not  
9 sure -- we're building them so fast -- between 115 and  
10 120 schools. We had approximately two dozen bomb  
11 threats. Considering the fact that all two dozen of  
12 those bomb threats, if we evacuated the schools in  
13 question -- and they're usually high schools or middle  
14 schools -- that's a considerable loss in education;  
15 it's a considerable loss in dollars, and so forth.  
16 These threats are extremely disruptive to our  
17 educational process. So the school system itself  
18 wholeheartedly supports the concept of Caller ID for  
19 this reason if nothing else.

20 I have personally very strong sympathies for  
21 the law enforcement people because drugs, I think are  
22 probably -- I know they are a bigger problem than  
23 identifying who is calling in. And I can understand  
24 where their problems arise and why they arise, but my  
25 God, technology coming back from way back where it took

1 me two months to find out who is calling, to a  
 2 push-button today, I can't believe that the telephone  
 3 companies and technicians out in the field making this  
 4 equipment can't come up with some kind of a secret  
 5 calling system, or whatever you want to call it, to  
 6 where that detective or something would not be  
 7 identified.

8           What I'm saying basically is myself as an  
 9 individual, if I had the occasion for sex education,  
 10 again for instance, to use Caller ID, I would welcome  
 11 it. With the school system, I think it would be a  
 12 great help in us saving some monies and providing more  
 13 education for our students in Orange County.

14           Thank you for your being here. Enjoy our  
 15 trip to Miami.

16           COMMISSIONER BEARD: Thanks.

17           WITNESS BASSETT: Enjoy your airplane too,  
 18 Jack.

19           MR. SHREVE: Thanks a lot. (Laughter)

20           (Witness Bassett excused.)

21           - - - - -

22           MR. SHREVE: Fred Murray.

23           WITNESS MURRAY: I was late signing up so  
 24 I've not been sworn.

25           (Witness Murray sworn.)

1 FRED MURRAY

2 appeared as a witness on behalf of the Citizens of the  
3 State of Florida and, having been first duly sworn,  
4 testified as follows:

5 WITNESS MURRAY: My name is Fred Murray. I  
6 live here in Orange County. I'm representing myself  
7 tonight as a consumer.

8 The company I work for, I do handle the  
9 communications and computer technology area, if you  
10 will.

11 This product was described to me by my  
12 marketing rep from Southern Bell, and it's quite  
13 exciting from a businessman's perspective to see who is  
14 calling you. But if we have to give up our individual  
15 rights to privacy to have this privilege, it's not  
16 worth it.

17 I would be -- I think the product is one that  
18 is a viable product and can work even if we allow the  
19 individual consumers to make that decision as to  
20 whether they want their calls blocked or not blocked.

21 If you agree with my position and you allow  
22 me that right to block my number identification going  
23 out, and I call Dominos Pizza and they make the  
24 business decision not to do business with me, that's  
25 their decision to make. It then puts it in my court,

1 so to speak, that I can make my decision if I want to  
2 continue with my call blocking, and give up the right  
3 to do business with Dominos Pizza or anyone else who  
4 wishes not to do business with me because I'm blocking  
5 my number.

6 I am a private citizen. I'm not a spouse  
7 abuser; I do not abuse my children; I do not make  
8 harassing or obscene phone calls. I have occasionally  
9 made annoying calls until I got my new glasses and I  
10 was able to dial correctly, but I am very careful about  
11 that.

12 The point I'm trying to make here is, is that  
13 these privileges of privacy are very dear to me. And  
14 as director of Information Services for a large  
15 corporation, I'm kind of caught in the middle here. On  
16 the one hand I'd like to see it, and I think it's a  
17 viable product, even if we allow the people not to  
18 provide us that number. I think what you'll see is if  
19 you rule the other way and say that no one can block  
20 their calls except the law enforcement and spouse  
21 abuse, what you will create is another industry. On  
22 the one hand Southern Bell will sell to people such as  
23 Dominos, and probably my company will subscribe to the  
24 service. The service of us seeing who is calling us,  
25 for those of us that are not privileged to have our

1 calls identifications blocked, we will go to an outside  
 2 source. There will be an industry created where people  
 3 will buy a PBX, they will go to Southern Bell, they  
 4 will get some lines in there and sell that service to  
 5 me where I can call them and pass through their PBX,  
 6 and the call identification will go out with their  
 7 number, not mine. Again, Southern Bell will sell the  
 8 service to me to get that call identification and a  
 9 consumer will then go through a service that they are  
 10 buying from Southern Bell to avoid that.

11 I would like just to say that I think the  
 12 Caller Identification is fine, but I think the ability  
 13 for anyone to block their Call Identification at no  
 14 charge should be provided.

15 Thank you.

16 COMMISSIONER BEARD: Thank you.

17 MR. SHREVE: Thank you.

18 (Witness Murray excused.)

19 - - - - -

20 MR. SHREVE: Mr. Hewitt.

21 JOSEPH M. HEWITT

22 appeared as a witness on behalf of the Citizens of the  
 23 State of Florida and, having been first duly sworn,  
 24 testified as follows:

25 WITNESS HEWITT: Good evening. I'm Joseph

1 Hewitt.

2           Sitting here this evening -- I'm not very  
3 good at this so you'll have to bear with me. Just  
4 sitting here this evening, I've listened to all  
5 different types of situations and predicaments.

6           The question I have is if I can block my  
7 calls, I'm going to pay you for this. Am I also going  
8 to pay you for my unlisted telephone number? Am I  
9 going to be charged twice for it? In other words, I'm  
10 paying right now, paying the Bell company for an  
11 unlisted number right now, and if you implement this  
12 new system, and I want to block it because I do not  
13 want my privacy out there, are you going to charge me  
14 for that as well? And if so, then, I'm getting charged  
15 twice: One for being unlisted and, secondly, you're  
16 going to charge me to block it again.

17           MR. CRISER: We have not made any proposal  
18 for per-call blocking so as a result, we have no  
19 proposal put forward as to whether or not there would  
20 be a charge for it.

21           WITNESS HEWITT: Okay. So then that is  
22 something that will have to be addressed if it is.

23           COMMISSIONER BEARD: Yeah, there again, one  
24 of the other people tonight was correct that their  
25 proposal doesn't contain universal blocking, so

1 obviously they haven't determined to put a price on it.  
2 I think that's something we would have to look at  
3 ultimately as we look at all these services to see if  
4 it's allowed, who pays.

5           WITNESS HEWITT: Okay. One thing, for all  
6 the people, the police, battered children, battered  
7 wives and et cetera, I don't know how many realize  
8 there is a public library. Now, the public library has  
9 cross-reference books of every phone, every business,  
10 every address that exists here. So if your number is  
11 put out to someone that wants to find you for any  
12 reason, or if for some reason I, you, would call  
13 someone and make them mad at you, all they've got to do  
14 is have your number, go to the public library, and they  
15 have your address.

16           Also, I have personally called the telephone  
17 company with a telephone number to get an address,  
18 which the Bell Telephone Company has given me. So it  
19 doesn't take much effort if you want someone's address  
20 with this system. Once you have the number, it doesn't  
21 take much effort to go through the library if you have  
22 your cross-reference books, et cetera.

23           So privacy is nonexistent with this system.  
24 And if it is, explain how that is because you cannot  
25 make my privacy -- you can't keep my privacy once that

1 number is out there in front of anybody.

2           Also, I do know that the State of Florida  
3 License Bureau sells telephone numbers, addresses and  
4 so forth or used to, last year.

5           All these companies, just like the pizza  
6 company, et cetera, when they get your telephone  
7 numbers, they will sell it to other companies. That's  
8 the business and the selling game. For the selling  
9 market it's great, it's fantastic.

10           This state also is made up of a great deal of  
11 older people, retired people, and et cetera, who we  
12 already know are constantly being plagued by sly people  
13 that come in doing the roofs, doing the windows, doing  
14 the siding, et cetera. You're giving those type of  
15 people an open checkbook to take advantage of the old  
16 people that don't want those services or don't want  
17 those people; but unfortunately, including my mother,  
18 who has gotten bit two or three times by a quick  
19 salesman -- and by way, I'm not good at speaking, but I  
20 also am a 14-year road salesman; that's my profession  
21 today. But it's not -- to me it's a complete lack of  
22 consideration of privacy, my privacy, my mother's  
23 privacy, your mother's privacy or anybody else's  
24 privacy. You've taken it away from me. As far as the  
25 battered wives and the police department, et cetera, if



1 that number for any reason is out of there, anyone can,  
2 once again, go to library or any cross-reference books  
3 and get that information and go right to your home.

4 And I don't think that's right; it's not right at all.

5           The phone company, as near as I'm determining  
6 from what I'm hearing and listening to, this is a great  
7 product for them to make money, additional money. You  
8 people have already got in your system, which has been  
9 offered to my home, the system to trace a call if  
10 somebody gives me an obscene call, or whatever the case  
11 may be, with two or three digits you can trace that  
12 call for me. And as the law enforcement says, and I  
13 know that much as well, if the law enforcement says  
14 that when you trace it, you have hard copy, hard proven  
15 information they could go into court with for the  
16 individual and prosecute them or whatever needs to be  
17 done. And myself, I use a recorder and inside of this  
18 last year there's been one telephone number that I  
19 could not catch or could not understand, one telephone  
20 number out of a year. So this argument about you've  
21 got the readout there and you're not going to make a  
22 mistake really doesn't hold much water, because if you  
23 have got a recorder or turn your hearing aid up --  
24 being a little facetious -- you can get the number. I  
25 don't think that's a big deal.

1           But, again, I think this a way for this  
2 telephone company to make business and more money for  
3 them. I think the telephone company could do better  
4 improving their process of tracing calls. Also, they  
5 could even improve on their own service of me a couple  
6 of weeks ago taking 20 minutes to get to a humanoid. I  
7 don't know if you know what that is but that is someone  
8 that breathes, walks and thinks with a brain.

9           Down there the telephone company has nothing  
10 but computers, you talk to computers. "Wait here; dial  
11 in another number," this, that and the other thing.  
12 And I needed help from the telephone company to find  
13 the telephone lines put through my property because I  
14 had a sewer problem.

15           So a day later I finally got my sewer problem  
16 solved because the plumbing company wouldn't dig  
17 because they didn't know where the telephone lines were  
18 because I was too busy talking to computers. So I  
19 think the telephone company needs to spend a little  
20 more effort solving some of their problems they already  
21 have and quit trying to take my rights and other  
22 people's rights and endangering again the public.

23           Just in case you made them mad, just in case  
24 it's a boy friend, a girlfriend -- and I will add on  
25 top of that, my wife left me three years ago, got

1 married two years ago, and eight months started calling  
2 me, this last eight months, she wants to come home to  
3 me. Now, my telephone number -- I actually put another  
4 line, so I now have two telephone lines in from  
5 Southern Bell, one because I couldn't put up with it.  
6 So I want my privacy; I want it left alone, by you, the  
7 governmental body or anybody else. And I think anybody  
8 else in this room wants the same thing. Leave our  
9 privacy alone. The service is fine for business, and  
10 if you implement it, if you say it can go into force, I  
11 want the privilege of blocking my number, and I think  
12 that's only right. Thank you.

13 MR. SHREVE: Thank you, sir.

14 (Witness Hewitt excused.)

15

16 MR. SHREVE: Mr. Slaughter.

17

BRANTLEY SLAUGHTER

18 appeared as a witness on behalf of the Citizens of the  
19 State of Florida and, having been first duly sworn,  
20 testified as follows:

21 WITNESS SLAUGHTER: Not to go to sleep back  
22 there but we had some very interesting things said  
23 today.

24 And, first of all, I'd like to say my name is  
25 Brantley Slaughter. I live in Orange County, in

1 Orlando, Florida. I've been here too many years to  
2 admit to. Ray Bassett knows a little bit about that.

3 I'm in favor of the Caller ID. And I think  
4 with the electronic switches and the technology today,  
5 nobody is being forced to accept any of this. I think  
6 it's a step forward. I think in Orange County we're  
7 very fortunate to have the advancement in communication  
8 that we have here. I'd like to see the other telephone  
9 companies catch up with Southern Bell and make the Star  
10 services available throughout the area because this is  
11 one big area, and I think that's very important.

12 I have had interesting experiences with  
13 telephones and privacy and what have you, and the best  
14 solution I've found, I turned the phones off in the  
15 house at night, and I've got one of these electronic  
16 leashes and if somebody has to get me, they can get me.  
17 But those that want to aggravate me or wake me up when  
18 I've had a bad day or long day or have to work half the  
19 night, they can't find me, and I'm happy that way. So  
20 I hope that you'll consider putting this in and giving  
21 us the opportunity to benefit from it.

22 COMMISSIONER EASLEY: Electronic leech?

23 WITNESS SLAUGHTER: Yeah, that's one of these  
24 little things here.

25 COMMISSIONER EASLEY: Leash or leech?

1 (Laughter)

2 WITNESS SLAUGHTER: You could take it either  
3 way.

4 So anyway, I hope you'll consider letting us  
5 have this further technology and expand all the Star  
6 services throughout the area.

7 Thank you.

8 MR. SHREVE: One question.

9 DIRECT EXAMINATION

10 BY MR. SHREVE:

11 Q Mr. Slaughter, how do you feel about the call  
12 blocking. I know you mentioned it.

13 A Well, I think you're going to have a  
14 situation there where you would be just canceling out  
15 too many things. I think law enforcement, people that  
16 want it, I think it should be available. I really  
17 haven't thought enough about it to say who should  
18 actually pay for it.

19 One of the things that Mr. Babington brought  
20 up with Orange County, and I happen to be familiar with  
21 what they have down there. And, by the way, throughout  
22 the whole building, they have Caller ID already in on  
23 their private system so they can identify who is  
24 calling within the system. And yet he says they are  
25 too expensive. Well, they spent our tax money to do

1 that and they didn't really need it, but they do that  
2 all the time anyway. So I don't know really who should  
3 pay for it on the law enforcement end, but the last  
4 hearing you had Bell said they were willing to make it  
5 available to law enforcement.

6 Q Okay. Well, what about call blocking beyond  
7 law enforcement and abuse centers?

8 A I think if somebody wants it they should have  
9 that option, because this is a public means. Telephone  
10 is a public service just like a bus or a train or  
11 anything else, and it's certainly not private.

12 MR. SHREVE: Thank you. Good to see you  
13 again.

14 (Witness Slaughter excused.)

15

16 MR. SHREVE: Mr. Stone.

17 COMMISSIONER BEARD: How many have you got  
18 left?

19 MR. SHREVE: Mr. Stone may be the last  
20 witness.

21 I apologize for it being this late but --

22 WITNESS STUM: Does that mean I can take a  
23 long time?

24 MR. SHREVE: You can take as long as you  
25 want.

1 COMMISSIONER BEARD: Mr. Shreve is not fully  
2 in charge of this meeting, however. (Laughter)

3 MR. SHREVE: I was going to be gone but you  
4 take as long as you like.

5 WITNESS STUM: I'll try and abide by your  
6 rules here, Commissioner.

7 JOHN STUM

8 appeared as a witness on behalf of the Citizens of the  
9 State of Florida and, having been first duly sworn,  
10 testified as follows:

11 DIRECT STATEMENT

12 WITNESS STUM: My name is John Stum. I'm an  
13 Orlando police lieutenant. I've been employed with the  
14 City of Orlando for over 21 years.

15 COMMISSIONER FASLEY: You can talk as long as  
16 you want.

17 WITNESS STUM: I don't particularly want to.

18 I command an undercover narcotic unit and,  
19 consequently, I don't do a lot of public speaking. As  
20 a matter of fact, the last occasion I had to do was  
21 before a hearing on this same matter in the County  
22 Commission chambers.

23 I'm here just to clarify, just to fine-tune  
24 maybe an attitude or a perception that this -- that the  
25 opposition that you're hearing or the concerns that

1 you're hearing about Caller ID and the other possible  
2 options that might be made available with it are  
3 concerns from management, from people who are going to  
4 have to pay the phone bill, from people who are  
5 representing law enforcement here for you tonight but  
6 they are not really the guys on the street.

7           And I have the guys on the street working for  
8 me. And I don't do a lot of undercover work, I just  
9 associate with the guys that do, so I go out there and  
10 blend in. I can change my identity tomorrow; I'll be a  
11 blonde and look 23.

12           COMMISSIONER BEARD: How do you do that? I  
13 need that. (Laughter)

14           WITNESS STUM: It's just a natural thing. It  
15 comes with the -- you'll learn at the academy.

16           Anyway, I represent the people that are out  
17 there having to work with the provisions that we give  
18 them today to do their job and with the tinkering that  
19 goes on with technology as it comes along, and  
20 consequently they are coming to me with concerns they  
21 are hearing about Caller ID and what are we going to do  
22 about it?

23           I'm here to let you know they have concerns.  
24 I would just echo some very eloquent presentations from  
25 Mr. Brady, Mr. Marblestone, two people I don't know,



1 but I know them now. Mr. Cocchiarella, whom I just  
2 coincidentally work for, but I'm here with some  
3 personal observations as well.

4 A lady mentioned earlier that this was a  
5 question of rights and she wanted to have those rights,  
6 and in the same breath she endorsed Caller ID without  
7 any of the blocking features. And she just gave up  
8 those rights to choose because the phone company will  
9 choose for here now without those blocking options that  
10 have been discussed quite thoroughly this evening, so I  
11 won't go further with it.

12 I just want you to know it's not just the  
13 upper echelon of business, the upper echelon of local  
14 government, law enforcement. It's the people on the  
15 streets, the people that I can't bring in here and have  
16 speak with you individually or they'd need to be here  
17 and you've been here past the midnight hour, because  
18 they feel very strongly about it.

19 I don't have to be concerned again about  
20 public speaking except I'm not quite as eloquent as  
21 some of the people who preceded me this evening. I  
22 just ask that you give consideration. If we're going  
23 to have the Caller ID, then we need to have the  
24 universal Call Blocking as a complement to that  
25 feature.

1           That's all I have.

2           COMMISSIONER BEARD: Thank you.

3           COMMISSIONER EASLEY: Thank you, sir.

4           MR. SHREVE: Thank you.

5           That's the last witness we have. Is there  
6 anyone here that --

7           COMMISSIONER BEARD: Anybody else that has  
8 not testified that through whatever is decided they  
9 would like to? Okay.

10           As I said earlier, we were in Jacksonville  
11 last night and we'll be in Miami tomorrow afternoon or  
12 morning and evening to hear again from the public.

13           In late November we will have a, what we tend  
14 to call the more technical aspect of these hearings, to  
15 get into some of these specific details that I know you  
16 all have concern with, and then at some point in time  
17 following that I would assume a decision would be made  
18 by this Commission.

19           We truly appreciate your coming. Apologize  
20 for it being this late, but it's the kind of  
21 information we need to hear from you. It helps us.

22           One young lady here has managed to stay awake through  
23 the whole thing. I can't understand that.

24           Thank you very much for coming.

25           (thereupon, hearing adjourned at 10:15 p.m.)

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1 F L O R I D A )  
2 :  
3 COUNTY OF LEON)

CERTIFICATE OF REPORTER

4 I, JOY KELLY, CSR, RPR, Official Commission  
5 Reporter,

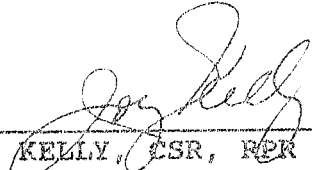
6 DO HEREBY CERTIFY that the hearing in the  
7 captioned matter, Docket No. 891194-TL, was heard by  
8 the Florida Public Service Commission commencing at the  
9 time and place therein stated; it is further

10 CERTIFIED that I reported in shorthand the  
11 proceedings held at such time and place; that the same  
12 has been transcribed under my direct supervision, and  
13 that the transcript consisting of 170 pages,  
14 constitutes a true and accurate transcription of my  
15 notes of said proceedings; it is further

16 CERTIFIED that I am neither of counsel nor  
17 related to the parties in said cause and have no  
18 interest, financial or otherwise, in the outcome of  
19 this docket.  
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IN WITNESS WHEREOF, I have hereunto set my  
hand at Tallahassee, Leon County, Florida, this 15th  
day of October, A.D., 1990.

  
\_\_\_\_\_  
JOY KELLY, CSR, RPR  
FPSC Bureau of Reporting  
Fletcher Building, Room 264  
101 East Gaines Street  
Tallahassee, Florida 32399-0871