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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In The Matter of	:	DOCKET NO. 891194-TL
Proposed Tariff Filings	:	
by SOUTHERN BELL TELEPHONE	:	<u>MIAMI</u>
AND TELEGRAPH COMPANY	:	
Clarifying When a Nonpub-	:	<u>CUSTOMER SERVICE HEARING</u>
lished Number Can Be	:	
Disclosed, and Introducing	:	<u>VOLUME - II</u>
Caller ID to TouchStar	:	
Service.	:	Pages 122 through 273

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OCT 22 1990

Radisson Mart Plaza
North Ballroom
711 Northwest 72nd Avenue
Miami, Florida 33126

Florida Public Service Commission

Thursday, September 27, 1990

Met pursuant to notice adjournment at 1:40 p.m.

BEFORE: COMMISSIONER MICHAEL MCK. WILSON, Chairman
COMMISSIONER THOMAS M. BEARD
COMMISSIONER BETTY EASLEY
COMMISSIONER GERALD L. GUNTER
COMMISSIONER FRANK MESSERSMITH

APPEARANCES:

(As heretofore noted.)

ALSO PRESENT:

ANN SHELFER, FPSC Division of Communications.

REPORTED BY:

CAROL C. CAUSSEAU, CSR, RPR
JOY KELLY, CSR, RPR
Official Commission Reporters

DOCUMENT NO.
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10/22/90

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P R O C E E D I N G S

(Hearing reconvened at 1:40 p.m.)

CHAIRMAN WILSON: We will reconvene the hearing.

Mr. Shreve, do you have any other witnesses here to testify?

MR. SHREVE: Yes, sir. Now, some of these may be gone but I think there are some here.

CHAIRMAN WILSON: All right.

MR. SHREVE: Mr. Russ Livermore. (Pause) Sharon McFadden. (Pause) Mr. Sastre. (Pause) Kathy McCallister. (Pause) Harriet Calucci.

HARRIET CALLUCCI

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

WITNESS CALUCCI: My name is Harriet Calucci. I have been a resident of Dania, Florida, for 20 years, and I'm also the Executive Director of the Dania Chamber of Commerce for 13 years.

I would like to go on record as definitely in favor of Caller ID. It's not only just for the benefits allowed to us personally but the business aspect.

Dania is a very small community and,

1 therefore, our Chamber is often looked to as a watchdog
2 to the community, and not only to serve the businesses
3 but the residents. And we do have a large retired
4 community and we are not a wealthy community. People
5 will call us frequently where they have been solicited
6 over the phone, whether it be for roofing or painting,
7 or what have you, and they failed to get telephone
8 numbers. They will just get names of businesses. Some
9 Chambers will say, "Well, they're not a member, we
10 can't help you." That's not our policy in Dania
11 because we want to help our community.

12 I think a legitimate business person would
13 not mind the fact that if they were calling to solicit
14 for work that their number was displayed to the person.
15 I feel that it would help eliminate some of the
16 fly-by-night businesses, the whitewashing of roofs, and
17 what have you, and I know you are all familiar with
18 that. And a lot of times the best interest of the
19 consumer is not in mind on some of these boiler-room
20 operations.

21 I have also seen through my daily
22 experiences, because of where my office is in Dania --
23 we are right next door to the Fire Department -- and
24 many times we see all the emergency vehicles leave and
25 return shortly knowing that it was nothing but a false

1 alarm. And I can't help but think that this would
2 deter false alarms. Again, the word "deter" comes up.

3 But I just can't explain how important I
4 think this would be in dealing with a lot of the
5 retired people in the community. And we also have a
6 large minority group in our community that is
7 uneducated, and this would help them also from being
8 taken advantage of. And I do feel that Call Blocking
9 would defeat the purpose of the person having Caller
10 ID.

11 I just want to thank you for the opportunity
12 of coming before you and I hope that you will see fit
13 to approve Caller ID.

14 CHAIRMAN WILSON: Thank you for coming. We
15 appreciate you taking the time to come here.

16 COMMISSIONER MESSERSMITH: I appreciate your
17 waiting.

18 CHAIRMAN WILSON: Yes, thank you for waiting.
19 (Witness Calucci excused.)

20

- - - - -

21

MR. SHREVE: Mr. Premer.

22

23

24

25

1 HOWARD PREMER

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 PREMER: Good afternoon,
6 Commissioners. My name is Howard Premer, and I come to
7 you wearing a couple of hats this afternoon. One is as
8 a broadcaster, I am the owner of Radio "Suave," or
9 WSUA, which is a popular Hispanic radio station here in
10 Miami. I am also a City Councilman in North Miami.

11 I would like to first speak on the
12 broadcasting end, and I used to be the -- I was former
13 president of the South Florida Radio Broadcasters
14 Association. I feel somewhat comfortable in
15 representing broadcasting as a whole. And I would like
16 to share with you two quick incidents that are personal
17 and very specific in nature.

18 The first was approximately a year ago in
19 acquiring Radio Suave we had a dramatic situation
20 occur. We were brokering the station prior to
21 ownership. We had made a conscious decision to be
22 somewhat more liberalized in our programming aspects in
23 terms of the Cuban community. We took a program on the
24 air that wasn't taken well by some of the conservative
25 elements in the Cuban community, and we received severe

FLORIDA PUBLIC SERVICE COMMISSION

1 bomb threats. The owner of the station overruled our
2 decision because of the safety and welfare issue, and
3 we took the program off the air.

4 We were the object of a First Amendment case
5 that lasted several months, and several hundred
6 thousand dollars later we finally acquired the station.
7 I don't know whether the bomb threats were real;
8 obviously, you know, we don't know. But the reality of
9 the situation, and the practical reality is that it
10 took several months for us to acquire the station,
11 several hundred thousand dollars in legal bills, and a
12 community that was shaken, the Cuban community.
13 Clearly this was the object of major coverage and it
14 was a very severe incident.

15 Had there been Caller ID, I don't believe
16 this would have happened. I think the deterrent alone
17 would have prevented the people from calling. I wish
18 there was.

19 Now, let me transpose a decade, go back a
20 decade in time, and I'll share with you another
21 personal incident. I was General Manager of WKAT,
22 another radio station that my family currently owns. I
23 made a conscious decision -- we were talk radio, the
24 "Talk of Miami." We pioneered this format of talk
25 radio in South Florida back in the sixties. In 1981 we

1 had had a series of phone calls that disturbed the talk
2 format from people that thought it comical to go ahead
3 and make phone calls and disturb our talk format. And
4 I won't be lengthy but the bottom line of the situation
5 is that after about six months of these phone calls we
6 were forced to make a decision to change formats. We,
7 indeed, did; we changed format, and the primary reason
8 was that the callers were inconsistent and we could not
9 be depended upon to have the sincerity of those
10 callers.

11 We brought in Southern Bell, and this was
12 about ten years ago, and they did assist us, as did the
13 police, but it's a very bureaucratic process, an
14 extremely bureaucratic process. And eventually we did
15 find the people that were responsible but after that
16 our market condition was lost and we were no longer the
17 "Talk of Miami," and we made the correct decision to
18 change to Big Band format at WKAT.

19 So that's radio, and that's broadcasters, and
20 I will tell you that even though we don't do talk radio
21 at WKAT, and I will tell you that the talk radio
22 stations in this town are still plagued by this
23 problem, and across the state of Florida.

24 The political hat: Very briefly, my phone is
25 listed in the phone book. If people have a problem at

1 night, city politics is the first defense. We have
2 about 50,000 people in the city of North Miami and if
3 their garbage is being taken out a little bit too late,
4 they are going to call good old Howard Premer and say,
5 you know, "Howard, can you help me?" We should be that
6 way; we should be accessible.

7 Frankly, many of my peers in politics choose
8 to have unlisted phone numbers, and I don't blame them.
9 We are the object of crank phone calls on an ongoing
10 basis. So one of the best results that I can see
11 happening as a direct result of Caller ID would be that
12 politicians especially on a local level, where it is
13 the most critical to touch the people, will say that
14 there is no need anymore to have unlisted phone
15 numbers. We're going to list our phone number and we
16 know that if that person is calling us, that they are
17 sincere people; if not, they are going to be caught
18 very quickly.

19 So, again, I understand your concerns, it is
20 not an easy decision. But, frankly, from my
21 perspective, and again wearing those two hats,
22 broadcasting and government, I think clearly that
23 Caller ID is one of the best technological advances to
24 come down the pike in many, many years and I'm thrilled
25 to death to have it. Thank you for your time.

1 COMMISSIONER EASLEY: Thank you.

2 CHAIRMAN WILSON: Thank you very much.

3 MR. SHREVE: Thank you.

4 (Witness Premer excused.)

5 - - - - -

6 MR. SHREVE: Bob Sherman.

7 BOB SHERMAN

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 SHERMAN: Good afternoon,
12 Commissioners. My name is Bob Sherman. I am a photo
13 journalist for a national magazine. I am also a
14 freelance journalist and I am also the husband of a
15 woman who owns the largest privately-owned news service
16 in the Southeastern United States.

17 Before I start with what I had planned to
18 discuss, I would like to, if I may, address some of the
19 concerns that other people who preceded me here today
20 have mentioned to you.

21 I am utterly shocked that during all of the
22 testimony that you heard this morning from 95% of the
23 people that spoke to you, that used the phrase, "Call
24 Trace," and then said, "Well, how great it would be if
25 we had Caller ID." No one from Southern Bell offered

1 to volunteer the information to you, fellow
2 Commissioners, that that answer is already in place.
3 They have a tariffed service called "Call Return." It
4 has been around for over a year now, I believe. It is
5 available from any central office that will be able to
6 handle Caller ID, mainly a System 7 office. It is
7 part of the same class software package that offers
8 Caller ID. If you can't get Call Trace and you can't
9 get Call Return, you can't get Caller ID.

10 All of the people who said, "Well, the police
11 may not want to get involved," or, "We don't want to
12 involve the police, we want to handle it ourselves."
13 They don't need that piece of paper with a phone number
14 written on it to go to the Bressers or to go to a
15 computer database that I, for one, know that the
16 Donnelly Corporation sells under the name of Metromel,
17 that has 114 million people listed in it, 80 million
18 addresses, and over 65 million telephone numbers,
19 including some that are nonpublished. They don't need
20 to go to that to force a confrontation that the police
21 chief said in this heavily-armed society, especially
22 down here, is a possibility. All they have to do is
23 dial Star 69 right now if they subscribe to Call Return
24 and the phone will ring from wherever the call was
25 placed. If it's children playing with the phone, you

1 now have their parents, you can talk to them. If it's
2 someone who has said something obscene, you have the
3 opportunity to talk to them. If that doesn't work, now
4 you can use Call Trace and notify the law enforcement.

5 And the other thing I would like to mention
6 before I go on to what I wanted to say to you is that
7 the options, or what Southern Bell tells most people
8 are acceptable options for Caller ID to block it, such
9 as using a public telephone or putting in another line
10 or using a credit card or an operator-assisted call, or
11 using a cellular telephone, none of those are
12 acceptable for call blocking. They all cost you extra
13 money. The people have their privacy now, and now all
14 of a sudden they want to charge you more money by
15 having you run to the phone, a pay phone, to make a pay
16 phone call if you want to keep your privacy?

17 Most every other state that has addressed the
18 Caller ID issue, including most recently Nevada, and
19 California has mandated it by law, have insisted that
20 if they offer Caller ID, they must offer free Call
21 Blocking to anyone who asks for it.

22 Now, the reason I came before you today, I
23 come before you as a journalist; I come before you
24 representing many people from the Radio/Television News
25 Directors Association, and I hope Mr. Premer is still

1 here to hear this, also several people in Sigma Delta
2 Chi, which is the Professional Journalists Society.
3 Many of us work from home, investigative reporters, and
4 so on and so forth. Many of us deal with the same
5 element of people that your law enforcement agents do;
6 the druggies, the slime, everything else. We have our
7 own tipsters, our own informants, and just as
8 "Deep-Throat" was an informant for Watergate, do you
9 think there would have been a Watergate or would there
10 have been a "Deep-Throat" if we had had Caller ID? I
11 doubt it very, very much.

12 We do not want our home phone numbers given
13 out to this element of the society that the police are
14 afraid will kill police officers. They carry guns, we
15 don't. If they are afraid of them, we certainly are
16 afraid of them. For example, we also, if we should,
17 let's say, write a pro or a con story about abortion --
18 and I only take that as an instance -- and the other
19 side doesn't like it, we don't want the next
20 demonstration in front of our home. If we interview a
21 Mafia person and they don't like what is written about
22 them, we don't want our families jeopardized.

23 Now, they have spoken about per-call Call
24 Blocking. PacTel has done an extensive in-house survey
25 in California because they are under legal mandate that

1 if they offer Caller ID, they must offer free Call
2 Blocking to every customer. And they did an in-house
3 survey, and I have the gist of it here in the envelope
4 if you would like to read it, that says it would still
5 be profitable and still be salable even if every person
6 in this state can have Call Blocking. They go on to
7 say that if we only offer per-call blocking, that
8 within 60 to 90 days most of the people will become lax
9 and will forget to dial the Star 67, which is the
10 software code to block your number, and so the number
11 of blocked calls will decrease constantly as people get
12 annoyed with it.

13 So what we need, Commissioners, if you are to
14 grant Caller ID -- and I must say that I'm against it
15 to start with -- but if it's to be granted, it is the
16 option not only for law enforcement, and that's all we
17 have heard is law enforcement and we've heard HRS, if
18 you write that into the tariff and that tariff then
19 becomes a model for other states and it perpetuates, as
20 it is already doing from other states and you are
21 looking at their tariffs, then they only exclude law
22 enforcement.

23 There are many other occupations that need
24 exclusion, and I think it would be better worded if you
25 are to allow blocking is that blocking is available to

1 anyone who needs it. We don't need to specify law
2 enforcement, we don't need to specify HRS, and the
3 blocking should be available not only on a per-call
4 basis to those who might want to use it once in a while
5 at no charge, but it should be available on a permanent
6 basis on any line that one wishes it on. And I might
7 say that in that case I envision a reverse twist will
8 be necessary.

9 My envision, based upon what I am reading and
10 hearing and learning, is within two years after it is
11 implemented, it will become a way of life for many
12 businesses. And if you have a permanently-blocked
13 telephone, you virtually will not be able to call up
14 and order a pizza to be delivered, or dinner to be
15 delivered, or perhaps a plumber to come to stop your
16 pipe that just broke because he can't see your number
17 on his display and he's not coming. So you have to
18 have the code do the opposite thing, and that is for
19 that particular call activate Caller ID to satisfy them
20 that you are not going to rob them or kill his
21 deliveryman, or his plumber, or whoever it is that you
22 are trying to get to come out to your premises. And I
23 have not heard that discussed here at all.

24 Now, one person today from the Chamber of
25 Commerce, I believe, said that a lot of their

1 businesses, banks and so on, would like the service
2 that Sears has where it would automatically -- and I
3 believe Commissioner Easley questioned them about this
4 -- that it would automatically put the number on. They
5 don't need caller ID for that. It's already happening.
6 It's part of a package called "ISDN" that you
7 Commissioners okayed a year or two ago in the state of
8 Florida. As a matter of fact, I supplied a telephone
9 number to Ron Tutor at FDLE, and Emmy, Mr. Shreve's
10 assistant, said the number filtered down to their
11 office and they tried it. It was an 800 telephone
12 number located in Michigan, and it is a company in
13 Texas who is selling equipment to cable television
14 operators so that when their customers call in, they
15 know who is calling them. And as part of the
16 demonstration that this recording gives you, and it's
17 all recorded, I mean, you can call at 2:00 in the
18 morning, 4:00 in the morning, it's all taped. It tells
19 you the number of the telephone that you are presently
20 calling from, even though you are in Florida. So they
21 are sending that information out already in violation
22 of the fact that you have not even approved Caller ID.
23 Northern Telecom --

24 CHAIRMAN WILSON: That call goes to Michigan?

25 WITNESS SHERMAN: The call goes to Michigan,

1 yes, sir.

2 CHAIRMAN WILSON: That will be an interstate
3 service that we wouldn't necessarily have any
4 jurisdiction over anyway.

5 WITNESS SHERMAN: All right, but the call is
6 emanating here in this state.

7 CHAIRMAN WILSON: It doesn't matter.

8 WITNESS SHERMAN: Okay. Northern Telecom has
9 an instrument that just came on the market for \$2,500
10 that intercepts those ISDN signals, which puts it in
11 the reach of every drug dealer in the country because
12 \$2,500 to them is like a loaf of bread to most of us.
13 And law enforcement officers who are fooled under the
14 guise of having their lines blocked for Caller ID don't
15 realize that their number is still going out when they
16 make certain calls, and can still be compromising their
17 lives.

18 Now, one question that has come up in several
19 states before various Public Service Commissions, and
20 there is no technician from any of the telephone
21 companies who has yet been able to say that it won't
22 happen. And this does involve crossing state lines but
23 it also involves lives.

24 If, for example, a call is made from a
25 blocked telephone here in Miami, to a telephone in New

1 Jersey, let's say, where they do not allow Call
2 Blocking and have not activated that part of the
3 software, that software, as best we can determine, will
4 not recognize the privacy flag and the number will
5 appear, once it goes across state lines, will appear on
6 those displays. Even with Call Blocking, the number is
7 sent to the other end.

8 CHAIRMAN WILSON: Let me see if I can find
9 out on that. Is that correct? Does the blocking occur
10 in the originating office or does it occur in the
11 terminating office?

12 MR. CRISER: There are two issues there that
13 I want to be sure that we are clear about. Because, a
14 Signal 7 --

15 CHAIRMAN WILSON: Get the microphone over
16 there so we can hear you.

17 MR. CRISER: The Signaling System 7 network
18 today does not extend -- which carries the Caller ID
19 signal -- does not extend on the long distance network.
20 So that a call today to New Jersey would be outside of
21 that network and the Caller ID function would not
22 deliver a number. However, you do have the interstate
23 800-type services. I just want to be clear that you
24 could have an instance where an 800-type call would do
25 that today.

1 CHAIRMAN WILSON: Okay.

2 WITNESS SHERMAN: What about the other
3 question that the Chairman asked you as to whether or
4 not the Caller ID data is passed from the originating
5 office to the termination office and only stopped by a
6 software flag at the box?

7 MR. CRISER: Okay. I believe that the
8 blocking is done on the central office of the called
9 party, the person receiving the call. But, again, the
10 network today would not transmit that signal because
11 Signaling System 7 does not exist on the interLATA or
12 interstate network.

13 WITNESS SHERMAN: But it does exist within
14 the city of Miami, or would if it was okayed?

15 MR. CRISER: It exists in the City of Miami;
16 it may exist in a city in New Jersey, but there is no
17 bridge between the two.

18 WITNESS SHERMAN: And there never will be, is
19 that correct?

20 MR. CRISER: No, that is not true.

21 WITNESS SHERMAN: Oh. So we are talking
22 about within a year or two this would then be
23 appropriate?

24 MR. CRISER: There will be the development of
25 Signaling System 7 into the long distance network.

1 WITNESS SHERMAN: So then this becomes a real
2 problem, am I correct?

3 MR. CRISER: Then the issue would be, as I
4 understand it, the blocking today exists in the
5 terminating office, the office in New Jersey.

6 WITNESS SHERMAN: Right, but if they don't
7 allow termination -- if they don't allow call blocking
8 in the state of New Jersey, then is it correct to
9 assume that the software is not set up to register that
10 bit and, therefore, would stop that from appearing on
11 the display?

12 MR. CRISER: I probably have gotten about as
13 far as I understand about the technology. I would be
14 happy to meet with you after the meeting, and anything
15 I can address, or if there is anything else that you
16 wish to inquire about.

17 CHAIRMAN WILSON: That would certainly be an
18 issue that would need to be addressed on the interstate
19 offering of that service. I guess the FCC would be the
20 one to address that.

21 WITNESS SHERMAN: Mr. Chairman, if I may,
22 that is one of the reasons why some of the telephone
23 companies, not Southern Bell and not Central Bell but
24 some of the companies, are advocating regulation at the
25 Federal level because without that there is nothing

1 that will force New Jersey to honor the privacy flag
2 from Miami, or from Illinois or from Ohio. And this
3 very same matter, and I have some of the testimony
4 here, has come up before other Commissions in other
5 states and it is a very valid concern of law
6 enforcement.

7 And, as I say, it also would be a valid
8 concern of any of us who feel we need the protection of
9 call blocking if Caller ID is to be implemented.

10 Now, I would also like to add that there has
11 just been an experiment concluded in the northwest part
12 of our country that only involved 150 customers at the
13 time, but it was Enhanced Caller ID, if you will, and
14 it supplied a name and a telephone number, not just a
15 telephone number. At the conclusion of that experiment --
16 U.S. West was the telephone company involved -- they now
17 have a six-month experiment going in one city which
18 provides name, address and telephone number on the Caller
19 ID recepticle.

20 If that is a success there, can it be far
21 behind in other areas where right now we're only
22 talking about Caller ID?

23 Now, let me for a moment pretend to be --

24 CHAIRMAN WILSON: Are you aware -- I was
25 reading a Northern Telecom publication that indicated

1 that you also had -- there was a variation of this
2 where, instead of the number, a name was transmitted so
3 you did not, in fact, reveal the telephone number but only
4 the name that was associated with that number. Are you
5 familiar with that?

6 WITNESS SHERMAN: I have not seen that, no,
7 sir, I haven't. And I have all the copy from BOC Week
8 and Common Carrier Week, and I monitor the trades by
9 computer very closely. In fact, at 3:00 this morning
10 in preparation for coming here, I was updating the past
11 two weeks that I didn't have a chance to get because I
12 was out of town.

13 COMMISSIONER MESSERSMITH: Did the caller
14 wake you up?

15 WITNESS SHERMAN: No. We have our own way at
16 home of dealing with calls that we don't want to
17 handle. It's called an answering machine. And if we
18 don't like what people say, we don't pick it up. It
19 works a lot better than Caller ID because here the
20 people identify themselves. You don't have to stop and
21 scratch your head and say who is number is that? And
22 I might, I don't know if you're aware --

23 CHAIRMAN WILSON: Are you familiar with --I
24 don't know exactly all the nomenclature for it but it's
25 called the "block the blocker", that concept. So that

1 a called party would ever the option of not receiving
2 the blocked calls so that if someone were blocking
3 their number from being transmitted, that phone simply
4 would not ring. The only calls that a person would
5 receive would be those on which the ID was transmitted.

6 WITNESS SHERMAN: I have heard discussion on
7 that, yes.

8 CHAIRMAN WILSON: What is your appraisal of
9 that situation?

10 WITNESS SHERMAN: Well, considering that
11 there is currently a tariffed service in this area,
12 where you can put six numbers into the computer and if
13 the call isn't coming from one of those six numbers,
14 your phone doesn't ring at all. You just get a
15 recorded announcement or something. I think that's
16 better than this one; at least you have half a chance
17 of getting through.

18 CHAIRMAN WILSON: If you had as a hypothetical,
19 the option of blocking numbers from your phone to block
20 the Caller ID from being transmitted, and the receiving
21 party had the option of designating or indicating to the
22 telephone company that if a blocked call is coming to my
23 number, I want that call blocked. I don't even want my
24 phone to ring; I don't want the number to be transmitted;
25 I don't want the ring to be transmitted because if someone

1 is not going to transmit their number to me, I have no
2 interest in even having my phone. Would that situation
3 give both the called party and the calling party,
4 basically, maximum privacy or control over their own
5 phones?

6 WITNESS SHERMAN: I'm inclined to think that
7 that could conceivably be quite an impasse.

8 CHAIRMAN WILSON: I hear this, and I ask this
9 sort of out of intellectual curiosity. I here this
10 entire issue being portrayed as the privacy of the
11 called party versus the privacy of the calling party.
12 And under the arguments I've heard on one side say that
13 if you allow Caller ID and you have eliminated the
14 privacy of the calling party, and you're protecting
15 only the privacy of the called party.

16 WITNESS SHERMAN: Well, I had one doctor, who
17 I was discussing this with a few weeks ago, who told
18 me, he said, "My answering service calls me at home all
19 hours of the night after screening the calls. If it's
20 a genuine emergency, I sit up in bed and I call the
21 people right back." He said, "If I can't block my
22 telephone so that the people can't get my home number
23 so that my service can't screen the calls, and I get
24 all these hysterical mothers calling me all the time,"
25 he said, "You're going to have a situation where a

1 mother wakes up to a crying baby, finds out it's got a
2 104 degree temperature, going into convulsions and she
3 calls my service hysterically. And I'm going to get up
4 to in bed, I'm going to go into the bathroom, I going
5 to put water on my face to wake up, I going to get
6 dressed, and I'm going to get into my car and I'm going
7 to tool 12 blocks down to the 7-Eleven to call that
8 woman back that baby could be dead."

9 CHAIRMAN WILSON: I think Southern Bell -- we
10 just approved a tariff that they filed with the
11 Commission which would allow a person in that
12 situation, the doctor, for instance, to subscribe to a
13 phone line that did not have an incoming ring, only the
14 output.

15 WITNESS SHERMAN: Mr. Chairman, with all due
16 respect, that's not an acceptable answer to this.
17 Because those databases with all these telephone
18 numbers in it can still yield the person's home address
19 and other numbers listed at that address, and in some
20 cases unlisted. Now, people may not be looking for
21 repercussions against a doctor or reprisals against a
22 doctor, but in other professions such as journalism
23 that would be enough to endanger our family.

24 The fact that the phone doesn't ring, I mean,
25 you could a take regular phone, and with a screwdriver

1 remove one wire and the phone will never ring. That
2 would solve the problem, you would think. But, no, it
3 doesn't because even if -- as long as it sends that
4 number, that number is traceable to you. And with all
5 due respect to everyone from the Bell System here, I
6 will tell you, Commissioners, in case you don't know
7 it, that any private investigator, any licensed PI
8 worth his salt, for a price of \$150, approximately, can
9 obtain any unlisted telephone number in this country.
10 They can obtain long distance calling records.

11 CHAIRMAN WILSON: How do they do that?

12 WITNESS SHERMAN: I'm not a private
13 investigator but I can tell you that I, myself, have
14 accessed, through them, when I needed it, unlisted
15 telephone numbers. And I can give you one classic case
16 in point and that was a very, very popular singer by
17 the name of Julio Iglesias (ph). Some years ago his
18 father was kidnapped and held hostage in Italy. And
19 we wanted to know where the guy lived so we could have
20 people over there. If not in his house, in front of
21 his house, out in front of his house. I mean, he was
22 in the news. Needless to say, it's like a Frank
23 Sinatra, if nobody is giving you his home address and
24 his home telephone number. I made one phone call and
25 thirty minutes later met a guy at a Dennys near where I

1 live, and he handed me a computerized printout that not
2 only told me the four numbers that were in Mr. Iglesias'
3 house and his address, but had on it -- on this printout
4 showed every manhole and every termination point of those
5 pairs in case he wanted to go in and either work on the
6 lines or put taps on the lines.

7 COMMISSIONER EASLEY: And you're worried
8 about Caller ID?

9 WITNESS SHERMAN: Well, this is the real
10 world, Commissioner.

11 CHAIRMAN WILSON: That's an invasion of
12 privacy.

13 WITNESS SHERMAN: Most definitely. But, I'm
14 saying these things are out there. So if that number
15 that the doctor puts in that doesn't ring, doesn't mean
16 very much. They can still find him. They can still
17 find the undercover police officer. They can still
18 find the journalist or anybody else.

19 COMMISSIONER EASLEY: But, sir, what you are
20 telling me is without Caller ID that information is out
21 there. You're telling me nobody is safe under any set
22 of circumstances.

23 WITNESS SHERMAN: Commissioner --

24 CHAIRMAN WILSON: You're saying that anybody
25 who has \$150 -- and we had a gentlemen earlier,

1 Mr. Friedman, I guess, talking about this elite that
2 was going to be out there who only had access. And I
3 guess the elite that we're talking about is the people
4 who have \$150 to pay a private investigator could get
5 any number they want.

6 WITNESS SHERMAN: Well, the investigator may
7 charge more than 150, but that's about what he is
8 charged.

9 CHAIRMAN WILSON: Well, the people who don't
10 have \$150, now, aren't able to find out those numbers
11 like people who do have \$150.

12 COMMISSIONER BEARD: If I can, I appreciate
13 your example of the doctor's splashing his face and
14 getting in his car and driving down to the nearest pay
15 phone, but that's isn't what's going to happen.

16 To listen to a guy who manufacturers and
17 sells CPE last night in Orlando, what the will happen
18 will be a burgeoning separate network where the
19 answering service now uses a PBX and splash that doctor
20 back through and will show the phone number to the
21 individual that they dialed in the first place, which
22 was the answering service. That, in reality, is
23 probably what's going to happen. There may be some
24 dollars involved in an upgrade of the system at the
25 answering service, but with the demand it will probably

1 be there associated with that. That is in reality
2 probably what will happen. It is an increased cost
3 probably to the service; it's probably increased cost
4 to that doctor associated with that since the answering
5 service doesn't give it away. But what I mean is if
6 we're going to use examples, I think we ought to have a
7 little dose of reality in.

8 WITNESS SHERMAN: But that technology is not
9 yet in place.

10 COMMISSIONER BEARD: Sure. Because it's
11 available today, that small PBX that they can talk to
12 the doctor.

13 WITNESS SHERMAN: Okay. Okay. Now, one
14 other thing before I leave, if I may. I would like to
15 pretend for a moment that I'm a bad guy.

16 COMMISSIONER MESSERSMITH: You did say you
17 were a photojournalist, didn't you?

18 WITNESS SHERMAN: Well, we're going there.

19 CHAIRMAN WILSON: You may not have to
20 pretend. (Laughter)

21 WITNESS SHERMAN: I take out an ad in the
22 local newspaper and I say that I have mahogany
23 custom-made cases to house and display your expensive
24 coin collection. And I put my phone number or a phone
25 number. And people start to call me to inquire about

1 this case because it's very cheap. By the time I
2 finish getting responses, I have an awful lot of
3 telephone numbers of people that I now know have
4 expensive coin collections. And by going to the
5 library and using the Bresser's (ph), or to more
6 sophisticated means such as a database, I can turn
7 these telephone numbers into names and address. And if
8 I'm a bad guy, I've got now enough houses to hit for a
9 long time that I know would house expensive coin
10 collections.

11 Or, perhaps, I may advertise for a very, very
12 economical computer hard drive, and get calls from
13 people who have to have a computer if they are going to
14 use a hard drive. And I now I know all the houses that
15 have computers in them, and I can set them up at my
16 leisure to watch them and wait until people go out and
17 hit the house, and know exactly what I'm going in for
18 and know exactly what I'm going to take out. This is
19 one of the bad effects of Caller ID that has not been
20 brought before the Commission, today at least anyway.

21 Plus, I have a brochure here from a company
22 in Texas, Rochelle Communications, Incorporated, which
23 is now marketing Caller ID Plus. And it's a little
24 plug that plugs into the rear of any PC or PC Clone.
25 It does not have a display on it like the common boxes

1 we're talking about, but what it does is you plug the
2 phone wire into the back of it, and as soon as your
3 phone rings, irregardless of what else you are doing on
4 computer, a little windows pops up on the screen and
5 says, "This is the number the call is coming from."
6 You hit a key and the whole history of anything you
7 know about that phone number pops up on the screen. If
8 you don't want to talk to the person, you hit another
9 key go about your business, and it creates a caller log
10 with the name, the date -- I'm sorry, the phone number,
11 the date and the time of the call. And you can call it
12 back later, and then ask some questions like: what's
13 your name, who are you and build a database so the next
14 time they call, you know who they are.

15 It's not only the good guys that have access
16 to this. It's the bad guys. The guys who run the ads
17 that I just described and many other versions of it
18 such as a house watching service when you go away or
19 whatever the deal may be. Innocent people are going to
20 be calling this.

21 I might suggest, Commissioners, and I don't
22 think -- this has only been brought up in one other
23 state. If you do allow Caller ID in the state of
24 Florida, that it be mandated that anyone who advertises
25 their telephone number in a newspaper ad or a radio ad

1 or telephone book or whatever, be forced to put some
2 sort of a symbol with that telephone number, be it an
3 asterick or some sort of a character, so that people
4 will know if they're calling an alcoholic drug line,
5 and they don't see that symbol, they know that there is
6 no Caller ID on the other end of it. They can feel
7 sort of safe, because by law if they advertise that
8 number and they don't put the symbol in, they are not
9 allowed to have Caller ID on it.

10 And if they are going to call up to inquire
11 about a mattress sale from a mattress warehouse, and
12 they see that little asterisk or whatever it is, they
13 know before they call that they are going capture their
14 number and sooner or later are going to be sold on a
15 mailing list, phone list; direct mail has come out.
16 See, it's putting them out of business. People won't
17 use it; compile a telephone list and sell them. And I
18 might add that under the Florida law that prohibits
19 some of these sale solicitations from initiating calls
20 to people, that once you call them, unbeknownst to you,
21 they have captured your number. They have now
22 initiated the contact and they can call you back freely
23 without worrying about the law. And these are all
24 concerns that no one has brought up. I'm sorry, but I
25 have listened to all of the arguments today, and, as I

1 say, 95% of what I heard could be handled with Call
2 Return and Call Trace. And the other 5%, I think
3 answering machines can handle. But, if you do allow
4 Caller ID, then I think people -- because otherwise, it
5 would be the death of hot lines. It would be the death
6 of the crisis switchboards and things of that nature
7 which serve a very good purpose. It will be the death
8 of crime busters and others things, if people who are
9 told they will remain anonymous cannot be assured of it.

10 Thank you very much.

11 CHAIRMAN WILSON: Thank you Mr. Sherman.

12 COMMISSIONER EASLEY: Thank you, sir.

13 MR. FALGOUST: Mr. Chairman.

14 CHAIRMAN WILSON: Yes, sir.

15 MR. FALGOUST: One question, please, for
16 Mr. Sherman.

17 CHAIRMAN WILSON: Sure.

18 MR. FALGOUST: Mr. Sherman, it's true, isn't
19 it, that you and I this afternoon for a few dollars
20 could buy the subscription list of any magazine or
21 newsletter dealing with almost any subject, whether it
22 be coin collecting, stamp checking, art, et cetera.
23 Isn't that true?

24 WITNESS SHERMAN: That's true. And many of
25 those also contain post office boxes and not home

1 addresses.

2 MR. FALGOUST: That's that is all I had,

3 Mr. Chairman.

4 CHAIRMAN WILSON: Thank you. Mr. Shreve?

5 MR. SHREVE: Thank you. Kathy McAllister

6

7

KATHY McALLISTER

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 McALLISTER: Good afternoon. My name

12

is Kathy McAllister. And I'm employed as Vice

13

President of Marketing for Junior Achievement of South

14

Florida, which is based out of Ft. Lauderdale. I am a

15

resident of Broward County.

16

I come to you today as an average law-abiding

17

Christian citizen, and I believe I have a genuine

18

concern for my own personal safety.

19

I've an extreme problem that existed over 12

20

years spanning three states with prank phone calls. My

21

caller knows my name. I have been to the police; I

22

have an answering machine. I do screen my calls. I

23

have always had unlisted numbers. I've had unpublished

24

numbers. I have reported my problem to the phone

25

company. I have had police reports, I have had police

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1 in my home. I filled out sheriff's reports. I filled
2 out information for reports on suspects. I filled out
3 paperwork and gone through the hassel for a phone tap.
4 My arriving at home a caller has called me and I have
5 been in positions when I was afraid to be home alone by
6 myself. I have been in for protection and I have been
7 in situations that I have left my home because I have
8 been aware of my own personal safety. I have locked my
9 doors. I've left my phone unplugged for days at a
10 time, and I've kept my phone after the hook for weeks
11 at a time. I have had my number changed. I have moved
12 and the problem still persists.

13 I believe that if I had some way of assisting
14 the police and the phone company in establishing a
15 pattern of calls, establishing whether these are local
16 calls or long distance calls, I might be able to
17 provide some more suspects. I understand that the
18 Caller ID cannot identify an individual person but they
19 can identify an originating source of a phone call.
20 That would help me help identify with suspects. I
21 believe the Caller Identification is a step in the
22 right direction. I support it. This is the second
23 time that I have been in front of you with my
24 testimony. When this, hopefully, is established, I
25 will be one of the first people that will definitely

1 sign up for this service. Thank you.

2 CHAIRMAN WILSON: Ms. McAllister, there's a
3 question.

4 COMMISSIONER MESSERSMITH: Before you step
5 down there, in all this time period and those problems,
6 have you involved yourself in that process called Call
7 Trace at all.

8 WITNESS McALLISTER: Part of this occurred in
9 two other states where that service at that time was
10 not yet available.

11 COMMISSIONER MESSERSMITH: How about here?

12 WITNESS McALLISTER: Not as of this time.
13 Being a single female, to be real honest with you, I
14 can't afford all the little luxuries that come out on
15 the market everyday. I feel that this is probably the
16 easiest and the quickest and the most immediate source
17 that could provide me some information that would
18 actually let me make a choice of the next decision and
19 how I can support the next authorities. It's a problem
20 and it scares me, particularly being in this kind of
21 community.

22 CHAIRMAN WILSON: Thank you.

23 MR. SHREVE: Thank you. Russ Livermore. (No
24 response.) Sharon McFadden. (No response.) Bernard
25 Davis. (No response.) Brett Bennett.

- - - - -

BRETT BENNETT

1
2
3 was called as a witness on behalf of Citizens of the
4 State of Florida and, having been first duly sworn,
5 testified as follows:

6 WITNESS BENNETT: Good afternoon. Mr. and
7 Ms. Commissioners, my name is Brett Bennett. I'm from
8 Royal Palm Beach.

9 Until the recently proposed CID service, I've
10 felt that in all aspects Southern Bell has provided me
11 with excellent service.

12 As a matter of record and just very briefly,
13 I'd like to formally protest the exclusion of any
14 notifications by Southern Bell regarding the informing of
15 the general public of these most important hearings in
16 either last month's or this month's telephone billing
17 statements. And, of course, a notice in the phone bill is
18 the most effective means to inform the public of a PSC
19 hearing which affects the utility customers on service.
20 Now, on to the matter at hand.

21 I believe the Bell spokespersons has repeated
22 their pitch about a service that will put an end to
23 harassing phone calls so often that they may actually
24 believe it. The idea is that if you don't recognize
25 the number displayed on your CID terminal, that you

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1 don't have to answer the phone. And as a test, how
2 many phone numbers do you actually recognize a business
3 call from a client's office, your child's school
4 office, an out-of-town friend calling from a hotel, the
5 notion that CID is an effective way to screen unwanted
6 calls is ludicrous.

7 In terms of the personal privacy matters for
8 both myself and the general public, and I might add I
9 have very serious objections to CID.

10 CID would be used to identify and then harass
11 or cover up a private citizen's attempt to blow the
12 whistle on a government official's misconduct or a
13 government agency's misconduct by identifying a caller
14 who thinks that he or she is making a call anonymously.
15 CID would allow businesses that you call to record your
16 phone number for future use or sell the information to
17 telemarketers. As we've heard from other witnesses, a
18 call to a car dealer or furniture store might prompt a
19 string of return calls whether or not you agree to give
20 out your number.

21 CID could be used by some customers, and I'm
22 not trying to single out real estate agents here, but
23 such as real estate agencies that might decline to
24 answer phone calls originating from telephone exchanges
25 in minority neighborhoods.

1 People who make calls from home but do not
2 wish to reveal their private numbers such as doctors
3 psychiatrists, social workers, others, including
4 professional recruiters, such as myself, feel that CID
5 would not only rob them of what little privacy they
6 have, but also make their job much harder. And, in the
7 instance for some professions, potentially dangerous,
8 as we've heard. In the case of shelter workers or those
9 who give aid to actually provide the shelter and the
10 volunteers who call abuse victims from their homes,
11 these professionals could be subject to potential
12 harassment or even physical attack from abusers seeking
13 their fleeing family members or simply seeking revenge
14 for interfering. CID poses --

15 COMMISSIONER EASLEY: Mr. Bennett, slow down
16 just a little bit for the court reporter, please.

17 WITNESS BENNETT: I was trying to work under
18 this dead -- the time deadline.

19 COMMISSIONER EASLEY: Well, she's more
20 important than the deadline.

21 WITNESS BENNETT: I can give you a
22 transcription. I can give you a copy, if you like.

23 COMMISSIONER EASLEY: Okay. (Laughter)

24 WITNESS BENNETT: I do have a copy with me
25 for the stenographer. It's marked for steno.

1 COMMISSIONER GUNTER: That'll be fine.

2 WITNESS BENNETT: CID poses an important --
3 as I feel an even more serious threat to domestic abuse
4 victims. CID will provide an additional means for
5 abusers to control, endanger, terrorize their victims.
6 Battered wives or husbands who, many times, are virtual
7 prisoners in their own homes. If the victim gains
8 enough courage to flee from the abusive situation, CID
9 will add immeasurably to his or her risk every time
10 they call home to check on a remaining loved one or
11 call a mutual friend or third party. Once a number is
12 obtained, a reverse phone directory, as we have been
13 made aware of, can be leading an abuser straight to the
14 victim.

15 Now, I would like to make note of situations
16 that other states have experienced with regard to CID,
17 and I'll try not to be redundant in this instance.

18 In California the state legislature recently
19 passed a law requiring customers to have the option to
20 block caller identification on a call-by-call basis.
21 Instead of displaying the caller's number, the CID
22 device would list a "P" for private. However, a judge
23 there said, in recommending the blocking feature, that
24 the situation with both CID and the blocking feature
25 reminded him of an arms dealer selling advanced weapons

1 to both sides in a war so that the most modern
2 technology -- excuse me, in a war so that each side may
3 alternatively defend an attack with the most modern
4 technology. Opponents of the blocking feature cite New
5 Jersey, where CID has been available without the
6 blocking feature, but that's not a compelling argument
7 because the average caller may not even know that their
8 number is being disclosed.

9 With regard to the situation in Pennsylvania,
10 even before the state court ruled this summer that CID
11 violated privacy provisions of the state constitution,
12 a judge there concluded that balancing the rights of
13 both the called and the calling party required a
14 mechanism already included in this CID software to
15 allow callers to block the calling number transmission
16 when a call was made.

17 Also in Pennsylvania various representations
18 of the law enforcement community, including the
19 Pennsylvania Office of the Attorney General, the State
20 Fraternal Order of Police, and a county district
21 attorney testified that CID would threaten undercover
22 work in the receipt of anonymous tips, as we have
23 heard, and it will here, too.

24 Do -- I was going to say, "Do," but I guess
25 the questions is: Do we think that the police emergency

1 services should also have CID. Enhanced 911 services,
2 which we already have, already provide more features
3 without the loss of personal privacy in the normal
4 conduct of business and personal affairs. And, also,
5 to end with Pennsylvania, also testifying in
6 Pennsylvania were dozens of crises hotline workers who
7 testified that CID threatened the privacy of
8 individuals who called suicide prevention, drug
9 treatment, and other hotlines, assuming they had
10 anonymity.

11 Bell, to its credit, offered to allow
12 shelters to use complicated arrangements to protect
13 their anonymity and to give the clients a password so
14 that they could make calls without charge through an
15 operator. However, Bell never disputed that these
16 proposals would reach less than 10% of those who needed
17 protection, and hardly a complete solution to the
18 problem there.

19 I also oppose CID for specific reasons
20 related to my business activities. As an executive
21 recruitment and executive replacement professional,
22 it's necessary that I contact candidates at their
23 current employer. Keep in mind that as a specialist in
24 a relatively narrowly focused industry, I am well-known
25 and respected by companies and the candidates who are

1 prominent members of society. Contrary to popular
2 belief, it is I who am usually contacted by the
3 candidates wishing to improve their career track and
4 lifestyle, and not me trying to locate them.

5 My prospective employers may also have urgent
6 need to contact these candidates at their current
7 employment during normal business hours to verify
8 personal or professional resumes or to make
9 arrangements or adjustments on items such as flight
10 schedules, interview times, physical testing, various
11 interview agenda, or make job offers for that matter.

12 Obviously, if my phone number, or a
13 prospective employer's phone number is recognized by
14 the receptionist, a secretary or a communications
15 system computer, the candidate's job security will be
16 in question, and I guarantee you they would be the
17 first in line for the ax the next time there is a
18 business slow-down or a layoff.

19 Perhaps the candidate even wanted to reject
20 the job offer, God forbid, and stay where they are.
21 This has to be a violation of the candidate's right to
22 privacy and, although I'm not a lawyer, common sense
23 dictates that there could be serious litigation by a
24 disgruntled candidate who later loses their job as a
25 result of CID, which would implicate not only the

1 personnel firm but the current employer, the
2 prospective employer, and well as the phone company.

3 An equally serious complication affecting the
4 personnel industry was recognized by the President of
5 the Florida Association of Personnel Consultants,
6 that's FAPC, of which I am a member, as well as the
7 National Association of Personnel Consultants, the
8 NAPC. The observation, which is to the detriment of
9 the corporate community, is as follows, and I quote:
10 "CID could hurt confidentiality with an employer if
11 they are reorganizing and have asked you to work with
12 them finding suitable candidates, but do not wish their
13 present personnel to be made aware of the search. So
14 you are requested by the employer not to leave your
15 name or number when you call them, and that is a fact.
16 This is way it happens." That is the end of the quote,
17 and possibly the end of searches for employers seeking
18 confidentiality.

19 Based on the foregoing, and please for the
20 record, Mr. and Ms. Commissioners, in the unforeseeable
21 event that you would ignore public objections to CID
22 based on the testimony by citizens such as myself, I
23 request a personal exemption from the CID passing on
24 the basis that it will negatively impact my business by
25 breaching the confidentiality guaranteed by me to both

1 my candidates and my employers.

2 Although I cannot speak officially for either
3 the FAPC or the NAPC, I speculate that you will have
4 some of their petitions from everyone in the personnel-
5 related business.

6 Now, I would like to just address what I feel
7 are some viable alternatives to CID, first of all on a
8 nonacceptable basis, and then followed with acceptable
9 alternatives.

10 Nonacceptable alternatives: CID blocking,
11 because it would be an annoyance to have to manually
12 block every call and a waste of time, leading to even
13 further diminished productivity and, of course, that's
14 what our country needs right now, lessened productivity.
15 And, also, the fact that you are blocking your number will
16 be construed by the recipients of calls that you are
17 trying to hide something malicious when you're simply
18 keeping your number private.

19 A question that comes to mind is why is Bell
20 so interested in preventing CID display blocking and so
21 quick to ignore the benefits of other systems that it
22 already offers, including Call Trace Subscriber Service
23 which sends the caller's number back to the proper
24 authorities; Call Block Subscriber Service, which
25 blocks unwanted calls by a particular phone number, and

1 Call Return Subscriber Service, which allows a customer
2 to actually return the last call, as we have heard and,
3 I'm sorry, that was redundant. But why? Because the
4 other services have no commercial value. CID has a
5 potentially large commercial value.

6 CHAIRMAN WILSON: Mr. Bennett, I'm going to
7 have to ask you to compress your remarks, as the other
8 witnesses have done, if you would.

9 WITNESS BENNETT: Also nonacceptable is the
10 CID Display Blocking feature provided only for police
11 investigative efforts and social service agencies, and
12 similar shelter, and I'm going to add that I don't
13 really know what all the blocking options are at this
14 time, as I believe the Commissioners don't, either.
15 That information just has not generally been made
16 available to the public. (Pause)

17 May I just review this so that I can move
18 quickly through this?

19 CHAIRMAN WILSON: Sure. (Pause)

20 WITNESS BENNETT: Yes, this is important:
21 Furthermore, before CID was shot down in Pennsylvania
22 by the appeals court, Joseph Rhodes, a member of the
23 Pennsylvania Public Utilities Commission, commented as
24 follows regarding selective Caller ID blocking: "The
25 CID service, as approved by the PUC, will put abused

1 and threatened Pennsylvanians as risk. The comprise
2 leaves completely unprotected those abuse victims
3 unwilling or unable to enter nonprofit, tax-exempt or
4 domestic abuse agencies." And this is what to
5 important: "A bureaucratic nightmare will now ensue to
6 try and make workable a fundamentally flawed order.
7 The process by which these intervention agencies, their
8 staff members, law enforcement agencies and their
9 designees, are able to obtain an elective blocking
10 ability will be expensive, discriminatory and dangerous
11 by opening up substantial liability questions for those
12 charged with the certification."

13 Also unacceptable to me is Call Tracing, but
14 only acceptable under the condition that it is offered
15 as a monthly service charge arrangement.

16 What do I feel are preferred alternatives to
17 the CID? A service like a media Call Tracing, which I
18 support and would personally use, could be available to
19 everyone on a per-usage basis to immediately bounce off
20 the caller's number to the appropriate authorities.

21 (Pause) I'm just trying to cut this down a bit,
22 please.

23 I have a question: With the current Call
24 Blocking service, do the customers have to know the
25 phone number of the caller they want to block?

1 MR. CRISER: No, they don't.

2 WITNESS BENNETT: They do not. Then is it
3 possible, if I used immediate Call Tracing, or something
4 that was available immediately by hitting a couple of
5 buttons, or whatever the case might be, could I request
6 that the phone company, without me knowing the number,
7 block a number that is a nuisance call to my phone
8 immediately.

9 MR. CRISER: You can actually block the
10 number separate from the Call Trace function. There is
11 a code that you can punch into the telephone which will
12 block the last call, the number that called you last.

13 WITNESS BENNETT: Okay, and I don't have to
14 know that person's number?

15 MR. CRISER: No, you don't.

16 WITNESS BENNETT: I don't to violate their
17 privacy but solves my nuisance problem, my nuisance
18 call problem.

19 MR. CRISER: You don't need to know their
20 number.

21 WITNESS BENNETT: Okay, fine. In closing,
22 just given all the real negative implications of CID
23 that can happen in the open society, I cannot
24 comprehend CID becoming a way of life. Is it really
25 too much to ask that we be given the ability to protect

1 our privacy, and in some cases, avoid more serious
2 consequences which could be caused by the CID
3 technology?

4 I ask that you reconsider the implications of
5 CID technology and advance the interest of the consumer
6 instead of the wishes of the telephone company.

7 Please, and I repeat, please serve the public and
8 rescind the approval of CID and support immediate call
9 tracing, possibly with immediate call blocking.

10 I thank you, the Commissioners, for holding
11 the hearings and allowing me the opportunity to speak
12 at length, and I apologize for the quickness, but I
13 will give the stenographer a transcript of this.

14 CHAIRMAN WILSON: Thank you, Mr. Bennett.
15 Any questions?

16 MR. KEENER: No questions.

17 MR. SHREVE: Thank you very much.

18 CHAIRMAN WILSON: Thank you, sir.

19 (Witness Bennett excused.)

20 - - - - -

21 MR. SHREVE: Mr. Stern? David Stern?

22 (Pause) Mr. McCartney? Mr. Charles McCartney?

23 CHARLES L. McCARTNEY, JR.

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 McCARTNEY: At least I will be brief,
3 I hope. Good afternoon. When I originally scribbled
4 these notes, it was this morning, good morning, and
5 that was at 10:00.

6 My name Charles L. McCartney, Jr. I am a
7 free-lance writer and editor residing in Hollywood,
8 Florida, and I appear before you as a private citizen
9 voicing his concerns.

10 Judging from the total testimony that we have
11 heard today, I seem to be in a minority voice here, but
12 this latest technological intrusion into my privacy,
13 and the privacy of other American citizens chills my
14 soul. It's smacks of even further "Big Brotherism" and
15 this greatly concerns me, and it should concern a lot
16 of other Americans who still cherish their personal
17 freedoms.

18 I urge you to deny Southern Bell's request to
19 implement a Caller ID system. As a consumer, and as
20 citizen of the United States, such a system to me is a
21 clear invasion of my right to privacy and it is an
22 invasion of my right to privacy for the worst possible
23 reason, and that is greed.

24 Southern Bell is willing, and apparently even
25 eager, to sacrifice my right to privacy to make a buck.

1 This system is proposed by the telephone company to
2 wring a few more dollars from self-important rich
3 people and social-climbing gadget-conscious Yuppies.
4 Are the privacy rights of these people superior to or
5 any more important than mine, and those thousands of
6 other ordinary middle-class citizens? Of course, they
7 are not. These rich people can afford telephone
8 answering machines, and you've heard of other gadgets
9 that already serve as call screening devices, thus
10 rendering the Caller ID system unnecessary and point
11 out just how much of an invasion of a caller's rights
12 it really is.

13 Once more, I urge you to deny the Southern
14 Bell request to implement this invasive system. If it
15 is implemented, in answer to the Counsel's repeated
16 questions earlier, then I urge the Public Service
17 Commission to force Southern Bell to provide to
18 concerned citizens a device to block the Caller ID
19 system. And this device should be provided at no cost
20 to the customer. Thank you very much.

21 COMMISSIONER EASLEY: Thank you, sir.

22 CHAIRMAN WILSON: Thank you, Mr. McCartney.

23 Are there any questions?

24 MR. SHREVE: No, sir. Thank you.

25 CHAIRMAN WILSON: Thank you, sir, and we

1 appreciate you waiting.

2 (Witness McCartney excused.)

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4 MR. SHREVE: Mr. Poglitsch? Mr. John
5 Poglitsch? (Pause) Laura Weinsoff? Laura Weinsoff.
6 Barry Lindquist.

7 WITNESS LINDQUIST: Mr. Chairman, I missed
8 the beginning.

9 CHAIRMAN WILSON: All right, if you would
10 raise your right hand, please.

11 (Witness sworn.)

12 BARRY LINDQUIST
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 LINDQUIST: My name is Barry
17 Lindquist, I am glad to see you all in Miami after my
18 two-day trip to Tallahassee back early in July. I
19 wasn't going to bore you with my face in front of you
20 again, but I felt it important to come up and touch on
21 one or two little items.

22 I am the Commander of the Investigations
23 Division in the Police Department in Pompano Beach, and
24 I'm in charge of the detectives and the Vice guys and
25 all of that. But I am a little bit concerned about the

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1 perception that this is a law enforcement issue,
2 anti-Caller ID against Southern Bell and all that.

3 There have been -- I have been attending the
4 committee meetings, the Law Enforcement Committee
5 meetings, and I'm not speaking for them. I share their
6 concerns about Caller ID very much, and I think it
7 could have a serious impact on law enforcement,
8 specifically in our undercover operations. But I do
9 think that -- I feel like the Graham-Rudman Bill is
10 about ready to fall on top of this and that everybody
11 that has been negotiating at Andrews Air Force Base and
12 couldn't make ends meet, you know, everything is
13 falling apart.

14 I would hope that the Commission would have
15 some mechanism, and in all deference to the
16 Commissioner Staff, I don't know that the Staff is the
17 appropriate one, either. It seems to me that there has
18 been -- it's developed into somewhat of a personality
19 issue; this one can't get along with that one, on both
20 sides; on the law enforcement side and on the Southern
21 Bell side and the Commissioner Staff side. And we need
22 to get a little smaller group, start working on the
23 problem, because I think it is resolvable. I honestly
24 do.

25 I think we need universal blocking. We need

1 to be able to convince those bad guys out in the street
2 that are forcing this poison down our children's mouths
3 that when we arrest somebody, and we've got that guy in
4 jail and say, "The only way you're going help yourself
5 is to get us your supplier," and when he makes that
6 call to that second subject, we have to be able to
7 convince him where he says he is.

8 That's part of the stumbling block that we're
9 dealing with. We need the blocking; we need to be able
10 to blend in.

11 I'm very uncomfortable with the public
12 perceiving that -- see, we're supposed to be out here
13 making them feel comfortable, so that they feel safe in
14 their homes and that they need this Caller ID. It is
15 not the panacea that Southern Bell has portrayed it to
16 be, but I think it's going to help them. And if the
17 citizens feel comfortable with it, as a police officer,
18 I want them to have it, okay, and we have to be able to
19 adapt to the new technologies. Computers are great; I
20 am a computer nut. But we really need to look at
21 another mechanism of getting to work with those guys at
22 the end of the table, and somebody else in the middle
23 to sit down with a small group and try to work it out,
24 because I honestly think it is resolvable.

25 We have technical people in the law

1 enforcement side and we have got technical people on
2 the Southern Bell side, and we need to have their
3 input. The managers in law enforcement and the
4 managers in Southern Bell need to kind of look at the
5 overall issues of things and try to resolve this.

6 CHAIRMAN WILSON: Thank you. We appreciate
7 that, and I appreciate the common sense advice as well.

8 (Witness Lindquist excused.)

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10 MR. SHREVE: Mr. Webster.

11 GEORGE WEBSTER

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 WEBSTER: Thank you. I was starting
16 to think that my phone number had as much luck as the
17 Lotto does up here. (Laughter)

18 Commissioners, my name is George Webster. I
19 am the Secretary of the Florida State Lodge of
20 Fraternal Order of Police. I am a disabled, retired
21 police sergeant from the city of Coral Gables.

22 The Fraternal Order of Police in the State of
23 Florida represents over 16,000 federal, state, county,
24 and local sworn law enforcement officers, and we want
25 to go on record, as we have before you before, I'm

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1 sure, as standing opposed to Caller ID unless and until
2 all of the concerns of law enforcement can be answered.

3 I know you have been sitting through a lot of
4 hearings and you have heard all of these arguments
5 before, and I'm not going to go through them, but there
6 are obviously some serious problems with Caller ID or
7 we wouldn't all be up here talking to you.

8 Legal and medical professions, suicide
9 prevention, crisis hotlines, Crime Stoppers, spouse
10 abuse services, all of those have problems with this.

11 Illinois, Nevada, California, Pennsylvania,
12 North Carolina, Ohio, and even New Jersey, even though
13 they've got it, I understand law enforcement up there
14 is pushing for legislation to have it outlawed. And
15 the Committee of the Congress of the United States have
16 all found this to be illegal or have taken action to
17 control it in some way whatsoever.

18 Call Tracing, and I understand that Centel
19 just put Call Tracing into effect down here a couple of
20 days ago on a per-call basis rather than a tariff, but
21 it does the same job as Caller ID. I think it does it
22 more effectively and it really makes more sense to us,
23 from an investigatory point of view.

24 I don't see, really, all of the positive
25 things that I have heard about Caller ID up here, other

1 than possibly being able not to answer the telephone
2 when your mother-in-law calls, at least if she calls
3 from her home. Pay phones, things of that nature, the
4 Martin County gentleman from the school board up there
5 are worried about the bomb threats, on kids sneaking
6 out at lunch time and going to the 7-Eleven and calling
7 up on a pay phone is certainly not going to have any
8 effect on that.

9 From what you said earlier, Mr. Chairman, I
10 understand that the phone company is willing to sell me
11 an additional service after they sell this so that I
12 can block this and probably down the line someplace
13 they are going to offer something else to get around
14 that if I want to pay for it.

15 Ms. Easley, you commented earlier on the
16 availability of the computer services, and all, and you
17 had a response up here that a lot of the people can't
18 afford that and Caller ID will do it for them. Well,
19 I'm sorry, but it won't do it for them unless they can
20 afford the same computers and the same expenses that
21 the big companies have anyway to provide that.

22 Mr. Messersmith, I believe, asked a question
23 earlier about availability in long distance calls, and
24 all of that sort of thing. There is a report to the
25 Public Service Commission from the Law Enforcement

1 Committee by Ronald Tutor here that quotes, in very
2 brief part -- and, naturally, I folded to the wrong
3 page -- "Bell representatives have stated within one or
4 two years long distance calls will be delivered through
5 Caller ID. In addition, a number of technical research
6 committees in Washington, D.C. advised the committee
7 chairman that a test delivering cellular telephone
8 numbers to Caller ID boxes is slated for implementation
9 within six months. And telephone industry trade
10 journals indicate a nationwide plan to be able to
11 deliver all of the numbers throughout the nation within
12 five years will be available."

13 Very briefly, and once again on behalf of the
14 16,000-plus officers that we represent as a fraternal
15 and a labor organization, we do stand opposed to this,
16 and all. I don't hold myself out as any kind of a
17 technical expert, but if I can answer any questions
18 from anybody on our position.

19 CHAIRMAN WILSON: Any questions?

20 WITNESS WEBSTER: Thank you very much for
21 your time.

22 MR. SHREVE: Thank you.

23 (Witness Webster excused.)

24

25 MR. SHREVE: Mr. Warmoth?

1 DETECTIVE LARRY WARMOTH
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 WARMOTH: Hello. I am Detective
6 Larry Warmoth with the Hialeah Police.

7 I have some random things I'd like to bring
8 up to you that I have heard at this meeting and some
9 other ones. One of them is the constant argument that
10 when you call someone and you present your call to
11 their phone that the Caller ID acts as a peephole where
12 you can see who is coming to your door, you might say.
13 I view this as someone coming to your door and not just
14 showing who they are but giving you the keys to their
15 house.

16 Once you have someone else's telephone
17 number, you have it forever. So for the one time that
18 someone may call your house with a nonpublished phone
19 number, forever their number is out. And I don't think
20 it's exactly equal. They always say the rights of the
21 person getting called, in this case, outweigh the
22 caller, and I'm not so sure that's true.

23 I want to bring up another thing, and, again,
24 some of this is random. It is that you have heard us
25 talk a lot about undercover drug investigations. There

1 is also cases that I work that have nothing to do with
2 drugs but where Caller ID would be very detrimental,
3 and that's in kidnapping cases. We have had cases in
4 Hialeah where people have been kidnapped and we have
5 had to move them from the house. They were told by the
6 kidnapper, the family was told, "Don't call the police
7 and don't leave the house." We have had to go to other
8 locations and makes from those locations.

9 Now, granted, most of the calls are to
10 beepers, obviously, or pay phones. But in one
11 particular case the person was at a stationary location
12 and then they kept moving. Had they had Caller ID,
13 they would have known that we had moved the family that
14 they were negotiating the ransom with and they could
15 have killed the person that they held. As it turned
16 out, they released to person. But this was a scenario
17 that was brought up with our Crimes-Person's detectives
18 when we were discussing the problems with Caller ID.
19 But I just wanted to bring that up; that there are many
20 other situations in law enforcement where Caller ID is
21 going to cause a problem in its present proposed state.

22 Another thing I wanted to bring up is that
23 Caller ID has already surfaced in Baltimore, Maryland,
24 as being used by a heroin dealer a few months ago. I
25 called, myself, the lead detective, and that was a

1 local and federal task force. The lead detective said
2 that when they busted the heroin dealer, they also had
3 a search warrant for his Caller ID box because he had
4 been directing the undercover operatives to go to
5 specific pay phones. In other words, he was
6 controlling the scenario. He took it out of the hands
7 of law enforcement and said, "If I don't calls from
8 these four numbers, I'm not going to deal with you."

9 Those phones were located in very precarious
10 positions. They were pay phones. To the best of my
11 knowledge, they were all pay phones. He spoke of two
12 in particular where they didn't know if the person was
13 in someone's rifle sights or not when they were there.
14 They could not tape record the call because the suction
15 cup, or whatever they would do at a pay phone, is not
16 as convenient as some of the direct means that we use
17 to tape the calls. So they lost a lot of valuable
18 evidence. And Caller ID had been there just very
19 briefly and the person was using this. Once he found
20 out what the police can and can't do, then he set up a
21 blueprint. He controlled the investigation and removed
22 it from law enforcement.

23 One of the other things that I have heard
24 over and over at this meeting, and the last one in
25 Tallahassee, and lots of tears and people screaming

1 about harassing phone calls, I investigate harassing
2 telephone calls. And under the present system, even
3 before TouchStar, I was able to bring people to court.
4 Some of the two cases that Richard Shiffon spoke about
5 earlier were my cases. What he didn't say was there
6 are a lot more cases that are brought in front of the
7 State Attorney, but at his level. Down in the
8 misdemeanor section many cases are brought there; they
9 are hard to prove, but with trap and trace, with Call
10 Tracing, I have been successful, along with taping the
11 person's voice and doing a little interviewing and a
12 little homework figuring out who is making the calls.

13 Most of the calls do come from pay
14 telephones, which will negate what half the people have
15 said, you know, they will know right away where it is
16 coming from. Especially the school people.

17 We had cases that were coming from pay
18 phones, extortions and death threats on a daily basis
19 to where we even had helicopters in the sky trying to
20 get to the pay phone. That particular day there was a
21 thunderstorm and the chopper was grounded and we missed
22 the call. But because of some other things that we
23 did, by moving the victim to another location, we think
24 that somehow that got out and that, in fact, stopped.

25 But the fact that they are up here saying

1 that nothing will work but Caller ID is wrong. If you
2 use Call Trace and Call Return and Call Block, all of
3 them, all three of those features, you can pretty well
4 do what Caller ID is going to do. If someone calls
5 you, my first recommendation is you use Call Trace. It
6 has already been approved, it's already there, and then
7 if you want to, hit Call Return if you want to call the
8 person. You don't number, you didn't go to the
9 library, you are not showing up at the wrong address.
10 You are shocking that person saying, "Now, what did you
11 say?" And chances are it's finished right then and
12 there. Then if you want to follow it up, as long as
13 you don't receive another call you can use Call Block,
14 and then that person can't physically call you again.
15 You don't know the number, everybody's privacy
16 supposedly is protected, but you don't have to have
17 Caller ID to achieve the goals that the people are
18 demanding that they have to have Caller ID to achieve.

19 The Southern Bell's Annoyance Call Center,
20 through Trap and Trace and through this, most of the
21 time can bluff them into not calling again. I work in
22 the 911 Center. We get harassing calls on 911. People
23 will dial 911, a lot of times it's kids, and we'll call
24 back, the parents will answer and say, "Nobody from
25 here made that call, nobody." Before the phone is on

1 the receiver, we hear them saying, "You did what?"
2 Thump. And they'll defend the kids to us but the calls
3 will stop.

4 The bottom line is, there is a slight bluff
5 factor on a return call. But everyone is saying that
6 they have to have that number, they want to see that
7 number. And I think a lot of that is electronic
8 voyeurism.

9 I think some studies have said that people
10 can't remember more than 10 different numbers. This
11 screening thing that they are saying, to decide whether
12 you want to answer or not, is not going to work. I've
13 got a beeper, I get hundreds of calls, and I can't
14 remember sometimes some of the most obvious ones and I
15 work with phone numbers all the time.

16 One of the biggest problems in our
17 negotiations, I think, between the police and Southern
18 Bell is that in almost every case myself, and I know
19 with the other agencies, the chief law enforcement
20 administrator of our agency has given us the right to
21 make a decision. When we meet with Southern Bell
22 Telephone and Telegraph Company, we are talking to
23 people that still must go back to corporate
24 headquarters, either by phone or in person, and maybe
25 even to BellSouth and get permission. We ask a

1 technical question, they relay that technical question,
2 and a lot of times that's filtered. And by the time it
3 comes back to us, it is not in the same form that we
4 asked.

5 Our negotiations broke down and what the
6 gentleman -- I think Mr. Lindquist was his name -- what
7 he said is true, that we do need to retalk with them,
8 we do need to sit down. But we need to sit down with
9 people that have the decision-making process. They
10 have a lot of money invested in this, they want this
11 thing to go, and there's a couple of things we need to
12 make it go. Otherwise, this going to end up with as
13 much revenue as local measured service -- zero; it's
14 not going to happen.

15 But if they think this is serious, then I
16 think in good faith they need to sit down with us and
17 we've asked repeatedly don't just give us the point-man
18 in Tallahassee. Give us the people that can make the
19 decision; break the old rule for the last 20 years of
20 letting us talk to your technical people, even if you
21 don't want them to speak and commit you to something
22 you can't back up. Let us talk to them. Let them hear
23 what your concerns are. Technical people are creative
24 people they may have thought of something we didn't
25 think of beforement

1 But there is a couple of things. The
2 per-call blocking is an easier way out than trying to
3 list 500 HRS worker, 15,000 police officers. If you
4 have per-call blocking, you put the burden on the
5 police officer and all of those to dial 3, 4 digits
6 before they make the call. We forget to block that one
7 person's phone call. And I see that as a much, much
8 easier method than us giving them a list of police
9 officers coming on and off the police department. I
10 think in most of the law enforcement communities'
11 opinion that is a good answer, not just for us to
12 satisfy all of the concerns.

13 I took the liberty of checking with the
14 customers as they left the podium. I said, "If you
15 could have per-call blocking," and I explained what it
16 was, "would you still feel the same way?" They go,
17 "No, not if I have to pay for it." When it was
18 explained to them, it seems that would satisfy a lot of
19 the people's concerns of the anonymity.

20 That's basically all I have to say right now.

21 CHAIRMAN WILSON: Any questions? Thank you.

22 MR. SHREVE: Thank you. Anyone else wish to
23 testify? Anyone else?

24 CHAIRMAN WILSON: In that case, we'll adjourn
25 this portion of the hearing and we will resume at 6:30.

1 Thank you very much.

2 (Recess taken.)

3 CHAIRMAN WILSON: Call the hearing to order.

4 Would you read the notice please?

5 MS. GREEN: Pursuant to notice, this hearing
6 was convened on Thursday, September 27th, 1990, in
7 Miami, Florida. This is Docket No. 891194-TL, Proposed
8 Tariff Filings by Southern Bell.

9 CHAIRMAN WILSON: Do we need to take
10 appearances of counsel again? We might well. So folks
11 will know who people are, why don't we go ahead and do
12 that. Mr. Keener.

13 MR. KEENER: David Falgoust and Barlow Keener
14 representing Southern Bell Telephone and Telegraph
15 Company. And with us is Marshall Criser.

16 MS. GREEN: I'm Angela Green. I represent
17 the Commission Staff. That is Ann Shelfer. She's a
18 member of the Commission Staff.

19 MR. SMITH: I'm David Smith of the
20 Commission's Division of Appeals here representing the
21 -- as counsel to the Commissioners.

22 MR. SHREVE: Jack Shreve, Emmy Will, Public
23 Counsel's office, Tallahassee, Florida, representing
24 the Citizens of the State of Florida.

25 CHAIRMAN WILSON: I'm Michael Wilson. I'm

1 Chairman of the Public Service Commission. With me
2 here today are Commissioner Betty Easley to my far
3 right, Commissioner Gerald Gunter to my immediate
4 right, Commissioner Frank Messersmith to my far left
5 and Commissioner Tom Beard to my immediate left.

6 We're here to hear the opinions of customers
7 of Southern Bell on the Caller ID service. We realize
8 this is a matter of interest to a number of customers
9 and groups of customers. There have been issues raised
10 which we need to address and which need to be fully
11 aired. The Public Service Commission wants to hear
12 this testimony about the desirability of the service or
13 concern with the service or objections to the service.

14 After hearing this testimony there will be
15 two additional days of hearings to be held in
16 Tallahassee. And after hearing the evidence in those
17 hearings the Commission will hopefully be able to
18 fashion a solution which will appropriately accommodate
19 the differing public and private interests that are of
20 concern here with this tariff.

21 Mr. Shreve has previously asked those who
22 wish to testify here today to sign up on a witness
23 list. If there are those, any present at this point
24 who have not signed up who would like to testify, I
25 would ask you to sign up with Mr. Shreve. We will call

1 the witnesses in the order in which they have signed
2 up. If there are any parties who are intervenors in
3 this case and who will be participating in the
4 Tallahassee hearings, it's really unnecessary to
5 testify here today. And if there are those who
6 testified in either the Jacksonville or Orlando
7 hearings held the previous two nights, those remarks
8 are already a matter of record in this proceeding and
9 it would be unnecessary to duplicate those. If you
10 have already testified earlier today, likewise it would
11 be unnecessary to duplicate those remarks.

12 If you're part of a group with the same
13 position, I think it would be appropriate for a member
14 of that group to indicate what the position is and not
15 necessary for each member of the group to testify to
16 the same matters. And you have the option, of course,
17 if a previous witness has already made the points that
18 you would like to make, you may adopt that testimony
19 and the record will so indicate that you have done
20 that.

21 I would ask you to confine your remarks to
22 approximately five minutes so that we have an
23 opportunity to hear anyone who comes to testify this
24 evening. We will take a break at about 7:30, after
25 we've been at it about a hour.

1 Mr. Shreve, if you would call your first
2 witness.

3 MR. SHREVE: Yes, Mr. Chairman. Mr. Fuentes.

4 CHAIRMAN WILSON: Before he start, all of
5 those who have signed up to testify, I'd like to swear
6 you in. The reason we do that, and I don't want you to
7 be intimidated by the fact that you're going to be
8 under oath. The reason we do that is so that we can
9 consider your testimony in this proceeding. And in
10 order to do that we do have to have you under oath. If
11 all of those who are going to testify would please
12 stand and raise your right hand, I'll swear you all in
13 at once and we'll save some time.

14 (Witnesses collectively sworn.)

15 CHAIRMAN WILSON: And when you come to the
16 podium, if you'll just state your name and then tell us
17 whatever your feelings are about this service that's
18 been proposed by Southern Bell.

19 JOSE K. FUENTES
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 FUENTES: Hello. My name is Jose
24 Fuentes, and I'm a Citizen of the State of Florida, and
25 a resident of Dade County. I believe that Caller ID is

1 in the best interest of the public. I think the
2 blocking features should not be there. It defeats the
3 purpose of Caller Identification, and my position is in
4 favor of it.

5 We have currently return call, caller return,
6 and it has been a positive to my wife and myself,
7 especially in a job that I have. We get a lot of calls
8 that are crank calls sometimes. And thanks to the
9 caller return, we have been able to eliminate that.
10 The caller identification would be a step in the
11 positive direction toward eliminating the other calls
12 that we just can't block out I guess. And my position
13 is in favor of caller identification. Thank you.

14 CHAIRMAN WILSON: Good. Are there any --

15 MR. SHREVE: Thank you.

16 CHAIRMAN WILSON: -- are there any questions?

17 Thank you very much. We appreciate your coming here
18 tonight.

19 (Witness Fuentes excused.)

20

21 MR. SHREVE: Elaine Adler. (Pause)

22 COMMISSIONER EASLEY: She's not been sworn.

23 CHAIRMAN WILSON: She was not sworn. Would
24 you raise your right hand, please?

25 (Witness sworn.)

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ELAINE ADLER

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

WITNESS ADLER: My name is Elaine Adler. I live in Miramar, Florida, and I am here in support of the option of having Caller ID. I do believe that it is my right as the receiver of a call to know who is on the other line. I have in the past had a history of people calling me, obscene phone callers, just hang ups in the middle of the night and I'm tired of it. And I want to be able to do something about it. Up until this point there's really nothing I could do about it. And I really feel that if the caller were forced to have their telephone number displayed, it would stop an awful lot of these annoying, harassing, obscene phone calls.

COMMISSIONER EASLEY: Thank you, ma'am.

CHAIRMAN WILSON: Are there any questions of the witness?

MR. KEENER: No questions.

MR. SHREVE: No questions. Thank you.

CHAIRMAN WILSON: Thank you very much.

(Witness Adler excused.)

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1 MR. SHREVE: Mark Zientz.

2 MARK ZIENTZ

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

6 WITNESS ZIENTZ: Mr. Chairman, members of the
7 Commission, my name is Mark Zientz. I'm an attorney, a
8 telephone subscriber and a former criminal prosecutor
9 in New York.

10 I come here to speak on behalf of Caller ID.
11 I think it's a good service, and I view the telephone
12 as just another opportunity for people to intrude upon
13 my privacy in my home. I have a peephole in the door.
14 If somebody comes to the door and I look through it and
15 I don't like who's outside, I either don't answer it or
16 don't open the door. Caller ID is nothing more than a
17 peephole for the telephone. I'm certainly sure you
18 wouldn't outlaw peepholes in front doors.

19 The telephone I have now in my home is
20 unlisted recently, and I pay for that because of the
21 number of unwanted calls that I get. I get them
22 because Breslers lists me by the area that I live in.
23 I get them because the Department of Motor Vehicles
24 gives out my name as the owner of a certain type of
25 automobile. I get them because I'm listed as an

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1 attorney. People look up my home number after not
2 reaching me at the office at 2, 3 or 4 in the morning.

3 So I think that being able to regulate the
4 calls as they come in, take those that I choose to
5 answer, let the answering machine take those that I
6 don't want to answer, and be able to complain to the
7 authorities or call back a party who is bothering me
8 and saying, "Look, I know who you are, I know what your
9 number is, stop calling me." I think all of that is
10 very important to a telephone subscriber, and I think
11 the right of privacy is in the telephone subscriber,
12 not in the person making the call. That person is the
13 one who's initiating an electronic intrusion as far as
14 I can see.

15 I understand, having been a criminal
16 prosecutor, the law enforcement community's objections.
17 I think we will serve the same purpose; instead of
18 coming up with a blocking idea, to merely have a delay.
19 Let the telephone company put in a very short
20 announcement before the call goes through saying, "The
21 number you have dialed is equipped with Caller ID.
22 Hang up now if you don't want to be identified." And
23 at that point give the caller a few seconds to hang up.
24 If that's put in, you eliminate the objections of most
25 of the law enforcement people because if they are

1 calling from a number from which they do not want to be
2 identified, all they have to do is hang up and call
3 from a different number. You eliminate obscene callers
4 because they know they are going to be identified and
5 you, at the same time, allow the right of privacy of
6 the recipient of telephone calls. So I'm here in favor
7 of Caller ID, either with or without an identifying
8 tone or announcement, but I think the tone or
9 announcement will solve the law enforcement community's
10 objections.

11 CHAIRMAN WILSON: Thank you.

12 COMMISSIONER EASLEY: That's a good idea.

13 CHAIRMAN WILSON: Thank you. Are there any
14 questions?

15 MR. SHREVE: No questions. Thank you.

16 CHAIRMAN WILSON: Thank you very much.

17 (Witness Zientz excused.)

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19 MR. SHREVE: Mr. Lesher.

20 DAVID LESHER

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

24 WITNESS LESHER: Mr. Chairman, members of the
25 committee, my name is David Lesher. I'm an Electrical

1 Engineer.

2 I've listened to several different work
3 arounds, I would call them, for the law enforcement
4 community. Some of them don't sound very practical.
5 Most of them sound like their real intent is to
6 increase Bell's revenue through a back door, either
7 cellular service or something else. The direct ones of
8 blocking or some form of blocking a pseudo number
9 strike me as at best hazardous.

10 Number one, the officer making the call has
11 no way of knowing if this blocking is really working or
12 not working. The problem with that is that whereas for
13 most people, if he has blocking and it fails, he may
14 have lost some privacy. In the case of the officer, he
15 may have just put himself and his family at risk, a
16 tremendous risk, but he doesn't know that.

17 My question is that -- the problem is that
18 the entire telephone switching system is not designed
19 to be totally fault free the way, for example, the
20 aircraft control computers and the air bus are. They
21 are designed with the aspect that a failure is life
22 critical. The telephone system is not. If a call
23 doesn't go through or if the blocking doesn't get
24 applied, well, try again next time. By installing
25 Caller ID with some form of blocking, you've now made

1 it a life critical path for an officer, and he has no
2 idea whether it has failed or not.

3 One of my questions is, is Bell liable if
4 they have promised blocking and not delivered it and
5 someone gets killed? Thank you.

6 CHAIRMAN WILSON: That's a good question.

7 COMMISSIONER EASLEY: Mr. Chairman, if I may.

8 CHAIRMAN WILSON: Yes, just a moment.

9 COMMISSIONER EASLEY: A similar issue was
10 raised at the Orlando hearing last night as to what
11 would happen if the software failed, and did the number
12 go out, but the blocking didn't. The response that we
13 were given was that if the software failed for
14 blocking, because they're in the same -- and I don't
15 know the technical words -- but because it is the same
16 basic system and service, that probably Caller ID would
17 have failed, the number would not have been
18 transmitted, so that if you have the failure of one,
19 you would have the failure of the other.

20 WITNESS LESHER: Probably.

21 COMMISSIONER EASLEY: And I'm not sure
22 whether that's my word or theirs, to be perfectly
23 truthful.

24 CHAIRMAN WILSON: Your point is it probably
25 isn't good enough.

1 WITNESS LESHER: You've now made the system
2 where "probably" is not good enough. That's the
3 essence of the problem. And to redesign the entire
4 switch software to life critical specs, like a hospital
5 respirator, is impossible.

6 The other aspect that I neglected to mention
7 is all of these schemes for providing blocking to
8 various officers delivers a list of undercover and
9 overt officers to many people in Bell. Are all those
10 people above suspicion? I don't mean to imply that
11 Bell employees are corrupt, but how can I put this
12 delicately? We've had situations with the police
13 officers tempted by large amounts of drug money in this
14 city. Are Bell's employees more upstanding than that?

15 CHAIRMAN WILSON: If Caller ID were allowed,
16 then you would favor a universal blocking?

17 WITNESS LESHER: I don't see --

18 CHAIRMAN WILSON: Either per call or --

19 WITNESS LESHER: -- any way around it.

20 CHAIRMAN WILSON: Either per call or --

21 WITNESS LESHER: Any system that provides
22 blocking or pseudo blocking only to a select list of
23 people has two problems.

24 CHAIRMAN WILSON: It identifies that select
25 list --

1 WITNESS LESHER: It identifies that select
2 person. If not to the person at the far end, to vast
3 numbers of people in Bell. And while we'd all like to
4 believe that those people are reliable, computers are
5 not -- unless they're designed to be the way NSAs are
6 and isolated, they're not secure.

7 COMMISSIONER GUNTER: How about a per-call
8 blocking, which would allow the user, the originator of
9 the call to -- on a feature such as TouchStar?

10 WITNESS LESHER: I'm sorry, I didn't hear,
11 feature such as what?

12 COMMISSIONER GUNTER: TouchStar.

13 WITNESS LESHER: TouchStar, yes.

14 COMMISSIONER GUNTER: If you had a feature --
15 an additional feature which would allow with a two
16 digit input that that particular call be blocked?

17 WITNESS LESHER: How do you know the call's
18 blocked?

19 COMMISSIONER GUNTER: Well, how do I know
20 that I'm going to be breathing in five minutes?

21 WITNESS LESHER: Well, my point is that
22 you've now made this large diverse multi-processor
23 computer system a possible threat that you can't prove
24 isn't.

25 COMMISSIONER GUNTER: Yes, but then, I'm

1 working on your -- I'm trying to dissect yours one piece
2 at a time because then there's no list of people.

3 COMMISSIONER BEARD: I think you're talking
4 by each other. He is saying universal per-call
5 blocking as opposed -- he's trying to differentiate
6 your universal call blocking into blanket versus per
7 call.

8 WITNESS LESHER: Okay.

9 COMMISSIONER GUNTER: On a per-call basis
10 there's no list --

11 WITNESS LESHER: That's correct.

12 COMMISSIONER GUNTER: -- to the utility.

13 WITNESS LESHER: That's correct for --

14 COMMISSIONER GUNTER: There's no
15 identification of people?

16 WITNESS LESHER: -- that solves one very
17 large problem.

18 COMMISSIONER GUNTER: Right.

19 COMMISSIONER BEARD: It also takes an
20 affirmative action on the part of the caller.

21 WITNESS LESHER: Yes. The additional
22 problem, of course, that I'm sure others have
23 mentioned, is if you have call blocking reserved for
24 law enforcement officers, then if you get a blocked
25 call, you know it's coming from a cop.

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If you have some sizable customer base of people who prefer not reveal their unlisted numbers, then you have some plausible deniability, I guess. "No, I don't give out my number. I'm an attorney," or "I have problems with my ex-wife" or something like that.

COMMISSIONER GUNTER: Sure.

COMMISSIONER BEARD: What about the technology of block the blocker?

WITNESS LESHER: I'm sorry.

COMMISSIONER BEARD: The technology of block the blocker. You call me, you block it so that my Caller ID doesn't pick you up.

WITNESS LESHER: Yes.

COMMISSIONER BEARD: I have a service that I have purchased or if it's provided, however, that says, "You block your call, my phone doesn't ring."

WITNESS LESHER: I have no problems with that. That doesn't provide a problem. My basic concern is one of block failure, unannounced block failure. Because the blocking takes place at the terminating central office, it takes place maybe all the way across town.

COMMISSIONER GUNTER: Got you. Good point.

1 COMMISSIONER EASLEY: Thank you.

2 MR. SHREVE: Thank you.

3 (Witness Lesher excused.)

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5 SUSAN WATSON

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 WATSON: Hello, Mr. Chairman and
10 Commissioners. I am Susan Watson and I'm a deaf, proud
11 citizen of Dade County, and I'm very strongly in
12 support of Caller ID and very strongly against a
13 blocking feature.

14 I think that for deaf people this is
15 particularly important. If we could see a number that
16 would flash up and tell us who was calling, we wouldn't
17 have to depend on wondering if the person calling us
18 was using voice or TDD. We would know whether we were
19 getting a TDD call. And if we were getting a voice
20 call, we would have a number right there so that we
21 could return the call through a relay system.

22 It's particularly important to us from a
23 safety emergency feature because when we're calling 911
24 not all of us are able to tell the police who we are,
25 where we are, what's wrong, but the number would flash

1 up immediately and the police would know by our
2 telephone number where we are and be able to take
3 action. The National Association of the Deaf has come
4 out very strongly endorsing Caller ID and is very
5 strongly against the blocking feature. As a deaf
6 individual, as the mother of a deaf child and as a
7 representative of many deaf people in Dade County, I
8 would strongly urge that we be allowed to use this
9 service without blocking. Thank you.

10 CHAIRMAN WILSON: Thank you. Are there any
11 questions?

12 MR. SHREVE: Thank you.

13 CHAIRMAN WILSON: No. Thank you very much.

14 (Witness Watson excused.)

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16 MR. SHREVE: Doctor Webster.

17 DR. JUAN WEBSTER

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

21 WITNESS WEBSTER: Ladies and gentlemen, my
22 name is Juan Webster and I'm the President of the
23 Broward County Medical Association. I'm a licensed
24 physician in the State of Florida, and also in the
25 State of Georgia, and I represent about 1,700 licensed

1 physicians in Broward, about 2,600 in Dade County, and
2 also by extension, 17,000 doctors in the state of
3 Florida. And I represent them specifically opposing
4 the concept of Caller ID without universal blocking.

5 The reason is reflected in what I've been
6 doing in the last 25 years. I've been spending many
7 days, many weeks, months and years, day and night
8 taking care of you, of us, of the public in general.
9 Taking care of emergencies; I'm a surgeon. And
10 sometimes when we get back home, we keep getting a lot
11 of calls through our service. We feel this is a good
12 system. We would like to have the protection of our
13 privacy, which we have purchased already through the
14 telephone company by having unlisted or unpublished
15 numbers. I cannot see how it could hurt for the system
16 to function with a blocking system for those that
17 legitimately are entitled to it. Entitled to it as a
18 matter of fact, in the way of the human rights, of the
19 rights of privacy. And this is to say nothing about
20 the law enforcement persons who obviously have even
21 much more at stake than their privacy by having their
22 identification divulged in the phone call with ID. So
23 in short, I can also argue a bit against the system
24 being foolproof as far as obscene calls. Naturally,
25 you can go and make an obscene call with the ID service

1 in place or the identification in place if you just go
2 and do it from either a cellular phone, as we all know,
3 or from a public phone. So it really is not
4 eliminating all that much just by itself.

5 In short, representing the doctors of the
6 state of Florida, I feel it is -- the Caller ID system
7 in its present form, without a foolproof free blocking,
8 free blocking is unacceptable and intolerable, not to
9 mention an economic burden, which is not in the best
10 interest of the public but may be in the interest of
11 the phone company. Thank you.

12 COMMISSIONER EASLEY: Thank you, sir.

13 CHAIRMAN WILSON: Are there any questions?

14 MR. SHREVE: No questions.

15 CHAIRMAN WILSON: Thank you, Dr. Webster.

16 (Witness Webster excused.)

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18 MR. SHREVE: John Kross.

19 JOHN KROSS

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

23 WITNESS KROSS: My name is John Kross. I'm a
24 resident of Pembroke Pines, Florida. I support Caller
25 ID for two reasons: One, I work in a drug treatment

1 center in Dade County here and the benefits in a crisis
2 situation the Caller ID are obvious to us and I'm sure
3 to you.

4 Secondly, my full time occupation is as a
5 radio and television broadcaster. I've done that in
6 this market for 15 years, and I'll recount to you two
7 stories briefly, things that have happened to me
8 through the years.

9 I was stalked by a listener for a period of
10 two or three months which was extremely upsetting to me
11 and my family. They finally apprehended her within a
12 mile of my house. One of the things she did was phone
13 harassment and it was directed towards my wife and
14 children.

15 At that time, if we had had a feature such as
16 Caller ID, it might very well have shortened the
17 discomfort that we had.

18 Approximately two years ago my children began
19 or obscene harassing phone calls began at my house
20 directed towards my children. Very specifically, very
21 foul by name, and I don't have to tell you I'm sure
22 many of you or all of you have families, the type of
23 terror that that, in fact, is. We spent a long period
24 of time and a lot of effort to try to apprehend this
25 person. We were unable to do it. And to this day,

1 although the calls have stopped, I never truly rest
2 because of that particular incident.

3 In closing, I'd just like to say that if we
4 had a feature such as that, it might have made -- it
5 definitely would have made my family situation a lot
6 better.

7 And I feel that with Caller ID, I'm in
8 control of what calls go out, so I'm not that concerned
9 about that. But with Caller ID I can also have some
10 control about what calls come in. And as a public
11 person, there are a lot of people -- I understand what
12 the doctors are saying on some of the downsides. I
13 think I could easily live with those downsides as
14 opposed to the downsides that I've had to live with
15 with just the invasion of the phone. Thank you very
16 much.

17 CHAIRMAN WILSON: Thank you Mr. Kross. Any
18 questions?

19 MR. SHREVE: No questions.

20 (Witness Kross excused.)

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22 MR. SHREVE: Dorothy Wilson.

23 DOROTHY WILSON

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

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1 testified as follows:.

2 WITNESS WILSON: My name is Dorothy Wilson,
3 and I live --

4 CHAIRMAN WILSON: Would you pull that
5 micriphone down a little bit?

6 WITNESS WILSON: -- and I live right in this
7 neighborhood.

8 You know, years ago when you had the
9 telephone that you wound up and there was about six or
10 seven people on the line, they didn't seem to have all
11 our problems.

12 I have an unlisted telephone. Are you going
13 to do away with with them now? There's no point in us
14 having an unlisted telephone. What is the point of it?
15 I think you're invading my privacy. Someone calls me
16 and they start any obscenities, the whistle takes very
17 good care of it and they don't bother to call back. I
18 think it's a scheme for the telephone company to make
19 more money. Since the telephone companies have been
20 broken up, they are a little short of cash, and this is
21 a way to make some more. \$80 for the box, \$7.50 a
22 month, and how are people on social security going to
23 pay for that? Even if they wanted it, how could they
24 pay for it when there's so many people got \$300, \$350 a
25 month. I think it's ridiculous. I think it's an

1 invasion of my privacy and I don't think it should be
2 allowed.

3 COMMISSIONER EASLEY: Thank you, ma'am.

4 CHAIRMAN WILSON: Thank you.

5 MR. SHREVE: Thank you.

6 (Witness Wilson excused.)

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8 MR. SHREVE: Mayor Flanagan.

9 CHARLES FLANAGAN

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 FLANAGAN: Good evening,
14 Commissioners. My name is Charles Flanagan. I'm the
15 Mayor of the City of Pembroke Pines in Broward County,
16 a city of approximately 70,000 people. I believe one
17 of my commissioners, Thibault, was here today.

18 COMMISSIONER GUNTER: Right.

19 WITNESS FLANAGAN: I've been in office for 14
20 years. I'm sure you can well imagine in those 14 years
21 the numerous harassment calls that I've received. Not
22 only obscene, I've had several death threats. I would
23 love to have the opportunity to have Caller ID
24 available. I also have the authority this evening, I
25 talked to my police chief, and he has no problem with

1 Caller ID. Our police department may be taking a
2 different position from other law enforcement agencies.
3 The chief feels that any of the problems that could
4 arise, certainly there are numerous ways to overcome
5 it. So I would hope that this could be made available
6 to us in the very near future. Thank you.

7 COMMISSIONER EASLEY: Thank you, Mayor.

8 CHAIRMAN WILSON: Thank you, Mayor.

9 MR. SHREVE: Thank you.

10 (Witness Flanagan excused.)

11 - - - - -

12 MR. SHREVE: Mr. Richards -- no, Pichard, I'm
13 sorry. Pichardo?

14 ADOLFO S. PICHARDO

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 PICHARDO: Good evening, ladies and
19 gentlemen of the Commission. My name is Adolfo
20 Pichardo, I am a Certified Public Accountant, and I
21 have been living and practicing here in Dade County.

22 I would like to state that I am in favor of
23 Caller ID. I have four children and the harassing
24 calls that we get at home are unbelievable. I think
25 this would be one way to deter these harassing calls.

1 Thank you very much.

2 CHAIRMAN WILSON: Thank you. We appreciate
3 you coming.

4 MR. SHREVE: Thank you.

5 (Witness Pichardo excused.)

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7 MR. SHREVE: Jose Pichardo.

8 JOSE A. PICHARDO

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

12 WITNESS PICHARDO: Good evening, ladies and
13 gentlemen. My name is Jose Pichardo.

14 I am here to support the Caller ID option. I
15 think the issues have been brought out and are clear so
16 I will be brief. I just want to say that I think it
17 would be a good form of deterrent for those harassing
18 calls and the problems that arise in that type of
19 thing. This is just to let you know I'm in favor of
20 it. Thank you.

21 CHAIRMAN WILSON: Thank you, Mr. Pichardo.

22 (Witness Pichardo excused.)

23 - - - - -

24 MR. SHREVE: Mr. Smith.

25 AL SMITH

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

4 WITNESS SMITH: My name is Al Smith. I
5 happen to be a physician. I am appearing at the
6 request of the Dade County Medical Association and I
7 have two requests. If the Commission has already heard
8 the petition from the Florida Medical Association I
9 would like not to present that again.

10 COMMISSIONER GUNTER: We heard in
11 Jacksonville --

12 CHAIRMAN WILSON: I believe it has been filed
13 with us, has it not?

14 WITNESS SMITH: I think it has been filed.

15 MS. GREEN: They are an official intervenor.

16 CHAIRMAN WILSON: You all are official
17 intervenors and parties in the case.

18 WITNESS SMITH: Yes. Now that you have that
19 and it is redundant, I would like to present the
20 Commission what I think the physicians' concern is,
21 particularly as regards psychiatrists, people who are
22 dealing with disturbed patients. They feel that their
23 privacy is extremely important in that when they return
24 a telephone call from their home that their number
25 would be identified to the caller.

1 There are obviously arguments in favor of the
2 Caller ID service that are very strong, and I am
3 wondering if perhaps the Southern Bell, or the AT&T
4 people, could in some way, if a person is called
5 through their answering service, could they then call
6 their answering service back, patch the call forward
7 and the identifying number would be the number of the
8 answering service.

9 COMMISSIONER GUNTER: Yes.

10 WITNESS SMITH: That seems to me to solve the
11 problem perhaps without the block. I don't believe
12 that the physicians are entitled to any more privacy
13 than anyone else. I believe that most of us who have
14 home numbers, listed or unlisted number, and I happen
15 to have a listed number, would choose not to have prank
16 calls, would choose not to have obscene calls. And in
17 the instance where there's perhaps the threat of bodily
18 harm, or the perception of threat of bodily harm to
19 persons taking care of mentally disturbed patients,
20 then I believe that the Commission could perhaps help
21 us arrange a patching system so that the answering
22 service would be the intermediary, or the hospital
23 would be the intermediary and identified as the calling
24 number. We choose not, and I'm sure you'd choose not
25 if you have an unlisted number, not to have that

1 displayed. Thank you very much.

2 COMMISSIONER GUNTER: Doctor, in addition to
3 have that splash capability back through, for instance,
4 in answering the service, how would you personally feel
5 if we had a universal per-call blocking where you would
6 punch, for instance, a 63, or whatever two numbers on
7 your telephone, and then make the call. Then that call
8 would be blocked, that number would be blocked on a
9 Caller ID, on an individual call basis. Then that
10 would let you use your telephone, you know, to call the
11 grocery store or friends, or whatever, on a normal
12 basis. But when a physician or a psychiatrist, and
13 they are physicians also, but when physicians have to
14 deal with situations where they would rather not have
15 that number out, then on a call-by-call basis they
16 could block that call. Would that make sense?

17 WITNESS SMITH: It does make sense, yes, but
18 it kind of defeats the benefit provision of a crank
19 call identification.

20 COMMISSIONER GUNTER: I understand.

21 WITNESS SMITH: Because if I were a crank
22 caller I could do the 63 tic-tac-toe and do the same
23 thing.

24 COMMISSIONER GUNTER: Well, one of the
25 things, as Commissioner Beard said, you could also have

1 the capability of a blocking, you know, to block a
2 blocked call.

3 WITNESS SMITH: Yes, sir.

4 COMMISSIONER GUNTER: If someone called you
5 and the number didn't come up, you say if they want to
6 hide that I don't want to talk to them.

7 WITNESS SMITH: Well, I think the concerns of
8 the public outweigh the concerns for privacy. But when
9 it becomes the point of perhaps injury, or perception
10 of injury, that's a different matter.

11 I also would like to know from the
12 Commissioner, or from the Commissioners, or from
13 Southern Bell if this could be, this ID is effective
14 from a mobile phone because of the payment problem with
15 incoming calls to a mobile phone. My wife doesn't know
16 my mobile phone number. (Laughter) They beep me on
17 the beeper and I can call them back because I just
18 prefer not to be called. So I hope that's not going to
19 spread to that. If it doesn't spread to that then I
20 think perhaps the system is somewhat ineffective,
21 though. Thank you very much.

22 CHAIRMAN WILSON: Thank you, doctor.

23 MR. SHREVE: Thank you.

24 (Witness Smith excused.)

25

1 MR. SHREVE: Ms. Shay, I believe it is. I'm
2 not sure whether it's S-h or S-n. Sorry.

3 BENTONNE SNAY

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 SNAY: Good evening, Commissioners.

8 My name is Bentonne Snay, I am the Executive
9 Director of a nonprofit organization that works with
10 at-risk youth. And I believe there are a number of
11 good reasons to support Caller ID, and those include
12 being able to have some control, in terms of being the
13 recipient, of crank phone calls as a private citizen.

14 I also support Caller ID because I think that
15 it would be a great thing for school personnel who
16 often receive very unpleasant phone calls, sometimes
17 from students and sometimes from parents. It would
18 enable them to handle these problems much better.

19 Also, I think that the argument about crank
20 callers could go to a phone booth is not terribly valid
21 in that in my experience most crank phone calls have
22 come from adolescents who are at home, maybe their
23 parents are away, they have nothing better to do than
24 make phone calls and giggle a lot, in the meantime
25 disturbing many people. So I would think that it would

1 cut down on crank phone calls in many ways.

2 Also, in my experience with adolescents, it
3 has been a great concern of many parents that their
4 children get into arguments or disputes with other
5 children and then they start harassing each other on
6 the phone, and it involves the entire family. And I
7 have seen this go on for the better part of a school
8 year where there were all kinds of allegations made; I
9 mean, this went into the principal's office, and nobody
10 could prove anything and no action could be taken short
11 of changing the phone number, which was a great
12 harassment for the family to have to do. So that's
13 another reason why I feel that it would be very
14 beneficial to citizens to have this option.

15 And last but not least, it would empower
16 school personnel to not be completely disarmed and have
17 their entire school disrupted in the case of a bomb
18 threat.

19 So I urge you to please support Caller ID.

20 Thank you.

21 CHAIRMAN WILSON: Thank you very much.

22 MR. SHREVE: Thank you.

23 (Witness Snay excused.)

24 - - - - -

25 MR. SHREVE: Mr. Snay.

1 PATRICK SNAY

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 SNAY: Good evening. My name is
6 Patrick Snay, I am the Assistant Principal of Miami
7 Killian High School, and my major job is dealing with
8 the discipline of 3,000 students.

9 What a great thing Caller ID would be for me.
10 I'm not sure if we had Caller ID if I would have a job
11 because most of the things I do is settling disputes
12 between students, and very often it's because of
13 harassing phone calls. Likewise, on a personal level,
14 since I am the person that gives out punishment in a
15 large school system, I often get harassing phone calls
16 myself at my home.

17 I have been a member of this community myself
18 for 40 years and I take pride that my number is listed
19 in the phone book. And even though I am an administrator
20 with the school system, I want my phone number to be
21 available. The thing that does bother me is that very
22 often I am submitted to things from students because of
23 them having my phone number.

24 I am very much in support of Caller ID. I
25 also am the person that bomb threats do come to in the

1 school system, in our particular school system. There
2 has been time when we have had to actually have all
3 students, 3,000 students, leave the school while we
4 have done searches for bomb threats. What a great
5 thing Caller ID would have been for us if we had had it
6 at that time.

7 I am definitely in support. Thank you very
8 much.

9 COMMISSIONER BEARD: Mr. Snay, as a former
10 assistant principal I can assure you that you won't be
11 out of a job if we have Caller ID. (Laughter)

12 WITNESS SNAY: I would make my job much
13 simpler, though.

14 MR. SHREVE: Thank you.

15 (Witness Snay excused.)

16 - - - - -

17 MR. SHREVE: Mr. Casbarro.

18 CHAIRMAN WILSON: Were you here when we swore
19 in the witnesses?

20 WITNESS CASBARRO: Yes. I didn't write my
21 name clearly so they didn't know how to pronounce it.

22 JOHN CASBARRO

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:

1 testified as follows:

2 WITNESS MOLLOY: Good evening, Commissioners.

3 My name is Douglas Molloy, I am the Chief Assistant
4 Statewide Prosecutor.

5 Every case that the Statewide Prosecutor's
6 Office handles involves organized crime or
7 multi-jurisdictional criminal activity. Every case
8 that we handle has an undercover operative or
9 confidential informant, and every case we handle would
10 be adversely affected by Caller ID.

11 The confidential informant, the undercover
12 operative, they don't know whether the recipient of the
13 call has Caller ID. The call reveals not only the
14 phone number but eventually, because of address, phone
15 directories, the address of that particular caller.

16 You see, I've got a responsibility to the
17 people that I send out there to fight organized crime,
18 the people that I direct to fight organized crime, and
19 I have a responsibility to them to come and talk to you
20 and tell you that Caller ID gives organized crime
21 figures the vehicles they need to determine whether the
22 undercover agents are in contact with them.

23 Per-call blocking arouses the suspicion
24 because the undercover operative or the confidential
25 informant in almost every case would have no need for

1 per-call blocking in the way that they appear to that
2 organized crime figure.

3 The other thing that bothers me is, and I'm
4 sure that the Commission will give this a great deal of
5 thought, one of the groups of people that organized
6 crime preys upon in our state are the elderly. And
7 Caller ID is a means for identifying them as potential
8 groups of victims for the many boiler room schemes that
9 victimize so many elderly people in our state. You can
10 entice them to call a specific number and it's a boiler
11 room operator's dream.

12 I would ask you to consider the alternatives
13 because I believe that Caller ID is a dangerous thing
14 for the people that I work with, the people that are my
15 responsibility. And there are alternatives:
16 Alternatives that can reach the irritation, the
17 harassment by adolescents, the bomb threats. There are
18 alternatives in Call Priority, Call Block, Call Trace
19 and, to a certain extent universal blocking that do not
20 affect law enforcement adversely.

21 I would ask you Commissioners, and I know
22 that you will, to give serious thought to those people
23 who are out there doing the things that they need to do
24 to make this a better state. Thank you.

25 CHAIRMAN WILSON: Thank you. We appreciate

1 it.

2 MR. SHREVE: Thank you.

3 (Witness Molloy excused.)

4 - - - - -

5 MR. SHREVE: Mr. Nelson.

6 KEN NELSON

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 NELSON: Good evening. My name is
11 Ken Nelson, I am the Area Security Director for
12 Domino's Pizza.

13 I appeared before the Commission in
14 Jacksonville on Tuesday evening so I do not wish to,
15 you know, take unnecessary time and re-read a statement
16 that I have already read into the record. I would just
17 like to appear here this evening to re-support my
18 position, and the position of Domino's Pizza, that we
19 would be in support of Caller ID.

20 We believe that this is a good system to
21 protect our employees. All too often our drivers are
22 susceptible to the elements, to the criminal elements
23 that prey upon our society. We lose drivers nationwide
24 because of bad orders where robbers intentionally
25 provide false phone numbers and lure our drivers to

1 robbery setups.

2 As an example, I would like to read into the
3 record a portion of the statement dealing with the
4 feature, the Caller ID feature that is already in
5 effect in the State of New Jersey, and that is in an
6 overwhelming --

7 CHAIRMAN WILSON: This is already in the
8 record from Jacksonville?

9 WITNESS NELSON: Yes, sir, it is.

10 COMMISSIONER BEARD: And from Orlando?

11 WITNESS NELSON: Yes.

12 CHAIRMAN WILSON: Then there really isn't any
13 need for you to read it again. It is in the record and
14 it is before the Commission at this point.

15 WITNESS NELSON: Okay, I just wanted to
16 reaffirm that position. And I also wanted to reaffirm
17 Domino's Pizza's position that we highly support the
18 law enforcement community. Being a former law
19 enforcement officer myself, I would be remiss in all of
20 my years devoted to that profession if I didn't truly
21 believe that there were adequate devices available to
22 the law enforcement community to effectively circumvent
23 any shortcomings that the Caller ID system may provide
24 to the criminal elements of our society.

25 I have no further comments unless the

1 Commission has any questions.

2 CHAIRMAN WILSON: Let me ask you one
3 question. Do you operate currently in states that have
4 Caller ID with call blocking, per-call blocking?

5 WITNESS NELSON: I honestly don't know the
6 answer to that, sir. I do know that in those states
7 where Caller ID is made available that we are utilizing
8 it, and utilizing it very effectively.

9 CHAIRMAN WILSON: Is your Company policy, or
10 would your Company policy be if you had blocked calls
11 that you would not deliver pizzas to called-in orders
12 that were from blocked numbers?

13 WITNESS NELSON: Not necessarily. I believe
14 that there might have been some misunderstanding from
15 the individual who appeared before the Commission in
16 Orlando last night. It is our position that if we
17 received a call that was blocked that the persons on
18 the telephone receiving that order could perhaps take
19 some other means of identifying whether or not they
20 felt that that order might be either a valid order or
21 an unsafe order for our driver. We have a lot of
22 different methods that we teach our employees who are
23 answering these phones that they can, you know, ask
24 certain questions that would make the order appear to
25 be more legitimate.

1 COMMISSIONER BEARD: There was no confusion.

2 WITNESS NELSON: Okay.

3 CHAIRMAN WILSON: Thank you very much. We
4 appreciate your coming here tonight.

5 MR. SHREVE: Thank you.

6 (Witness Nelson excused.)

7 - - - - -

8 MR. SHREVE: Mr. Knuck.

9 FRANCIS KNUCK

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 KNUCK: Mr. Chairman, members of the
14 Board, my name is Francis Knuck. I have for the last
15 27 years been a trial judge of the Circuit Court of the
16 Eleventh Judicial Circuit of Florida. I retired in
17 1988, in December, but I still -- you can't be a judge
18 that long without making a lot of people unhappy.

19 (Laughter)

20 I can almost predict when the calls are
21 coming. You can read the morning's paper and there's
22 an article about a judge, critical, and I will that day
23 get one or two phone calls and hang up.

24 One woman called me for a period of 12 years.
25 Sometimes when I am out of town she would fill up the

1 entire tape deck on my answering service with lectures
2 to me about God and good, but we have eliminated her by
3 identifying her. But still on occasions I get calls
4 that hang up. And in 1989 my house was robbed three
5 times, and my wife is concerned that someone is casing
6 the house. We have never gotten any threats but we do
7 get a lot of harassment.

8 I favor it very much and I think it will be a
9 service to our community.

10 CHAIRMAN WILSON: Thank you, Judge.

11 COMMISSIONER GUNTER: Thank you, Your Honor.

12 MR. SHREVE: Thank you, sir.

13 (Witness Knuck excused.)

14

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15 MR. SHREVE: Mr. Oertel.

16

CARL OERTEL

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 OERTEL: Good evening, Mr. Chairman,
21 Commissioners, ladies and gentlemen. My name is Carl
22 Oertel.

23 Before I make a statement, and I don't have a
24 prepared statement, I wonder if I could ask what is the
25 problem at this point with the institution of the

1 Caller ID? Is it merely the lack of agreement upon
2 which law enforcement agencies are granted the call
3 blocking, or what exactly is the status at this point?

4 My reason for asking is that Southern Bell
5 has told me a number of times when I requested the
6 service that it would be available on a certain date,
7 you wait for that date to come, and then they tell you,
8 "Well, it's not." I just wondered can you advise me as
9 to what the status is right now?

10 CHAIRMAN WILSON: The Commission has
11 considered Caller ID issues on three occasions, is that
12 right.

13 COMMISSIONER GUNTER: Yes, three occasions.

14 CHAIRMAN WILSON: Three occasions, I believe,
15 beginning in January of this year. And as we
16 considered that folks brought concerns to our attention
17 that appear to be legitimate concerns that ought to be
18 fully fleshed out in public hearings, evidentiary
19 hearings, where whoever cared to could comment on those
20 provisions.

21 There were concerns by law enforcement, there
22 were concerns by some agencies, spouse abuse, child
23 abuse, other social agencies, that seem to us to have
24 some legitimacy to them. There's also the concern
25 about the commercial distribution of numbers that may

1 be derived from Caller ID. Commissioner Easley is
2 quite concerned with that, and I think that is a valid
3 concern as well.

4 So if you want to put the blame someplace you
5 could probably put it on us for allowing this process
6 to stretch out, but it's better to have enough
7 information to make the right decision, I think, than
8 to make a hasty one.

9 WITNESS OERTEL: Absolutely.

10 CHAIRMAN WILSON: And I think that's why you
11 are experiencing the delays. Presently, the decision
12 is scheduled to be made, I believe, in either January
13 or February.

14 WITNESS OERTEL: Will that be final? In
15 other words, will it either be allowed or not allowed?

16 CHAIRMAN WILSON: Yes. It's as final as
17 those kinds of things are. (Laughter)

18 WITNESS OERTEL: My wife, who is working and
19 couldn't be here, and I are phone subscribers. We have
20 been the victims of harassing, obscene and
21 life-threatening phone calls for a number of years. We
22 have an unlisted nonpublished number for a number of
23 years, which has been of no value. The phone company,
24 as good as their intentions are, have not been able to
25 help us at all. We are also currently victims of

1 physical assault, which the case is still pending.

2 In regard to the speakers who have made the
3 case for law enforcement, that the officers need to be
4 protected, I understand that and I am in full agreement
5 with that. And I think that if a Southern Bell
6 employee, for instance -- and I'm just saying
7 hypothetically -- if they wanted to find out the number
8 of a law enforcement person they could probably do it
9 without too much trouble. So I don't think it's valid
10 by denying the public, especially the victims of phone
11 harassment, which I feel is a criminal act, I don't see
12 how their lives would be jeopardized if it's treated in
13 a confidential manner.

14 I may be wrong, I don't have all the answers;
15 however, in regard to this physical assault that I told
16 you about where the case is still pending, I got a call
17 one night about 10:30 or 10:40. I was asleep already
18 because I have to get up early, and not having my full
19 wits about me the caller claimed to be a detective. He
20 said his name very quickly and said he was calling
21 about the case, that he couldn't read all the writing.
22 This was a couple of weeks after the report was filed.
23 He said he couldn't read it, and it sounded rationale
24 and logical so I went ahead and did it, and I neglected
25 to get his name. He had already stated his name and I

1 neglected to get his number, his phone number or badge
2 number, or what have you. So I don't really know if
3 that was an officer who called me or not. You know, it
4 could very well have been, you know, someone on the
5 side of the person that committed this assault on us.

6 So the reason that I am here is to state very
7 emphatically that I am with all of the people that have
8 registered their opinion that it should be instituted.
9 And I think you would be doing a great service to the
10 victims of phone harassment by doing so.

11 I understand that there is a problem
12 commercially with people selling these lists. I have
13 had this unlisted nonpublished number for a number of
14 years and yet I still get all of these solicitations
15 from, I don't know, the Donnelly list, or whatever.
16 This is some kind of a commercial list that people can
17 get. So Southern Bell hasn't been any help that way to
18 insure our privacy to the extent that we are not
19 harassed.

20 I feel like under America's Constitution that
21 this should not be allowed to go on. It has been going
22 on for a long time and I think that Caller ID would be
23 a very good way to cut it down. It's not a panacea, it
24 will not stop it entirely, because people can still go
25 to phone booths, pay phones, and this would not show up

1 their number, the phone number would not show up on the
2 Caller ID, and I understand that and I'm willing to
3 live with that. I think it would greatly reduce the
4 people that enjoy tormenting others by use of the
5 telephone.

6 Unfortunately, the telephone is the only game
7 in town unless you use a two-way radio or something.
8 We all have to use it and I think that the privacy and
9 the well being of the legitimate subscribers who use
10 the phone for a tool, who do not to start ignoring the
11 phone, because when this happens a lot and you get no
12 satisfaction from Southern Bell then, you know, instead
13 of jumping for the phone when it rings, you know, you
14 tend to -- it becomes, instead of a tool for your use,
15 it becomes an object of harassment, is what it boils
16 down to, sir.

17 So I would appreciate very much your
18 consideration in instituting Caller ID.

19 CHAIRMAN WILSON: I believe there's a
20 question.

21 COMMISSIONER MESSERSMITH: Mr. Oertel, in all
22 of this time frame and the problems you have been
23 having in working with Southern Bell, have you ever
24 utilized the service called Call Trace or talked with
25 them about that?

1 WITNESS OERTEL: Yes, sir, I have, and I feel
2 like Call Trace falls short of solving the problem.

3 COMMISSIONER MESSERSMITH: Could you just
4 explain that to me? Did you use Call Trace?

5 WITNESS OERTEL: No, sir, I haven't. What I
6 did do was fill out this log that the Annoyance Call
7 Department at Southern Bell wants you to fill out. I
8 filled out a couple of pages of it and they were not
9 able to do anything. They said Call Tracing would
10 provide, possibly provide, the identity of the person,
11 or persons, doing this to Southern Bell, but Southern
12 Bell, you know, may or may not do anything about it.
13 And their contention is that they don't want to be
14 liable if a person goes back and does something to the
15 person that is harassing them in the first place. And
16 I understand that; I understand that they don't want to
17 be liable that way. But I think that Southern Bell, if
18 they can't stop the harassment, they really owe their
19 subscribers a little piece of mind.

20 Like I said, it's not going to guarantee in
21 every case that it won't happen, but I think, and I
22 honestly believe that it would cut down on it. And I
23 think, say, if the problem is law enforcement blocking,
24 I think that allowing the people, the victims
25 especially, if a person has been experiencing this for

1 years. Because when you change your phone number you
2 don't know if eventually that person is going to get it
3 again, say through an acquaintance of an acquaintance,
4 or what have you.

5 I don't know about the per-call blocking. I
6 think that if you limit them, like the physicians
7 wanted that, I think that if a person is qualified,
8 pre-qualified, that, you know, common sense tells you
9 that they are not the ones that are doing it. You know
10 what kind of people do this, and I really honestly
11 agree emphatically with the people that have spoken and
12 said that they were in favor of Caller ID, and that if
13 it had been in place that a lot of needless suffering
14 would not have occurred.

15 Is there anything else that I might answer?

16 CHAIRMAN WILSON: Any other questions?

17 COMMISSIONER MESSERSMITH: No.

18 CHAIRMAN WILSON: Thank you very much, sir.

19 We appreciate your coming down to testify.

20 WITNESS OERTEL: Thank you very much.

21 (Witness Oertel excused.)

22

23 MR. SHREVE: Mr. Iglesias.

24 CHAIRMAN WILSON: Mr. Shreve, how many more
25 witnesses do you have at this point?

1 MR. SHREVE: I have eight.

2 CHAIRMAN WILSON: All right. We will take
3 just one more witness and then we will take a
4 ten-minute break.

5 DAVID IGLESIAS

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

9 WITNESS IGLESIAS: My name is David Iglesias,
10 I serve as Crisis Counselor for the Metropolitan Dade
11 County Advocates for Victims Safe Space Shelter for
12 Battered Women. I am here on behalf of the Director,
13 Mr. Robert Schroeder. He was here earlier this
14 afternoon and he didn't get a chance to speak and he
15 had a crisis at one of the other centers so he asked me
16 to come.

17 As Director for the Metro Dade Advocates for
18 Victims Program, I oversee three residential domestic
19 violence centers, and I am opposed to the
20 implementation of the Caller ID system.

21 Domestic violence is not just a family
22 matter, it is a criminal violation of Florida Statutes.
23 More women are injured in this country due to domestic
24 violence than are injured as a result of muggings, auto
25 accidents and rapes combined.

1 The most dangerous time for a woman in an
2 abusive situation is actually when she attempts to flee
3 from the abuser. Indeed, the majority of women that
4 are murdered as the result of domestic violence are
5 killed during that time period that they are attempting
6 to escape.

7 I am not as concerned about the ability of
8 protecting the battered women in our shelter as I am
9 about protecting the battered women who are not in our
10 shelter.

11 You obviously cannot provide our shelters the
12 technology to avoid Call Tracing. However, only about
13 3% of battered women ever make it to a domestic
14 violence shelter. How do you propose to protect the
15 other 97% of women who aren't in a shelter? What about
16 the women who go to their friend's or relative's house
17 or to a hotel? What about the children of the battered
18 women who miss daddy and place the call home?

19 The Caller ID system will make it
20 ridiculously simple for the abuser to find the woman he
21 is seeking. Caller ID, in my opinion, without a doubt
22 will directly result in additional serious injuries,
23 and even death to women once the abuser knows where she
24 is located.

25 In closing, upon leaving our shelters in Dade

1 County we present the women with a Guardian Angel pin
2 as a symbolic gesture of the need for her to remain
3 safe from continued abuse. If the Caller ID is
4 permitted then we will probably have to give the women
5 bullet proof vests or a one-way ticket out of town.

6 Please vote against the Caller ID. It's
7 signed Sincerely, Robert Schroeder, Director, Advocates
8 for Victims. Thank you.

9 CHAIRMAN WILSON: Thank you, Mr. Iglesias.

10 (Witness Iglesias excused.)

11 CHAIRMAN WILSON: We're going to take a
12 10-minute break and come back at about a quarter to 8.

13 (Brief recess.)

14

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15 CHAIRMAN WILSON: Mr. Shreve, we have got to
16 be getting down into the witnesses who have not been
17 sworn by now, haven't we?

18 MR. SHREVE: I would think we probably are.

19 CHAIRMAN WILSON: If there are those who have
20 signed up to testify who have not been previously
21 sworn, if you would all stand at this point, I will
22 swear you in and we'll carry on.

23 (Witnesses sworn simultaneously.)

24 CHAIRMAN WILSON: Call your next witness,
25 Mr. Shreve.

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ALAN RIGERMAN

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

WITNESS RIGERMAN: Well, I was going to say, "Commissioner Easley and gentlemen," but we'll just make it gentlemen for now.

Hi, my name is Alan Rigerman. I want to speak from two points of view: First from a consumer. I think Caller ID is a horrendous, horrendous invasion of privacy. We all get junk mail. It's no problem. We choose to abandon some of it into the garbage; in other cases we might open it, peruse it, and we might respond to it at our leisure. We don't respond to a junk phone call at our leisure, and I can see junk phone calls replacing junk mail. I can picture myself, perhaps you can picture yourselves in the shower, in a bathroom, backyard, in a portion of your house not close to a phone or to a cordless phone. You run in for the phone call, and it's somebody wants to sell you something; you perhaps call to see if a company or a business has maybe a particular air conditioner, a particular product or a vehicle, or something you are interested in, they have your phone number and they are

1 going to call you back whether you want them to or not.
2 As I say, I think it's a horrendous invasion of our
3 privacy and instead of our mail boxes being stuffed
4 with junk mail, I can just see our phones ringing off
5 the hook with junk phone calls.

6 Now, from another point of view, I'm a Dade
7 County teacher. I heard the gentleman from, I think,
8 Miami Killian speak before. I can sympathize with an
9 assistant principal, but they do most of their work
10 from the school. I would think, and I can't speak to
11 this but I would make a guess that any older kid with a
12 brain would make a threatening phone call from a pay
13 phone. And it's my understanding, unless you tell me
14 otherwise, that Caller ID cannot be used in this case.
15 But I am mandated by contract to call parents. I deal
16 with, and many other high school teachers deal with,
17 age 16 through 18, and unfortunately, very often when I
18 call, it's not with good news. And what I try and do,
19 and what most of us try and do, is call before it's bad
20 news. When there is academic difficulty, when a kid
21 comes late to class, a couple of times before it
22 becomes chronic, when a kid is absent; I just don't
23 like the idea of my phone number being available for
24 that kid. I'm not that concerned about the parent, but
25 two-thirds of time the kid answers the phone. Now, why

1 give them that phone number? Again, I'm mandated by
2 contract to do this. And, frankly, the thought of
3 Caller ID making my number available makes me angry.
4 And I thank you very much for being here tonight.

5 CHAIRMAN WILSON: The concern with pay
6 phones, Caller ID works on pay phones. It's just that
7 you don't associate a name with the pay phone number
8 that you get, is that correct?

9 MR. CRISER: Caller ID will deliver a pay
10 telephone.

11 CHAIRMAN WILSON: It will deliver a pay phone
12 number, all right.

13 All right. Thank you very much.

14 MR. SHREVE: Thank you.

15 (Witness Rigerman excused.)

16

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17 MR. SHREVE: Mr. Berkheimer.

18

GIL BERKHEIMER

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

22 WITNESS BERKHEIMER: My name is Gil
23 Berkheimer. I'm president of a small independent
24 manufacturers' rep organization called Tropitech,
25 located in Plantation. I have been to another informal

1 meeting once before and I feel strongly enough about
2 the Caller ID issue that I wanted to come down and
3 address this meeting.

4 I have both business and personal reasons why
5 I'm in favor of Caller ID without call blocking. My
6 company, as most small businesses have the same
7 problem, it is very important for us that we properly
8 record phone numbers of incoming calls. Caller ID
9 would help us eliminate most all human errors that we
10 now have due to phone numbers given or taken
11 incorrectly. If when returning a call you find you
12 have an error or an error has been made, a quick check
13 of the Caller ID memory would give you a quick fix
14 without the problem of dragging out the phone books or
15 the need of phoning for information.

16 Many of the frequent and known callers to our
17 company have more than one location where they
18 originate calls. And Caller ID would give us an
19 instant fix on where to return this is calls. Many of
20 the benefits to the small business also apply to the
21 home. Besides reducing obscene phone calls, I feel
22 will also help reduce the number of illegal boiler-room
23 operation calls resulting in the reduction of annoying
24 phone calls often during my dinner hour.

25 I also feel that with wide use of Caller ID

1 many lives could be saved. The very young, the
2 elderly, those with speech or language difficulty, et
3 cetera, could have problems with the phone in an
4 emergency or stress situation.

5 I will give only one example of many possible
6 scenarios: Imagine the grandparent with many children
7 or grandchildren receiving a call. "Grandma, Daddy is
8 on the floor and won't get up." Caller ID would
9 quickly tell grandma what parent was in trouble and if
10 the call was from their home or possibly their vacation
11 cottage.

12 Last month I was found unconscious on the
13 hall floor of my home. Fortunately, I was found in
14 time and woke up two days later in the hospital.

15 In my case Caller ID would have helped had I
16 succumbed just minutes earlier while on the phone with
17 a plumbing supply house who could have had the
18 equipment. This near-death experience has made me even
19 more aware of how important this service could be.
20 Obviously, I'm very happy to be alive and well so that
21 I can be here to speak in favor of Caller ID and hope
22 that this service will become available for us in
23 Florida. Thank you.

24 CHAIRMAN WILSON: Thank you, Mr. Berkheimer.

25 MR. SHREVE: Thank you.

1 (Witness Berkheimer excused.)

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3 MR. SHREVE: Mr. Neidhart.

4 PAUL NEIDHART

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 NEIDHART: My name is Paul Neidhart
9 and I own and operate a florist shop in South Dade.
10 As you might suspect, most of my business, or a good
11 share of my business does come over the telephone.

12 One problem that I have had is fraudulent
13 credit cards. I think if we had Caller ID, it might
14 help our case being able to identify the phone number
15 the caller gives with the phone number that he's
16 calling from. Within the past, about two months ago, I
17 had a run from one person of apparently legitimate
18 credit card calls, all of which we got authorization
19 for. We they finally got suspicious. I called VISA.
20 We worked it out and found out that it was, in fact, a
21 stolen credit card, but the owner of the credit card
22 was not yet aware of it so we were able to get
23 authorization in all cases. It was about a \$400 lesson
24 that we took. Because VISA doesn't make allowances for
25 these mistakes. I have to agree with most of the other

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1 people. I guess all of us have had our share of
2 harassing calls and obscene calls, but when it gets
3 into your pocket, it's a little irritating, too.

4 Thank you.

5 CHAIRMAN WILSON: Thank you very much.

6 MR. SHREVE: Thank you.

7 (Witness Neidhart excused.)

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9 MR. SHREVE: Mr. Caballero.

10 DAVID MELANCON

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 MELANCON: Let me just say that I'm
15 speaking for Mr. Caballero.

16 My name is right below his. I'm David
17 Melancon. And we came together, and he had a previous
18 meeting, so he asked me to speak in his place as well
19 as for myself.

20 And we both have to -- after talking with
21 Southern Bell and other people, find that this
22 particular service, Caller ID, would be very beneficial
23 to somebody in our position who is visually
24 handicapped. Now, people would say, well, how could it
25 help us because we have to have a screen. We have

1 talked to manufacturers about adding a voice chip.
2 Handicapped people are very unique in the sense that
3 they have to be able to identify who was calling them.
4 And I've spoken to different other people, paralyzed
5 and deaf, who feel that this would be a good service.
6 I have had some negative input, but on a personal note
7 and for Gus, we both feel it would be very beneficial
8 to us if the Public Service Commission would approve
9 this and vote in favor of it, that it would help us a
10 great deal. Me, myself, if I have a number that is on
11 this Caller ID that I don't want to return, I'm not
12 going to return it. And if I call someone in the type
13 of business I'm in, I want people to call me back. I
14 have a private unlisted number. I give it to those who
15 I want to call me. And if I call someone, it's for
16 that specific reason that I want to talk to that
17 person, or get that service that person has to offer.

18 So I really hope in your decision that you
19 consider that it is a good thing, and those who have
20 something to hide might not want it, but those who
21 really need it really need it. And it would be a good
22 thing to have.

23 Thank you.

24 CHAIRMAN WILSON: So you have been advised by
25 Southern Bell that the technology exists to take this

1 number that is delivered and with a voice chip be able
2 to recite that number on a piece of equipment from you?

3 WITNESS MELANCON: Right. From what I can
4 understand as the screen or memory would hold it so it
5 could be applicated to a voice system for the visually
6 impaired.

7 CHAIRMAN WILSON: I see. And Southern Bell
8 so far has provided a lot of equipment for the
9 disabled, not only deaf or blind, but also those in
10 wheelchairs. And they are working on some other
11 things, too.

12 CHAIRMAN WILSON: Good. Thank you for
13 coming.

14 (Witness Melancon excuses.)

15

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16 MR. SHREVE: Dr. Laporta.

17 MARK LaPORTA

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 LaPORTA: Gentlemen, first of all,
22 for the record, as a citizen here in Florida for seven
23 years, I really admire the fact that this kind of
24 program exists for a group like yourselves to do a road
25 trip, so to speak, and really hear what the citizens

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1 have to say.

2 Question number one, who are these people off
3 to the side?

4 CHAIRMAN WILSON: If you start down at the
5 end of the table --

6 WITNESS LaPORTA: I mean in general, okay.

7 CHAIRMAN WILSON: Down at the end of the
8 table, the first three there are Southern Bell folks,
9 and the other three are staff of the Public Service
10 Commission.

11 WITNESS LaPORTA: Great.

12 CHAIRMAN WILSON: And down here, Mr. Shreve
13 is the Public Counsel, and his assistant, and they
14 represent the citizens of Florida in proceedings before
15 us. And, obviously, these are the court reporters.

16 WITNESS LaPORTA: I apologize for needing to
17 ask. After ten and a half hours of seeing patients
18 this afternoon, today, I was a little late getting
19 here.

20 MR. FALGOUST: Mr. Chairman, would the
21 gentleman identify him, please?

22 WITNESS LaPORTA: I'm sorry. LaPorta, Mark
23 A., M.D.; asked to be here by the Dade County Medical
24 Association and the Florida Medical Association. In
25 fact, and I have no experience with these things;

1 you'll forgive me. I'd like to not bore you by reading
2 a very boring letter, if I may ask that this be entered
3 in.

4 CHAIRMAN WILSON: We can make it a part of
5 the record as an exhibit.

6 WITNESS LaPORTA: I don't want to bore you
7 with that.

8 CHAIRMAN WILSON: Excuse me, do we have any
9 other exhibits that have been received?

10 MS. GREEN: Lots of written statements. They
11 had to leave and they couldn't speak, but they wanted
12 to have it put in the record.

13 MR. SHREVE: We have some to put on the
14 correspondence side of the docket, but I think the
15 other exhibits have already been --

16 CHAIRMAN WILSON: Okay. Do we know what
17 exhibit number this would get if it got one, or would
18 we number it Exhibit No. 1 from this night?

19 We'll give it the appropriate number.

20 (Exhibit No. Miami-1 marked for identification.)

21 WITNESS LaPORTA: Fine. I trust you. The
22 letter is boring as hell. (Laughter) Okay. And dry.

23 So, actually, even though I was asked to be
24 here by them, it was what stimulated me. I probably
25 would have been here by myself anyway.

1 I have a lot of admiration for Southern Bell
2 and AT&T and all its daughters. And I think the advent
3 of technology is a wonderful thing, and I'm a son of
4 the post-Jetson's generation.

5 I think when I first saw Caller ID in
6 catalogs, \$80 per box, \$7.50 a month, I thought, "Great
7 idea. I'm going to know who is calling me." And then
8 when I started to think about the fact that if I know
9 who's calling me, they know who's calling them and
10 where I'm calling from. You know this already. I
11 don't need to go over there this with you.

12 The big winner, if I may state so
13 facetiously, is Southern Bell, because not only do they
14 get to sell \$80 boxes -- and I have four phones in my
15 house, so that's \$320, plus \$7 a month -- but they are
16 going to find some way to charge me, as a doctor, for
17 asking not to have the service. And they are going to
18 do it just like they do with unpublished phone numbers.
19 They are going to charge me for not publishing my phone
20 number and blocking the call if possible. They win.
21 Fine, great. And technology moves on. And I'm
22 delighted that a Commission like this exists to temper
23 our move forward with technology.

24 Our society has seen a lot of catastrophes
25 with technology. We've seen nuclear weapons before we

1 had the ethics and morals to deal with them. We've
2 seen life support system used unnecessarily before we
3 have the ethics and morals to deal with them. And now
4 we have something that seems a little less
5 catastrophic, important, dramatic; but it really is,
6 with regards to privacy, just as important.

7 As a doctor, I appreciate that. I want to
8 know -- it's going to sound hypocritical. I want to
9 know who is calling me, but I don't want them to know
10 the phone number that I'm calling from.

11 I have a small sheaf -- and this is a quiet
12 day today -- I have about ten calls to make on a little
13 call tickets. When I get home, I'm going to call; I'm
14 going to apologize for calling late, but I was involved
15 in a conference; what can I help you with today? Can
16 we arrange it for tomorrow?

17 I really don't want my wife to be bothered
18 with phone calls when I'm not there from patients
19 looking for me by calling my home. When I have a big
20 expensive, very expensive listing in the phone book
21 with my name and my phone number, 24-hour availability,
22 and an answering service that is Johnny-on-the-spot,
23 and I pay a lot of money for them. I pay a lot of
24 extra money because I want a service that really does
25 what the patients need.

1 COMMISSIONER GUNTER: Doctor, let me ask you
2 a question: Probably before you got here, if in your
3 circumstance you were able to call and splash back
4 through your answering service so the number that a
5 patient or whoever you called would see the number of
6 the answering service, not your number at home, would
7 that satisfy your needs?

8 WITNESS LaPORTA: Excellent question. In
9 fact, I've done that on occasions when I'm at a pay
10 phone, or when I'm at some other difficult location.
11 Unfortunately, the technology as it stands now, you can
12 barely hear the person on that conference line. And
13 I've done that many times.

14 I'm real pleased to note, to have observed --
15 correct me if I'm wrong, gentlemen, but this technology
16 has been around for almost 20 years, perhaps 23 years,
17 like in northern New Jersey around 1967. The Star
18 Services, Caller ID, all of this stuff has been around
19 for a while.

20 MR. KEENER: The TouchStar services are just
21 a recent innovation.

22 WITNESS LaPORTA: In Florida.

23 MR. KEENER: I believe across the nation.
24 There are other services, for instance, Call Waiting,
25 that have been around for a number of years.

1 WITNESS LaPORTA: Okay. I have a vague
2 memory. I don't mean to disagree with you. I just,
3 for the record, I have a vague memory of things that
4 have been around for a long time. I thought, and
5 again, it may be the Jetsons I'm thinking of.

6 But anyway, I don't think that all the issues
7 have been settled and that's one of the reasons I
8 appreciate a Commission like this. Because you're
9 going to be able to decide what should be black and
10 white and where the gray areas are.

11 I'm willing to pay something for the
12 privilege of having it say, "Hey, you know, if you guys
13 can make it say my phone number, then you can make it
14 say doctor," okay. Because if you can make the phone
15 listings in the book say my phone number or you can say
16 -- what is it? You can have it say, "Doctor," in the
17 phone book. And they can dial "D-o-c-t-o-r," then I'm
18 sure there's lots of compromises that can be made and
19 lots of more clever ideas. These guys are brilliant.
20 They sit around all day thinking up these ideas; they
21 can come up with more.

22 But the bottom line and I'm sure you
23 understand, is that as a private doctor -- never mind
24 what I do -- as a detective, as a journalist, as a
25 lawyer, as a judge -- and I think his attitude might

1 have been a little bit different if he had to make the
2 same kind of number of phone calls from home at night
3 as I do. You don't want people knowing the phone
4 number you call from. And every time I call the
5 operator to dial a call for me, you know how much it
6 costs. I don't want to write it off as a business
7 expense. And every time, if I have to go through my
8 answering service again. An excellent question, and
9 I've used it before: the clarity of the conversation
10 just isn't there. And in medicine in general, the
11 phone is only 70% accurate. And when you're listening
12 through a lousy line, I don't want to take that chance
13 with my patients.

14 If you have questions, I appreciate again the
15 opportunity. Nothing personal. I want it. I want to
16 be able to look at the number and know who's calling.
17 But I'm afraid when I call, who it's going to be who
18 gets my number and I will never hear the end of it if
19 my wife starts getting harassing phone calls.

20 CHAIRMAN WILSON: I think you've identified
21 one of the principal issues that has to be addressed by
22 this Commission as we weigh the different sides in this
23 issue, and that is whether this new technology presents
24 an opportunity or a threat, and whether it in fact --

25 WITNESS LaPORTA: Both.

1 CHAIRMAN WILSON: -- represents or is going
2 to take the form of a new intrusion into our lives, or
3 whether it is going to offer an opportunity to exercise
4 more control over our lives. And I think the way it's
5 structured, it depends on the way it's structured which
6 result you get, and we hope we're going to go for the
7 best result.

8 WITNESS LaPORTA: Sometimes we hear that we
9 on the earth are part of a big one organism and this is
10 part of the connection that ties us together. But in
11 any organism there have to be controls as to how the
12 cells are tied together.

13 Thank you very much.

14 CHAIRMAN WILSON: Thank you, Doctor. We
15 appreciate your coming.

16 WITNESS LaPORTA: I'll stay through it.

17 (Witness LaPorta excused.)

18

19 MR. SHREVE: Barbara Howard.

20

BARBARA HOWARD

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 HOWARD: Mr. Chairman, Commissioners,
25 hi, I'm Barbara Howard. And I'd like to speak in favor

1 of this new technology.

2 I have been a single parent for 11 years. I
3 have been divorced for 20. I intend to stay that way.
4 But I also would like to have the opportunity to be in
5 my home and feel safe from intruders on my telephone.
6 I'd like the opportunity to be able to have the
7 policeman track within seconds those teenagers, or
8 those men who have nothing else to do with their lives
9 at that particular moment, but to dial a phone number
10 at random and harass me.

11 I don't like that. I don't feel safe with
12 that. I need to have the option. This is a fantastic
13 toy, if you will, for my safety. I'd like to have that
14 option. The doctor says he doesn't want anybody to
15 know where he's calling from because he doesn't want
16 anybody to call him at home. All you have to do -- and
17 the police say, "Well, we don't want to have our sting
18 operations jeopardized." All you have to do is, like
19 you said, be creative. If you don't want your patients
20 to call you at home, tell them not to call you at home.

21 Policemen are great people when they come to
22 stings. They think up these elaborate operations. I'm
23 sure they can think of others that will keep them from
24 being available with their numbers being known where
25 they can be traced back to having the crooks know they

1 are cops. They do that quite well. They get these
2 suites in these hotels; they do it every day.

3 So I don't see that this is an infringement
4 upon the law enforcement operation or anybody else.
5 What I see it as, is a benefit to somebody like me. If
6 I am alone and something happens to me, God forbid, but
7 I may have a heart attack and I can get to the
8 telephone and just call 911 and can't speak any
9 further. Then I know that somebody on that other line
10 will be able to know that I'm there on the floor in
11 need of help.

12 We talked about the battered women. I was a
13 battered woman 20 years ago before anybody wanted to
14 even talk about it. If I had had a system where I
15 could have let somebody know that my ex-husband was
16 constantly calling my phone and harassing me, I would
17 have loved it. I can see this as a benefit for those
18 of us women who are the quote "weaker sex" and
19 oftentimes the unprotected ones, with this kind of
20 operation.

21 I pray that you look at that very seriously
22 and weigh all the options that you have and look at the
23 fact that the majority of people in this nation are
24 women and a lot of us are single women, and we'd love
25 to have this protection.

1 I thank you.

2 CHAIRMAN WILSON: Thank you very much.

3 MR. SHREVE: Thank you.

4 (Witness Howard excused.)

5

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6 MR. SHREVE: Lonnie Robinson.

7

LONNIE ROBINSON

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 ROBINSON: Mr. Chairman,
12 Commissioners, my name is Lonnie Robinson, I live at
13 6031 Northwest 201st Lane, Miami, Florida.

14 I would like to say that I am in favor of
15 Caller ID. I think it is very essential that this
16 technology go forward. Each one of us is the castle of
17 our home, and everything, so we would like to know the
18 calls that are coming in. I think it would be a good
19 idea if this technology is advanced for us.

20 A couple of months ago I had an incident
21 occur that some young lady called my house and she was
22 using language my spouse said, "Do you know this lady?"
23 And if we had caller ID, we would have been able to
24 trace the call, but I think it is very essential in the
25 future that these things that occur we can look at

1 this. I thank you.

2 CHAIRMAN WILSON: Thank you very much.

3 MR. SHREVE: Thank you.

4 (Witness Robinson excused.)

5

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6 MR. SHREVE: Mr. Gordon.

7

SETH GORDON

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 GORDON: My name is Seth Gordon.

12 There are a couple of things that I wanted to
13 say, and part of what I was going to say is on behalf
14 of my friend, Laura Bradley, because she wasn't sure
15 that she wanted to speak tonight. So I guess she
16 decided that you are a friendly looking group and that
17 she decided that she would like to speak after me. So
18 I would like to say half of what I was going to say and
19 then let her say the other half of it.

20 To me, and I apologize, I know I am coming in
21 at the end of a long day when you have probably heard
22 every conceivable comment or observation or viewpoint
23 about the subject, so I don't imagine that there is
24 much new or original to say. But the whole question
25 about, you know the concept of the technology, the

1 advances in technology, I see this as kind of a
2 correction of a flaw that has been in place in the
3 telephone system since its invention.

4 Many things in life have a bitter and sweet
5 side to it and I think we have all been so appreciative
6 of the good side of telephone service that we have been
7 willing to accommodate or ignore the down side. And I
8 think that the anonymity that telephone service, or
9 intrusion into your home, has always been something
10 that has been the dark side of telephone service.

11 There are only a couple of ways that you can
12 enter my home. You can come in through the door or the
13 windows or you can come in through the telephone. I
14 would never allow anyone in my home through the door if
15 they were clothed or hooded; if I didn't know who they
16 were or didn't disclose their identity. I think we all
17 feel that way, that that would be preposterous. That
18 we would never let anyone into our home under those
19 circumstances. Yet for 80 or 100 years, or as long as
20 we have had telephones, we have been allowing anonymous
21 people into our homes that way. Oftentimes it is not
22 of great consequence, you know, even if the person is
23 vexatious or troublesome, we can hang up on them and
24 forget it. Oftentimes you can't do that, though,
25 because they are persistent and they have an evil

1 intent and you can't easily shake them off. It's that
2 part of the dark side of the anonymity of telephone
3 service that this holds the promise to correct.

4 I would like for my friend, Laura, to talk
5 about that because she had a particularly personal
6 experience with it. And I think if this technology had
7 been available as recently as eight months ago, she
8 would have been spared a great deal of heartache. And
9 because it wasn't, it was a little problem. So if
10 Laura would, I would like for her to come up, and I
11 think she's next on the list if that would be all
12 right.

13 CHAIRMAN WILSON: Were you here when we swore
14 in the witnesses?

15 WITNESS GORDON: No, I wasn't.

16 CHAIRMAN WILSON: Can I go ahead and do that
17 with you and we will sort of make your oath
18 retroactive?

19 WITNESS GORDON: Absolutely.

20 (Witness Gordon sworn.)

21 DIRECT EXAMINATION

22 BY MR. SHREVE:

23 Q One question, Mr. Gordon, if I may.

24 A Sure.

25 Q Mr. Gordon, I take it from your comments that

1 you would oppose blocking of a number on the screen?

2 A I suppose there might be some circumstances
3 where blocking under tight regulation would be okay.
4 There are certain sort of official phones I've heard,
5 you know, like in homes for battered women or places
6 where an identifiable telephone, where you know no
7 harassing calls are going to originate from there, I
8 think that blocking under those kinds of circumstances
9 would make a lot of sense.

10 Q But for the general public you feel that the
11 service would be not as effective, or not effective, if
12 blocking were allowed, either free or for a fee?

13 A I can't imagine a circumstance where that
14 would be justifiable, where a person could purchase the
15 block without giving a good reason why they should be
16 allowed to make anonymous phone calls.

17 Q If a person just by making that decision
18 themselves could purchase a block, that would make the
19 system ineffective?

20 A I believe so, yes.

21 MR. SHREVE: Thank you, sir.

22 CHAIRMAN WILSON: Thank you.

23 (Witness Gordon excused.)

24 - - - - -

25 LAURA BRADLEY

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

4 WITNESS BRADLEY: I'm not very comfortable
5 speaking off-the-cuff to groups of people that I
6 haven't rehearsed or written anything out, but I think
7 this is important.

8 I guess a little less than a year ago, or
9 maybe a year and a half --

10 CHAIRMAN WILSON: Would you give us your
11 name, please, for the record?

12 WITNESS BRADLEY: I'm Laura Bradley.

13 A year and a half ago I had a prank caller
14 which started off innocent enough and very rapidly took
15 a decline to life-threatening. To the point where I
16 had to involve the Metro-Dade Police Department and
17 four detectives; Southern Bell, who tapped my phone; a
18 24-hour watch at one point on myself; police patrolling
19 my apartment complex because the sounds and the tapes
20 and the messages that the prank caller would record and
21 would give into my phone recorder were something to
22 take concern over. I mean, like I said, they were
23 life-threatening.

24 If at the time when I was able to record
25 these, or be at home and listening and being able to

1 look at the screen, I could have maybe avoided eight
2 months of emotions such as terror, sleepless nights. I
3 changed all the locks on my house, I changed my phone
4 number. I met one, two, three times a week with the
5 detectives, even to get them to take the case seriously
6 enough was quite difficult to do. And at the time when
7 they did take it seriously enough, they then terrified
8 me because they would have these, you know, watches on
9 the house; and they would call me to check in and they
10 would say, "Perhaps you want to move in with your
11 parents. Perhaps you want to go to a hotel."

12 This was really probably the worst thing that
13 has ever happened in my life. It affected my school
14 work, I was a college student; it affected my job; it
15 affected my relationship with my family and friends
16 because I became a liar. I had to lie to them and say
17 that everything was fine. No, there's nothing wrong
18 with me, while I'm losing weight, why I jump at
19 everything.

20 I live next door to a cop. I couldn't
21 confide in him because I didn't know who this person
22 was. And Southern Bell could get me a list of the
23 numbers from the tap, or the trace that they would put
24 on my phone, but something always happened. Oh, this
25 one was turned off, or they hadn't put the right

1 switching station on, and they would have to try again
2 next week. Or this method was working but he didn't
3 call this week.

4 Like I said, it was just hell. And if I had
5 had something on my phone that would have enabled me
6 right from the very start to identify a number, whether
7 or not the caller knew about this, that I could have
8 worked in conjunction with the Police Department and we
9 could have caught the person. Or if he had known about
10 this, he would have either have been asking to be
11 caught or he would not have done this to begin with.

12 Now, I don't know what kind of a person I
13 would be today if I had not undergone this experience,
14 but I would have had a lot more nights of sleep and I
15 probably would have had a lot more joyous moments
16 because it really did take, you know, a toll on me
17 personally, and all of my relationships, and everything
18 in my life. It was a 24-hour-a-day problem.

19 And I would really ask that you consider
20 strongly this type of case, and the fact that it
21 happens to thousands of women out there, no matter what
22 they look like, no matter who they are, no matter what
23 their jobs are, no matter how educated they are, that
24 this happens from men, from women, from all walks of
25 life, and that you would be helping to improve their

1 peace of mind and the potential for any kind of danger.

2 CHAIRMAN WILSON: Thank you.

3 MR. SHREVE: Could I ask a question, please?

4 CHAIRMAN WILSON: Sure.

5 DIRECT EXAMINATION

6 BY MR. SHREVE:

7 Q In your situation there, you would like the
8 number to appear on the screen so that you could see
9 it?

10 A Yes.

11 Q And you would not be in favor of a system
12 where a person, like the person that was making the
13 calls to you, would be able to pay Southern Bell to
14 block their number off that screen, would you?

15 A No. I mean, I guess I would have to pay the
16 price if that person was someone on the cooking staff
17 at a battered woman's shelter, or someone, you know, a
18 doctor who was being able to do this on the side,
19 that's fine and I would accept that if they went as far
20 as even saying that 95% of the calls coming in would
21 have some kind of a number to register on my phone.

22 Q But ignoring abuse centers and law
23 enforcement, or possibly doctors?

24 A Yes. I would be very unhappy if anyone could
25 block it.

1 Q If Bell had a system where a person could pay
2 either 75 cents or a dollar and block that off of your
3 screen, you would not be in favor of that?

4 A No.

5 Q Have you heard of Call Trace? I don't know
6 if anyone mentioned it to you or not.

7 A Of course. It became established shortly
8 after my case was --

9 Q Okay. Then you are familiar with how the old
10 Call Trace was used and that did not work very well,
11 evidently?

12 A Right.

13 Q If Call Trace were available to you, not
14 necessarily instead of Caller ID, but if Call Trace
15 were available to you at any time at any phone that you
16 receive that type of call and you, by keying in a
17 certain number, could track that number or record that
18 number, would that be helpful?

19 A Yes, it would

20 Q Okay.

21 A Yes, it would.

22 MR. SHREVE: Thank you very much.

23 WITNESS BRADLEY: Thank you. We appreciate
24 your coming down and testifying.

25 (Witness Bradley excused.)

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CHAIRMAN WILSON: Mr. Shreve, do you have any other witnesses?

MR. SHREVE: I think that's all we have. Is there anyone else here who wishes to testify? (Pause) Yes, sir, did you want to testify? Okay.

Have you been sworn, sir?

WITNESS KIMBALL: No.

(Witness Kimball sworn.)

FRED KIMBALL

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

DIRECT EXAMINATION

BY MR. SHREVE:

Q If you would, go ahead and give us your name and address up there and we will just take it down.

A My name is Fred Kimball, and I reside at 7715 Southwest 122nd Street.

I would like to voice my opposition to the caller ID. After just listening to the last witness, if I were that type of a person that I wanted to harass someone and I knew that Caller ID was available, I don't know how this exactly works, from just coming in

FLORIDA PUBLIC SERVICE COMMISSION

1 here, but I would go to a pay phone and each time I
2 called her I would go to a different phone. If I knew
3 that they had Caller ID and I knew the system was in
4 place. So I don't think it would stop someone who
5 wants to harass someone like what this lady went
6 through, because there's always a way to get around it.

7 Many people pay for an unlisted number, and
8 they have done it because they want their privacy
9 protected. And it doesn't matter whether they call up
10 a store for a quote on a price or they call whomever,
11 they have chosen to pay for that unlisted number and
12 they only give it out to the people that they want to
13 have it.

14 I think I'm not opposed to Caller ID as
15 having the service available, but I think that anyone
16 who would want to have the blocking should have that
17 option available at no extra costs if they are already
18 paying for an unpublished number.

19 And I'm sure you have heard during the day, I
20 heard the doctor here earlier, judges, policemen, if a
21 teacher needs to get ahold of a student or call a
22 parent in the evening when they are home from their
23 house, then all of a sudden that teacher's number could
24 become, you know, the student that she is calling about
25 could find out her number and pass that number around

1 to all his friends. And a lot of teachers also get
2 harassed and having problems with students.

3 So I think this Caller ID, unless free
4 blocking is available for those that wish to have it,
5 that it is an invasion of their privacy.

6 Any questions?

7 That's all I have to say.

8 CHAIRMAN WILSON: Any questions?

9 COMMISSIONER BEARD: No questions.

10 COMMISSIONER MESSERSMITH: No.

11 CHAIRMAN WILSON: Thank you very much. Thank
12 you for coming here.

13 MR. SHREVE: Thank you.

14 (Witness Kimball excused.)

15 MR. SHREVE: Anyone else? (Pause)

16 That's all we have, Mr. Chairman.

17 CHAIRMAN WILSON: All right. If there are no
18 more witnesses, we will adjourn this hearing. Thank
19 you all very much for coming.

20 (Thereupon, hearing was adjourned at 8:25
21 p.m.)

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

CERTIFICATE OF REPORTERS

4 WE, CAROL C. CAUSSEUX, CSR, RPR, and JOY
5 KELLY, CSR, RPR, Official Commission Reporters,

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 at the time and
9 place therein stated; it is further

10 CERTIFIED that we reported in shorthand the
11 proceedings held at such time and place; that the same
12 has been transcribed under our direct supervision, and
13 that the transcript consisting of 271 pages,
14 constitutes a true and accurate transcription of our
15 notes of said proceedings;
16 it is further

17 CERTIFIED that we are neither of counsel nor
18 related to the parties in said cause and have no
19 interest, financial or otherwise, in the outcome of
20 this docket.

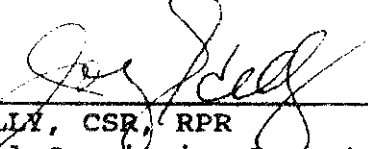
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IN WITNESS WHEREOF, we have hereunto set our
hands and seals at Tallahassee, Leon County, Florida,
this 22nd day of October, A.D., 1990.


CAROL C. CAUSSEAU, CSR, RPR


JOY KELLY, CSR, RPR
Official Commission Reporters
FPSC Bureau of Reporting
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Tallahassee, Florida 32399-0871