

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

1
 2 Comprehensive Review of)
 Customer Rebates on Trouble) Docket No. 910163-TL
 3 Reports of Southern) 910727-TL
 Bell Telephone & Telegraph)
 4 Company)

Fort Lauderdale, Florida

October 15, 1992

10:50 o'clock A.M.

DEPOSITION

OF

GARY WILSON

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WITNESS:	DIRECT	CROSS	CROSS
GARY WILSON	6	42	49

1 APPEARANCES:

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OFFICE OF PUBLIC COUNSEL,

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by SUSAN RICHARDSON, ESQ., of counsel,

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appearing on behalf of the Citizens of the

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State of Florida.

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ROBERT BEATTY, ESQ.,

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appearing on behalf of BellSouth

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Telecommunications, Inc.

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JEAN WILSON, ESQ.,

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appearing on behalf of Employment Service

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Commission Staff.

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16

ALSO PRESENT:

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STAN GREER, Division of Communications.

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CARL VINSON, Division of Research and

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Regulatory Review.

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Deposition of GARY WILSON, a witness of

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lawful age, taken by the Citizens of the State of

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Florida, for the purpose of discovery and for use as

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evidence in the above-entitled cause, In re:

1 Comprehensive Review of Customer Rebates on Trouble
 2 Reports of Southern Bell Telephone & Telegraph Company,
 3 pending before the Florida Public Service Commission,
 4 pursuant to notice heretofore filed, before KATHLEEN
 5 SCHWAB, a Notary Public in and for the State of Florida
 6 at Large, at Southern Bell Telephone & Telegraph
 7 Company, Room 1015A, 6451 North Federal Highway, Fort
 8 Lauderdale, Broward County, Florida, on the 15th day of
 9 October, 1992, commencing at 10:50 o'clock A.M.

10 - - - - -

11 Thereupon:

12 GARY WILSON

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

16 MR. BEATTY: My name is Robert Beatty,
 17 attorney with BellSouth Telecommunications, Inc.
 18 With me is Phil Carver. We represent the
 19 companies, obviously. There's a number of
 20 matters I need to put of record before we
 21 actually begin.

22 First is that the deposition's taken
 23 pursuant to the proper notice as to date, time
 24 and place, and location, although that is
 25 duplicitous. For emphasis.

1 Secondly, that the stipulation of the
2 parties with regard to evidentiary objections,
3 is that they will be reserved, if you will,
4 except as to form and occasionally as to
5 relevance.

6 Third, that we do not waive the reading or
7 signing of the deposition, if, in fact, it is
8 transcribed.

9 And finally, as you know, the Southern
10 Bell Legal Department has conducted an
11 investigation regarding the matters that we will
12 talk about here today and that investigation's
13 privileged and it's confidential. And I would
14 request that you not disclose here today
15 anything that you know regarding that
16 investigation, if you know anything at all.

17 If you are asked a question, the answer to
18 which would cause you to disclose something
19 regarding the investigation, I request that you
20 merely announce the fact that what you are about
21 to say would entail disclosing or talking about
22 the investigation and give us a chance to make
23 whatever legal objections need to be made
24 without disclosing the information. Okay?

25 THE WITNESS: All right.

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DIRECT EXAMINATION

Q (Ms. Richardson) And, Mr. Wilson, along those lines then, have you seen any documents from this company's internal investigation?

A No.

Q Have you heard any official comments made about the company's investigation?

A Official, no.

Q Okay. Then do you know anything about the company's investigation?

A I know --

Q Just yes or no, please.

A Yes.

Q Okay. And is the extent of your knowledge from newspaper accounts and what you have heard, just general scuttlebutt around the office?

A Yes.

Q Mr. Wilson, would you please state your name? And I'm going to ask you to spell it just to make sure we have it correct.

A Gary M. Wilson, G-A-R-Y, W-I-L-S-O-N.

Q And your address, please?

A

Q And your phone number?

1 A

2 Q And other than Mr. Beatty's instructions
3 to you when we started, have you been advised to limit
4 your answers in any way here today?

5 A No.

6 Q Will you agree to answer my questions
7 fully and completely to the extent that you have
8 knowledge that would be responsive to my questions?

9 A Yes.

10 Q Thank you.

11 What's your present position with the
12 company?

13 A I'm a manager for installation
14 maintenance, both residential and business.

15 Q Okay. And which IMC is that?

16 A It's outside. I have the technicians. I
17 have 150 technicians.

18 Q Is that in Broward, Hollywood?

19 A South Broward.

20 Q And how long have you held that position?

21 A Just a little over two years. Two years
22 and three months, three, four months.

23 Q You started 1990?

24 A Yeah, with this job.

25 Q What did you do immediately prior to this

1 one?

2 A I ran the maintenance center, which is IMC
3 in south Broward, from 1986 till then.

4 Q And was that inside duties then?

5 A Yes.

6 Q Was that supervising maintenance
7 administrators?

8 A They were through our channeling, yes. I
9 had first level supervisors who supervised them.

10 Q So, you were second level at that point?

11 A Right.

12 Q Was your present position then a
13 promotion?

14 A No, lateral.

15 Q It's a lateral move?

16 A Mm-hm.

17 Q Did you seek that lateral move yourself?
18 Did you seek that, make that move on your own, ask for
19 it?

20 A No.

21 Q If you would, I'd like you to give me a
22 little bit more detail on your responsibility presently
23 for supervising outside techs. Exactly what does that
24 entail when you say you deal with outside techs?

25 A Well, we have an organization that's -

1 we're sort of split in the south Broward area. There's
2 two of me. I have a peer that has the west side of
3 south Broward and I have the east side of south Broward
4 division.

5 And we work doing installation and
6 maintenance in residential and business and also
7 attached with that group called special services. And
8 we work throughout the day performing those tasks and
9 we interact with the maintenance center through a
10 computer.

11 Q Is that the LMO system?

12 A Yeah, it's a CAT system. We call it CAT,
13 RATS, various names for the various functions,
14 interfaces.

15 Q You supervise people in closing out
16 trouble reports, is that part of your duties?

17 A Part of my function, yes.

18 Q Has that process changed since 1990, the
19 clearing and closing of trouble reports?

20 A No.

21 Q Okay. Have CATs been in existence the
22 whole time since 1990, since you've had this job?

23 A Yes.

24 Q When you clear and close out a trouble
25 report, do you enter certain disposition and cause

1 codes on clearing and closing?

2 A Yes.

3 Q And what is the disposition code, what's
4 its purpose?

5 A It identifies a piece or part of the
6 circuit that was deficient, defective. It was the part
7 that broke.

8 Q Okay. What's a cause code?

9 A It identifies why the part broke.

10 Q Okay. Are you familiar with the Public
11 Service Commission rule that the company clear
12 out-of-service reports within 24 hours at least 95
13 percent of the time?

14 A Yes.

15 Q Has that rule been around a long time?

16 A I'm going to guess that it's been around
17 since '83.

18 Q Okay. Has it been part of your
19 responsibility to help meet that rule since you've been
20 aware of it?

21 A Yes, yes.

22 Q Can you tell me with these disposition and
23 cause codes, do you know if any of those disposition or
24 cause codes would exclude an out-of-service report from
25 being counted in that out-of-service base, that 95

1 percent index?

2 A I know that some of them will.

3 Q Can you tell me which ones, do you know?

4 I don't mean the exact number, but I mean the

5 description of the problem.

6 A If it's customer caused and a weather

7 code.

8 Q Hurricane?

9 A Yes, any weather code, I think.

10 Q Okay. Do you repair - have responsibility

11 for repairing inside wire?

12 A Yes.

13 Q Under what conditions would you repair an

14 inside wire problem?

15 A On the request of the customer. And we
16 would make the necessary repairs based on the customer
17 service being that if he has a plan, if he has the
18 maintenance plan, we would repair it at no charge. If
19 it was through normal wear and tear and if there was no
20 plan, then the customer would be given an option to
21 have us repair at specific cost.

22 Q Okay. Are those specific disposition
23 codes for inside wire repairs - are they different from
24 other codes or you just have one code?

25 A Basically we just have one code because it

1 is CPE wiring. It's deregulated.

2 Q Well, if it's deregulated, then would - if
3 you closed the report to the inside wire code -
4 disposition code, would that count against the company
5 in out-of-service index if it didn't clear within 24
6 hours?

7 A I don't think so, being it's deregulated.
8 I don't think that counts.

9 Q Okay. Is part of your duty when you go
10 out to repair inside wire problems for a customer - do
11 you explain to them the different maintenance plans if
12 they don't have one?

13 A Well, right now, there is only - we're
14 dealing with just one. If they don't have one, they
15 may be instructed that had they had a maintenance plan,
16 they would have saved X number of dollars. But it's
17 not our intention at this time to try to upsell the
18 customer or try to get him into a maintenance plan.

19 We just point out the differences, same
20 way I point out the difference to a customer that has a
21 maintenance plan, that they may have saved X number of
22 dollars by having to show them some worth in their
23 maintenance plan.

24 Q You said at this time. Was it different
25 before?

1 A I'm not sure it was different, but we had
2 a lot of contests that zeroed in on selling maintenance
3 plans when it was new, get some exposure to it.

4 Q Okay. When was this, what timeframe?

5 A I would say middle to late '80s.

6 Q So, was this in the timeframe when you
7 were in the south Broward IMC, running the inside
8 operation?

9 A Yes.

10 Q Okay. And what were your duties? I don't
11 think I asked you. What were your duties? Can you
12 explain to me what your duties were while you were
13 inside?

14 A Yes. The IMC is the gathering point for
15 all the troubles. They come electrically from my
16 central reporting center. They are sent to a
17 responsible center for resolution, either could be
18 cleared by maybe an office translation, something that
19 could just be input, or it could be dispatched into a
20 central office responsibility or could be determined
21 that it's an outside trouble, be put in a pool to be
22 dispatched for outside, or it could be just a variation
23 of instruction to the customer or a problem that was
24 temporary or intermittent that's now cleared and we
25 just notify the customer back that the trouble has come

1 clear.

2 Q So, this was - the responsibility was
3 really processing residents and business trouble
4 reports?

5 A Correct.

6 Q Was that a regulated activity?

7 A Regulated.

8 Q As opposed to inside wire, which you said
9 was deregulated?

10 A I think, yes, it's all regulated.

11 Q Okay. Were part of your responsibility
12 during that time for sales, also?

13 A Yes.

14 Q Did you make any distinction in your --
15 Well, let me first ask you, did you file time reports
16 on your time that you were doing this kind of activity
17 at this point and this kind of activity an hour later?
18 How did you keep track of that?

19 MR. BEATTY: I object on grounds of
20 relevance. You can respond. You can go ahead
21 and respond.

22 A The company has a standard for that work
23 function that's broken down into basically two codes.
24 One was testing and I remember the codes were 61T and
25 41T. One was residential testing and one was business

1 testing, I believe is the breakdown. That was our
2 formula that was developed by staff.

3 Then if we were involved in any sales
4 areas, we also had a sales code to charge that off,
5 too, if it was significant, meaning if the person spent
6 15 minutes or more on that function, that we would
7 charge off to a special sales code.

8 Q Can you estimate for me about -- This is
9 just if you can. Estimate for me about how much time
10 you would have spent in sales at that time?

11 MR. BEATTY: Objection, relevance. You
12 can respond.

13 A An insignificant amount of time, less than
14 15 minutes per person.

15 Q And I'd like to try to get a feel when you
16 say 15 minutes per person, like to try to get a feel or
17 sort of globally or weekly, daily or even monthly basis
18 what percentage of your time would have been spent in
19 managing trouble reports and what percentage of time
20 would have been spent on sales.

21 MR. BEATTY: Object to the form of the
22 question and on the grounds of relevance.

23 A This is just a guess, but keeping in that
24 same manner, it would have been 95 percent to trouble
25 and five percent to sales.

1 Q Can you tell me, Mr. Wilson, who your
2 immediate supervisor is?

3 A Yes. Issy Perera.

4 Q Who is Mr. Perera's immediate supervisor?

5 A Scott Mulcahy. Not so good with that one.
6 Have to go next door to look on his name.

7 Q Okay. I'll get it from Mr. Beatty later
8 then.

9 Have you worked with Mr. Perera the entire
10 time that you've been with south Broward?

11 A No. The period of time that I've been
12 outside.

13 Q Okay. So, since 1990. Who was your
14 supervisor from '86 to '90 in south Broward?

15 A Two of them. Last one in reverse
16 chronological order, Cindy White and Robert Rae.

17 Q Mr. Wilson, have you been disciplined
18 recently by the company in relation to this
19 investigation?

20 A

21 Q

22 A

23 Q

24 A

25 Q

1

2

3 A Yes.

4 Q

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7 A

8

9 Q Okay. And on the bottom -- You may want
10 to look at it again. There's some handwriting. Is
11 that your handwriting?

12 A No.

13 Q Do you know whose it is?

14 A I believe it's the district personnel
15 manager, Dwane Ward's.

16 Q Mr. Ward's?

17 A Mm-hm.

18 Q

19

20 A

21

22 Q

23

24 A

25 Q

1 A

2 Q Did Mr. Ward or - I believe you said your
3 supervisor -- Which supervisor was it?

4 A Issy Perera.

5 Q

6

7 A

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14 Q Okay.

15 A At that time, they never discussed
16 specifics.

17 Q Did they at any time discuss specifics
18 with you?

19 A No, nor did I ask.

20 Q You didn't ask specifics?

21 A (Witness shakes head.)

22 Q

23

24 A

25 Q

1 A

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4 Q

5 A

6 Q

7 A

8 Q

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10 A

11 Q When you say the stage wasn't right at
12 this time, I'm not sure I understand what you meant.
13 Can you clarify that?

14 A

15

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19

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21 Q

22

23 A Yes.

24 Q And can you tell me who that was, please,
25 or who that is?

1 A

2 That may be off again and on
3 again. That's about it.

4 Q Do you know why any of these people were
5 disciplined?

6 A No, but just surface talk. Probably about
7 the same thing.

8 Q Okay. And what did the surface talk
9 indicate?

10 A

11

12 Q Not get into details in terms of actions
13 or admissions and conduct and that sort of thing?

14 A No.

15 Q Did you work with these people?

16 A Mm-hm.

17 Q

18

19

20 A I don't know.

21 Q Do you know the timeframe that was
22 involved?

23 MR. BEATTY: Objection to the form of the
24 question. It's ambiguous. Timeframe involved
25 in what?

1

Q

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A No, not - not for each one of them because we didn't discuss it.

7

Q

8

9

A I think so.

10

Q You believe so?

11

A Yes.

12

Q

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14

15

. Do you know in your own mind what that improper activity was?

17

A No. In my own mind, I know that there may have been a question, which there are in details of business, but I know of no orders or anything that instructed anybody to do anything other than our procedures and practices.

22

Q Okay. You still supervise individuals but you're outside instead of inside now?

23

24

A Yes.

25

Q But it still relates to customer trouble,

1 report and repair?

2 A Yes.

3 Q

4

5

6 A Yes.

7 Q And how are you going to avoid it in the
8 future or have corrective action taken?

9 A

10

11

12 I believe it always was there but maybe
13 it just needed polish. Maybe we let a couple of people
14 slip through but not intentionally.

15 Q Okay. Have you heard the terms backing up
16 the time used?

17 A Yes.

18 Q Okay. In what context are you familiar
19 with those terms?

20 A It's a pretty common communication between
21 employee to employee, whether it be management or
22 craft. It's - it refers to - backing up the time
23 refers to clocking off, if you will, of a job function
24 when it's repaired.

25 For example, a customer has a service wire

1 down, a truck knocked it down and opened it. The
2 technician elects to replace or repair it, puts it back
3 together, puts it back on the pole and establishes
4 service to the customer. It's three o'clock. He also
5 knows that they have a corroded ONI. He replaced the
6 ONI.

7 Q ONI?

8 A Outside network interface.

9 Q Thank you.

10 A He replaced that and makes sure we don't
11 have a return visit. That's one of the things we're
12 trying to do every time we go on a job is to make sure
13 we don't have to return to it.

14 So, if he spends extra time in that
15 process, the actual restoral time to the customer was
16 three o'clock. And if now we're going into the
17 computer to close it out, we may be have gone on break
18 since then and finished out this other work. It may be
19 3:45, so the term backing up the clock was used to back
20 it up to when the trouble was cleared and trouble was
21 cleared at whatever time. That's the instance.

22 There was a lot of - I don't say
23 misinterpretation, but a lot of credibility built on
24 that backing up the time because of like backing up the
25 time almost sounds like it's irresponsible or

1 something's wrong with it, but the terminology, to
2 complete the statement, is to back up the time to when
3 the trouble was cleared. It was not a function - you
4 do this function, get the customer stopped, log into
5 the computer, do something and continue to do something
6 else. We'd only address the computer close up when we
7 were completed with the whole task.

8 Q Okay. Have you ever heard of anyone
9 backing up the time beyond the actual restoral of
10 service time in order to meet that 95 percent index?

11 A No.

12 Q Have you ever directed anyone to do that?

13 A No.

14 Q Has anyone ever directed you to do that?

15 A No.

16 Q Have you ever heard of a procedure in an
17 IMC where maintenance administrators were directed to
18 call a manager to get permission to close out
19 out-of-service reports?

20 A Mm-hm.

21 Q Can you tell me about that?

22 A I did that.

23 Q Okay. And what was your procedure? What
24 did you tell your MAs?

25 A To make sure they backed up the clock.

1 When we first went on this program in - I'm going to
2 say '83 - I was in a maintenance center - different
3 maintenance center with a different job. And to make
4 sure that everybody understood the importance of it,
5 that that's what we did for the first few months.

6 Q Okay. And I may have missed this. You
7 said this was before '83. Before your south Broward or
8 after?

9 A Before I was at south Broward.

10 Q Where was that?

11 A Boca Raton.

12 Q What was your position in Boca Raton?

13 A Assistant manager, screening.

14 Q And was this before the CATs were
15 available?

16 A Yes.

17 Q Did outside technicians - did they have to
18 call into MA to get a report closed?

19 A Yes.

20 Q What kind of specific instructions then
21 did you give your MAs or outside people when you said
22 to make sure their actual restoral time was used to
23 clear? What did you tell them about that?

24 A Told them that if the technician called in
25 and if he was using now time, the time that --

1 Q Was on his wrist watch?

2 A He was clearing it out right now, to
3 challenge him and say what time did you have the
4 service restored.

5 Q And then once the MA got that information,
6 what was she supposed to do with it?

7 A Process it.

8 Q Did she have to get your initials or
9 another manager's initials before she actually
10 processed it?

11 A No.

12 Q Are you familiar with the no access code?

13 A Yes.

14 Q The NA is no access subscriber code. Can
15 you tell me what that means, how it's used?

16 A It's used any time that we need access or
17 we think we need access into a residence or business to
18 clear their trouble or to install their service and we
19 can't complete it.

20 Q Do you notify the customer that you've
21 been there?

22 A Yes. We notify the customer in two
23 different ways or try to. By the way, this is one of
24 my pet peeves, no access. But anyway, we hang a card,
25 if that's - if you're able to do that. I find that

1 more and more times we're not allowed access because
2 gates are locked or dogs are running loose, gates or
3 whatever.

4 And we sometimes have reasonable - can't
5 be -- When I say reasonable, if you have someone new
6 moving into the area or they don't have any friend or
7 don't have any contacts, they're forced to just give
8 you a number. Generally, that number's the same number
9 as their home residence. So, access is a problem, I
10 think, in the phone company, not because of the phone
11 company, just the way lifestyles are today. Access is
12 a problem.

13 Q Okay. Do you know if placing a no access
14 code on a trouble report stops that 24-hour clock from
15 ticking?

16 A I don't believe it does. I believe that
17 the no access code keeps - everything keeps going.
18 Time and everything keeps going.

19 Q So, if a no access report went
20 out-of-service over 24 hours, it would count against
21 the company on that index as a miss?

22 A I don't think it will. We - it won't
23 count against you, won't be a missed appointment.

24 Q Do you know of anyone who has used the no
25 access code then to stop the clock on the

1 out-of-service report so it won't go into that index
2 base?

3 A No.

4 Q Have you ever directed anyone to use the
5 no access in that way?

6 A No.

7 Q Has anyone ever directed you to do that?

8 A No.

9 Q Are you familiar with the final status
10 screen for closing out trouble reports?

11 A (Witness shakes head.)

12 Q On that screen, there is a place where you
13 can exclude a trouble report?

14 A Yes.

15 Q You put an X in there?

16 A Yes.

17 Q Do you know the effect of excluding an
18 out-of-service report in relation to that 95 percent
19 index and whether it gets counted or not?

20 A It would not get counted. I don't think
21 anything would get counted on an exclude.

22 Q When should or should not a report be
23 excluded? What's your understanding of the company
24 practices on that, on using excludes?

25 A I'll answer the ones that I can recall,

1 because the company does have a policy on excludable
2 reports, such as if it's a wrong number reported, it
3 can be excluded. Another one is made up in place of
4 that, but the initial report can be excluded.

5 If the condition that you find is not
6 telephone company caused, meaning if it would be the
7 CAT was dropped, that was damaged or physically
8 impaired, that could be excluded. I believe there
9 was -- I remember reading something about coin
10 directories or something like that, there's some coin
11 stuff that can be excluded. That about completes my
12 list.

13 Q Okay. The types of troubles that you've
14 given me, would those be out-of-service reports?

15 A It depends on how they were reported.

16 Q So they might be statused out-of-service?

17 A Yes.

18 Q So, under those circumstances then, you
19 could exclude legitimately an out-of-service report?

20 A Yes.

21 Q By the time you get a report outside in
22 the field and it's statused out-of-service, is there an
23 occasion when it's legitimate for you to exclude that
24 report?

25 A Yes.

1 Q The same ones you just mentioned?

2 A Yes.

3 Q Do you know of anyone who has excluded an
4 out-of-service report that was not covered in the
5 company policy when it shouldn't have been excluded, in
6 other words?

7 A No.

8 Q Okay. Have you ever heard of excluding
9 out-of-service reports in order to keep that 95 percent
10 index?

11 A No.

12 Q Okay. And you've not ever done that
13 yourself?

14 A No.

15 Q Are you called upon in your position to
16 determine the statusing of a report, whether it's
17 affecting service or out-of-service?

18 A No.

19 Q So, it comes to you already statused?

20 A Comes to me.

21 Q If it comes to you as affecting service
22 and you send dispatch out, someone goes out on the job,
23 is there any point in which they might be able to
24 change the status to out-of-service?

25 A No.

1 Q Do you work with cable at all?

2 A A very insignificant portion of it. We do
3 work on, you know, if a man can clear an already access
4 point, something that he can clear, but to work in
5 cable, as far as to clear multiple cable trouble
6 reports, no.

7 Q Have you ever heard of anyone taking -
8 affecting service reports and statusing them as
9 out-of-service in order to build the base, in order to
10 meet that 95 percent index?

11 A No.

12 Q Have you ever requested anyone to do so?

13 A No.

14 Q Has anyone ever told you to do so?

15 A No.

16 Q Have you ever heard of someone - a manager
17 telling their MAs don't status any out-of-services
18 today?

19 A Have I ever heard of that? I've heard of
20 it.

21 Q In what context have you heard of it?

22 A Just a rumor, nothing directed at me,
23 don't status anything out-of-service or anything, but,
24 I mean, being in the business, you hear certain things
25 and I've heard through the rumor mill that that went

1 on.

2 Q Did you hear about any times, places,
3 dates, people?

4 A No.

5 Q Do you know what the carried over no or
6 CON code is?

7 A Mm-hm.

8 Q What's your understanding of that?

9 A When a customer asks for an appointment
10 that is outside our normal appointment hours, we go
11 through CON, carried over no, meaning if we were giving
12 an appointment for tomorrow by noon and this particular
13 customer was not going to have access available till
14 Saturday, that it would then be carried over through
15 the CON.

16 Q Okay. Do you know whether or not putting
17 the CON code on out-of-service reports would stop that
18 24-hour clock?

19 A I think it would knock down the
20 out-of-service flag.

21 Q Okay. Is the CON code still used?

22 A I don't believe so.

23 Q Do you know why that change was made?

24 A I don't know why.

25 Q But you do know that it was made?

1 A Yes.

2 Q Do you know of anyone who has used the CON
3 code to stop the code on out-of-service reports so they
4 wouldn't be counted in the base?

5 A Not unless for the reasons I just told
6 you.

7 Q Have you ever done that yourself, used the
8 CON code to specifically stop the clock so they
9 wouldn't be counted against the company?

10 A Not unless it was outside that appointment
11 time.

12 Q Okay.

13 A But not to eliminate or exclude an
14 out-of-service condition.

15 Q And have you ever directed anyone to use
16 it in that way?

17 A No.

18 Q Have you ever heard of anyone using an
19 employee code other than their own to status trouble
20 reports?

21 You want me to start again?

22 A I don't understand the question.

23 Q Okay. Do you have an employee code that
24 you use when you status trouble reports that you have
25 to put into the customer record?

1 A Do I have? No. It's not my function.

2 Q Okay. Do any of the people that you
3 supervise that are inputting data have employee codes
4 that they place into the customer records?

5 A It's automatic. Their terminal is built
6 to their signature. They couldn't say that I'm
7 somebody that I'm not. It's a security measure that's
8 put right into that terminal.

9 Q Is that a recent security measure, 1992
10 forward?

11 A No.

12 Q How long has that been in place?

13 A Since they had the computer access. They
14 can't say they're somebody else, to my knowledge. They
15 can only log in as that piece of equipment is inherent
16 to them. So, the only way they could become somebody
17 else is trade pieces.

18 Q Okay. And that's on initial log-in.

19 MR. BEATTY: I object to your commenting.

20 MS. RICHARDSON: I'm sorry.

21 Q Did you not say that was on initial
22 log-in, when the person first logged on to the
23 computer?

24 A If you logged on -- What I'm saying is
25 your terminal is set up to be employee 200. You can't

1 log in and say I'm employee 212 and the machine come
2 on. It won't come on for you. It's looking for 200.

3 Q You have to log in with your employee
4 code?

5 A Right.

6 Q Now, the terminal is up and those
7 employees, maintenance administrators, are working with
8 customer reports that cycle through their machine?

9 A Okay. I'm thinking outside, you're
10 talking about inside.

11 Q Let's go to inside for right now. Then
12 after log-in and reports start filtering through, is it
13 possible to use a different employee code to status
14 different lines on those customer reports?

15 Q If you know and -- Are you talking about
16 today's environment?

17 Q I'm talking about when you were back in
18 the IMC in 1986 in south Broward?

19 A Yes, you could.

20 Q Handling inside.

21 A Yes, you could.

22 Q Now, in today's environment, is it
23 possible to do that?

24 MR. BEATTY: If you know.

25 A I don't know.

1 Q You don't know. And then outside, from
2 1990, dealing with your outside forces, they have CATs.
3 Is it possible - do you know if it's possible to use
4 any employee code other than your own on a CAT?

5 A 99 percent sure that they have that - that
6 these particular access terminal are only set up for
7 their particular number. If you picked it up, you
8 would have become that person's employee code.

9 Q Okay. Now, back in 1986, when you could
10 status - enter an employee code other than your own in
11 a status line of a report, do you know of anyone who
12 last used an employee code other than their own to
13 status trouble reports?

14 A All I know is I know that there was some
15 discipline in that area in south Dade where they had
16 some people doing something with employee codes and
17 that's as much as I know about it. I know that there
18 was disciplining.

19 Q Do you know of anyone who -- I think
20 you've answered this one. Let me move on.

21 Do you know of any other means that have
22 been used to build the out-of-service base in order to
23 meet that 95 percent index?

24 MR. BEATTY: Object to the form of the
25 question. It assumes facts not in evidence, to

1 my knowledge.

2 Q Other than what you have testified here
3 today and other than the questions that I've asked you,
4 have you heard of any other instances of individuals
5 building the out-of-service base in order to meet the
6 index?

7 MR. BEATTY: I object to the form of the
8 question, assumes facts not in evidence.

9 You can answer it.

10 A No.

11 Q Have you heard of anyone falsifying
12 customer reports?

13 A Heard of anybody falsifying? Just the
14 rumor. Whenever you're on the mountain, somebody is
15 willing to take a shot at you, but no factual
16 investigation or anything.

17 Q Okay. Do you have any personal knowledge
18 of anyone who has falsified a report?

19 A No.

20 Q Have you ever falsified a report yourself?

21 A No.

22 Q Have you ever directed anyone to falsify a
23 report?

24 A (Witness shakes head.)

25 Q Okay. Do you know what a test okay is?

1 A Sure do.

2 Q Can you briefly explain what test okay
3 means?

4 A It's a terminology that generally a
5 customer has reported some type of deficiency with
6 their lines, their telephone and after initial testing
7 and some analysis, it comes back that there's no
8 problems found and, in fact, it is working.

9 We simply try to call the customer back
10 and get more information or, you know, speak to them
11 about it. If they accept the test okay, then we close
12 it to a test okay. If they still heard static or there
13 was any other indication that required further
14 analysis, it would be made.

15 But a test okay generally is trouble that
16 came in, that was either intermittent or a temporary
17 condition that's disappeared.

18 Q Okay. Would it be appropriate to status a
19 test okay as an out-of-service report?

20 A At one time, it was.

21 Q Can you explain under what conditions that
22 that would be done?

23 A It was in our practice post-vestiture, the
24 test okay - we status out a test okay if a customer
25 reported out-of-service condition or if the test - the

1 initial test indicated an out-of-service condition.

2 Q I'm sorry. I'm a little confused then.
3 How would a test indicate it was test okay but also
4 out-of-service?

5 A Let's assume that the customer is
6 reporting their line from their neighbor's and we're in
7 a crossbox doing some kind of throw or workman activity
8 and the line's open, for whatever reason. It could be
9 open at that particular time when the customer's
10 reporting the trouble. By the time the report is
11 received, retested, it could have been closed by the
12 workman and we're simply calling back to say we don't
13 know what you're talking about, there is no trouble on
14 your line.

15 Then it would have come in as
16 out-of-service and now be a test okay. I guess you
17 would have to say retest okay.

18 Q Okay. Is it proper -- Now, you said that
19 was post-vestiture. Is it proper to take test okay
20 reports and close them out as out-of-service reports?

21 MR. BEATTY: I object on the grounds of
22 relevance unless you can identify more
23 specifically a timeframe. Post-vestiture is a
24 long period of time.

25 Q Using his terminology, but we can put it

1 in 1986 to present timeframe? That's your IMC
2 experience.

3 A With mechanization, we pretty much let the
4 machine or the -- We have some if, then rules. If this
5 is this, then status it this way. We allowed that the
6 auto-screen system that takes a look at all the
7 troubles - we primarily used it to tell us which ones
8 were out-of-service. On the investigation or the
9 retesting of a maintenance administrator, if determined
10 that it was, in fact, an out-of-service condition, it
11 was stroked out-of-service and it didn't matter if you
12 had nine million out-of-services or you had three. It
13 was stroked out-of-service.

14 Q Okay. You've mentioned auto-screener
15 rules. Are you familiar with wet and dry rules?

16 A Mm-hm.

17 Q Do you know if there have been any changes
18 in the use of wet and dry rules in 1992?

19 A I don't think their wet rules apply any
20 longer. I don't think there are wet rules. I was on
21 the initial staff implementation of mapper, so I know a
22 little bit about the system. But there was never
23 really a --

24 The true intent for wet and dry rules was
25 for under a dry condition, that my people, STs, would

1 get cross battery type troubles. Under a wet
2 condition, we would deliver those -- Excuse me. Under
3 dry conditions an ST would not get cross battery
4 troubles because it's an indication - usually cross
5 battery is an indication of wetness. Rains cause it,
6 or it could be a wet splice.

7 So under the condition of being dry, no
8 rain, then it primarily would be a wet slice, that
9 those jobs be taken right to the cable technician.
10 Under wet times, because of the rain and the amount of
11 troubles that we normally have, because rain is our
12 enemy, that those troubles would then be sent out to my
13 people, regular service technicians, because, number
14 one, the volume of them and, number two, that if we fix
15 them by either changing the pair or identifying the wet
16 spot or it turns into a multiple or major problem, it
17 was turned over to cable and that was the intent of wet
18 and dry rules.

19 Q Do you know of any instances of
20 individuals misusing the wet rules?

21 A I don't know but I - once again, that
22 rumor popped around, but I don't know of any.

23 MS. RICHARDSON: Okay. Okay, Mr. Wilson,
24 I think I'm through asking questions at this
25 point. I want to thank you for coming here

1 today. I hope you haven't missed lunch, but the
2 Commission may have one or two questions before
3 you go.

4 MR. VINSON: I'm afraid I might have one
5 or two. I'll try to make it quick.

6 CROSS EXAMINATION

7 Q (By Mr. Vinson) Can you describe in your
8 term as an I and M manager what methods you used to
9 monitor the accuracy of the service techs and use of
10 cause codes and disposition codes?

11 A Yes. We have a system called MTAS, which
12 delivers, puts together a bunch of information for us
13 and can spit it back out to us. We look for what we
14 call normal curves, meaning we look for anybody that's
15 outside the box, a person perhaps using - stuck in a
16 groove and all he's using is one disposition or one
17 cause code or something of that nature, and then we try
18 to find out what the deal is, if he or she doesn't
19 understand the rules or perhaps needs some remedial
20 drill and try to key them in with what a normal
21 percentage of cause codes to the normal business is,
22 but never breaking them down any further than families,
23 one hundred, two hundred, four hundred, six hundred.

24 Q Okay. How about similar methods for
25 monitoring their accuracy in the time reported for

1 clear time and close time?

2 A I think in today's environment, it doesn't
3 matter. I think they have little control over that.

4 Q Right. I need to preface that. Prior to
5 the change recently instituted where the final status
6 time is the clear time, could you talk about the
7 methods of verifying their use of the time, reporting
8 of time?

9 A The only methods that I used for that,
10 because I was - it's a hard time period to determine -
11 was the fact that everyone understood and knew our
12 procedures. And I would meet, as I do now, with crews
13 generally once a month and that would be one of our
14 focuses, to make sure that people did understand rules,
15 not to beat them up into backing up into a situation
16 that's going to not benefit the customer, but to call
17 it just as it was.

18 If you cleared it at 3:15, you cleared it
19 3:15. If you cleared it at 3:25, you cleared it 3:25.
20 I never got into minutes, tried to work in multiples,
21 also generally try to work in 15 minute multiples.
22 Every once in a while, you see people using what I call
23 computer time and take the actual time of the
24 transaction.

25 Q Is there any use made of the DWCS, display

1 work craft summary form or printout in monitoring a
2 service tech's activities?

3 A It's used for an after-the-fact. If we
4 have a damage claim, if we have a question about a
5 person's performance, if we have need to know some
6 history, we go --

7 Q Did the network staff perform operational
8 reviews of your I and M operation -- Let me start over.

9 Have they performed operational reviews of
10 your I and M operation during the entire time you've
11 been in that position?

12 A Yes.

13 Q How frequently are those reviews
14 performed?

15 A From six months to a year.

16 Q And what is the subject matter and the
17 scope of those?

18 A The question you just asked me, they're on
19 disposition and cause code structure, narratives. We
20 lean heavily to narratives because, believe it or not,
21 sometimes a person will have too fat of fingers or not
22 be paying attention to what is happening.

23 A narrative is a description of what the
24 person actually did. We try to audit the narrative
25 against disposition and cause and look to make sure

1 that they check, to make sure if it's detariff work,
2 it's detariff work. If it's regulated time, it's
3 regulated time.

4 Q The network staff performs these reviews
5 and provides you with a written report of the results?

6 A Yes.

7 Q And in response to their reviews, are you
8 required to take remedial action or corrective action?

9 A Yes, if it's with findings, they find it's
10 significant.

11 Q When you were going back in time to the
12 IMC manager, who was your supervisor at that time?

13 A Cindy White and Bob Rae.

14 Q Have you ever worked with a person named
15 T.S. Crampton? That name ring a bell?

16 A I worked with him on staff.

17 Q Could I show you a memo and see if it is
18 familiar to you?

19 A Mm-hm.

20 Q Does that appear to be a memo that you
21 wrote?

22 A Mm-hm.

23 Q Take a minute to read it. I'd like to ask
24 you some questions.

25 Do you recall the situation or the reason

1 that prompted you to write this memo?

2 A Yes.

3 Q Could you please describe that?

4 A It was a comparison on a study that one of
5 my supervisors made, and I found that there was some
6 disparity, which wasn't my job at this time, but I
7 noticed - I know this individual and I found some
8 disparity and I sent it up to him for his action.

9 Q Okay. And the disparity that you're
10 referring to, could you describe that?

11 A It was - fact is, in my opinion, that he
12 didn't have - he wasn't using the out-of-service
13 status, I think, properly.

14 Q Who was not using the out-of-service?

15 A Crampton.

16 Q In what way was he not using it properly?

17 A I couldn't draw that conclusion only
18 looking at a comparison sample.

19 Q Would the sample have indicated that he
20 was using it too frequently or too infrequently, is
21 that the problem that you were seeing?

22 A Infrequently.

23 Q So, Mr. Crampton was a -- Could you
24 describe what his position was, where he worked at this
25 time?

1 A He was IMC manager.

2 Q Another IMC manager?

3 A In West Palm Beach.

4 Q So, when you say he wasn't using it
5 properly, you mean his people weren't statusing?

6 A Right.

7 Q What response did you receive from Mr.
8 Crampton, if any?

9 A I don't recall.

10 Q Was that analysis that you refer to that
11 one of your supervisors had performed something that
12 was routinely done or is that a special case that it
13 was done?

14 A No, it wasn't a routine. It was just
15 something that they had come across at the point - at
16 that time, and I drew it to Tom's attention.

17 Q One of the supervisors came across it?

18 A Mm-hm.

19 Q Do you know what prompted them to discover
20 that apparent disparity?

21 A Just analyzing the reports.

22 Q Would that be MTAS reports?

23 A This report has out-of-services and
24 service affecting. Those numbers indicate what the
25 trouble status took.

1 Q Is that a normally, regularly prepared
2 report or is that something that was prepared just for
3 this analysis?

4 A I did this just for him, for his benefit.

5 Q The source of that information attached to
6 the memo would be what?

7 A That was my information. It was a
8 standard report that comes out of the machine that you
9 can ask for.

10 Q MTAS data?

11 A No, called RSTS. I can't tell you. I
12 think it's record of statusing or something like that.

13 Q In the memo, you make reference to if the
14 reports are not stroked up front. What does that refer
15 to, situation being referred to there?

16 A Simply means if you don't know you have an
17 out-of-service, how can you treat it as an
18 out-of-service if it's not made an out-of-service up
19 front? You have to identify it. You can't identify it
20 at the end and hope to treat it as an out-of-service if
21 you don't know about it till after the fact.

22 Q So, these troubles that are being referred
23 to were just receiving no status initially as to being
24 out-of-service versus service affecting?

25 A I don't know that. I don't know if he was

1 statusing them at their back end at that time. Your
2 people could status in the back end, meaning the final,
3 and that was appropriate.

4 Q That was permissible?

5 A Yes, but I always - and this is
6 characteristic of me. I viewed it two different ways.
7 I felt that - how could you deal with an out-of-service
8 effectively if you didn't call it an out-of-service on
9 its initial stage?

10 Q One final question. At the end of the
11 memo, it makes reference to this information has not
12 been made available to anyone else or words to that
13 effect. Do you know why you included that comment?

14 A I was doing this as a friend, I felt, to
15 help him out, not to put any pressure on him.

16 MR. VINSON: Those are the only questions
17 I have.

18 MR. GREER: I don't have any.

19 CROSS EXAMINATION

20 Q (Ms. Wilson) You said you received no
21 response from Mr. Crampton?

22 A I didn't say I didn't receive any. I
23 don't remember the response.

24 Q You believe you may have spoken with him
25 orally, was it a written communication?

1 A No, I'm sure it wasn't written. I know
2 what goes on and I still can keep my head about me, but
3 I don't - I'm sure that he called me and we probably
4 had some discussion about it.

5 Q But you don't remember the substance of
6 the discussion?

7 A No, I don't.

8 MS. WILSON: That's all I have.

9 MR. BEATTY: Okay. Thank you very much.

10 (Whereupon, the deposition was concluded at 1:10 P.M.)

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(Signature of Witness)

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CERTIFICATE

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STATE OF FLORIDA)
 : SS.
COUNTY OF BROWARD)

I, KATHLEEN SCHWAB, a Notary Public duly commissioned and qualified in and for the State of Florida at Large, do hereby certify that pursuant to notice heretofore filed, there came before me on the 15th day of October, 1992, at Southern Bell Telephone & Telegraph Company, Room 1015A, 6451 N. Federal Highway, Fort Lauderdale, Broward County, Florida, the following named person, to wit: GARY WILSON, who was by me duly sworn to testify to the truth and nothing but the truth of his knowledge touching and concerning the matters in controversy in this cause; that he was thereupon examined upon his oath and his examination reduced to writing under my supervision, and that the deposition is a true record of the testimony given by the witness; and that said witness read the same and subscribed his name thereto.

I further certify that on the 2nd day of November, 1992, I notified Robert Beatty, Esq. that the deposition of GARY WILSON was now ready for signature.

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I further certify that I am neither attorney nor counsel for, nor related to nor employed by, any of the parties to the action in which this deposition is taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties hereto, or financially interested in the action.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal this 2nd day of November, 1992.

Kathleen Schwab

Notary Public, State of Florida at Large
My Commission expires: December 6, 1992.