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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of	:	DOCKET NO. 910163-TL
Investigation into the	:	
integrity of SOUTHERN BELL	:	
TELEPHONE AND TELEGRAPH	:	
COMPANY'S repair service	:	
activities and reports.	:	

DEPOSITION OF: PATRICIA MORAN

TAKEN AT THE INSTANCE OF: Florida Public Service Commission

PLACE: 666 N.W. 79th Avenue
Room 640
Miami, Florida

TIME: Commenced at 2:45 p.m.
Concluded at 3:55 p.m.

DATE: Monday, April 19, 1993

REPORTED BY: JOY KELLY, CSR, RPR
Chief, Bureau of
Reporting

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14
15 ALSO PRESENT:

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17 CARL VINSON, FPSC Division of Research &
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21 WALTER BAER, Office of Public Counsel

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I N D E X

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S T I P U L A T I O N

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civil Procedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

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PATRICIA MORAN

appeared as a witness and, after being first duly sworn by the court reporter, testified as follows:

EXAMINATION

BY MS. RICHARDSON:

Q All right. And if we could get your attorney to put in an appearance of record.

MS. BAKER: Yes, you have my name, Jeanne Baker. I've given you my card. You have all of the identifying information.

MS. RICHARDSON: Okay. And she's representing you here today.

A Yes.

Q In a private capacity.

A Yes.

Q Okay. And would you please state your name and spell it for the court reporter to make sure we have it correct.

MR. ANTHONY: I'm sorry, before we do that, Ms. Baker, we've been using four basic stipulations and since this is the first deposition you have been in, although, I keep sitting here thinking everybody has been through it all already.

That the deposition was taken pursuant to appropriate notice. We won't go off the record without

1 Ms. Moran's consent. That we won't waive reading and
2 signing if it's taken down. And we'll reserve
3 objections, except to the form of the question so until
4 the use of the deposition, if those are agreeable.

5 MS. BAKER: That's fine.

6 MR. ANTHONY: Okay, thank you. I'm sorry.

7 MS. BAKER: No. I'm glad you did that.

8 A Are you ready for my name?

9 Q (By Ms. Richardson) Yes, your full name.

10 A Patricia, P-A-T-R-I-C-I-A, Ann, A-N-N, Moran,
11 M-O-R-A-N.

12 Q And your address.

13 A

14 Q And that is Miami?

15 A Yes, it is.

16 Q And your phone number?

17 A

18 Q Area code 305?

19 A Yes.

20 Q All right. And what is your present position
21 with the Company?

22 A Maintenance administrator.

23 Q Which IMC do you work in?

24 A South Dade.

25 Q And how long have you been in that position?

1 A At that location? Excuse me.

2 Q At South Dade, yes.

3 A South Dade. Eight years.

4 Q In the same position as maintenance
5 administrator the entire eight years?

6 A Yes.

7 Q And who is your supervisor?

8 A Prudence Taylor.

9 Q And is she the first level supervisor?

10 A First level.

11 Q And who is the second level?

12 A April Ivy.

13 Q Is that presently?

14 A Presently.

15 Q And have those two people been in those
16 positions for the entire eight years?

17 A No.

18 Q Who was before Ms. Taylor?

19 A Gosh, I've had so many. Maria Munoz.

20 Q M-U-N-O-Z.

21 A M-U-N-O-Z, right. Brenda -- excuse me, I
22 don't remember her last name. She's no longer with the
23 Company. I don't remember her.

24 Q Okay. Did you have any other first level
25 supervisors in that period of time?

- 1 A Not in that period.
- 2 Q What about second levels besides Ms. Ivy?
- 3 A Larry Rorrer.
- 4 Q And that's R-O --
- 5 A It's R-O-R-R-E-R.
- 6 Q All right. And --
- 7 A Shirley Perring.
- 8 Q Okay.
- 9 A And then April.
- 10 Q And that's -- Perring is P-E-R-R-I-N-G?
- 11 A Uh-huh.
- 12 Q Okay. And were they in that respective
- 13 order, Mr. Rorrer, Ms. Perring and Ms. Ivy?
- 14 A Yes.
- 15 Q All right.
- 16 A Excuse me, I left out one. Cherie Calvert is
- 17 between Shirley Perring and April Ivy.
- 18 Q And that's C-H-E-R-I-E --
- 19 A Uh-huh.
- 20 Q -- C-A-L-V-E-R-T.
- 21 A Right.
- 22 Q Have you talked to anyone about your
- 23 deposition here today?
- 24 A No.
- 25 MS. BAKER: Other than your attorney.

1 MS. RICHARDSON: Other than your attorney.

2 WITNESS MORAN: Well, that goes without
3 reason.

4 MS. RICHARDSON: Okay.

5 MS. BAKER: Let me clarify for the record,
6 because I don't know if Pat fully understood your
7 question. She certainly spoke to me about the
8 deposition and we did have a brief meeting with Mr.
9 Carver before coming into this room today.

10 Q (By Ms. Richardson) But other than these two
11 attorneys, you did not speak to anybody about this
12 deposition today?

13 A No.

14 Q Have you spoken to anyone else who has given
15 a deposition, about the depositions today?

16 A No one.

17 Q Okay. Has anyone given you any assurances,
18 any of your supervisors or anyone given you an
19 assurance that you would not be disciplined based upon
20 what you said today?

21 MS. BAKER: Go ahead and answer it yes.

22 WITNESS MORAN: Yes, my attorney and Phil
23 Carver.

24 Q (By Ms. Richardson) Okay. And has anyone
25 mentioned the perjury statutes to you that govern the

1 deposition?

2 MS. BAKER: Well, I have instructed -- I
3 represent a number of employees who are going to be
4 deposed in these depositions this week and I've
5 instructed all of them that it's against the law to lie
6 and they are all advised of that. I haven't brought
7 out a particular statute and showed it to them, but I
8 have emphasized very pointedly they must tell the truth
9 in answer to every question and that the only way they
10 could get into any kind of trouble whatsoever would be
11 if they didn't tell the truth.

12 MS. RICHARDSON: Okay. So we're real clear
13 on that.

14 MS. BAKER: To tell the truth.

15 Q (By Ms. Richardson) All right. Ms. Moran, I
16 think what I'd like to do is start by asking you what
17 do you know about falsification of customer records?

18 MS. BAKER: Might I interpose a request? It
19 might be helpful if you gave her a time frame and a
20 place, and something a little bit narrower. That's
21 such a broad question, it might be hard for her to just
22 know how to answer that.

23 Q (By Ms. Richardson) Okay. Well, let's keep
24 it within your duties as a maintenance administrator in
25 South Dade, okay, not any time prior to that. When did

1 you start with the Company, what year?

2 A '65.

3 Q In 1965. Okay. Well, I'm not interested that
4 for back. Okay. So let's just take it for the last eight
5 years. Maybe even since 1988 since that's probably
6 fresher in your memory than even prior to that.

7 A I've been a maintenance administrator since
8 1981.

9 Q Well, let's push it up to '87, '88, that time
10 frame. All right. And you've been in South Dade since
11 that entire time?

12 A Right.

13 Q Right. Since '88, '87, somewhere in there.
14 During that period of time, have you ever had occasion
15 to become aware of or to know about falsification of
16 customer repair records?

17 MS. BAKER: And if you don't understand
18 you're going to make it clear to Ms. Richardson, if you
19 don't understand something about the question.

20 A I don't understand, I'm sorry.

21 Q Okay.

22 MS. BAKER: Might I just -- I'm trying to try
23 to be helpful here. I think the word, the term
24 "falsification" is a very -- in this context is a very
25 unclear term. And I don't know what you mean by it,

1 therefore, I'm making an assumption that it's possible
2 my client doesn't know what you mean by it.

3 Q (By Ms. Richardson) Ms. Moran, have you ever
4 heard of the words "backing up the time"?

5 A Yes.

6 Q In what context?

7 A To make the commitment.

8 Q To meet the commitment. To back up the time
9 to meet the commitment.

10 A Yes.

11 Q And how is that done?

12 A How was that done?

13 Q Uh-huh.

14 A We made the commitment.

15 Q All right. Let's take an example. A
16 commitment was 2:00.

17 A Okay.

18 Q All right. And it is now 3:00.

19 A Okay.

20 Q How would you back up the time to meet the
21 2:00 commitment?

22 A Make it 1:59.

23 Q Make it 1:59.

24 A And it would be made.

25 Q Okay. And did you personally do this?

1 A

2 Q Were you instructed to do so?

3 A Yes.

4 Q By whom?

5 A My, my supervisors.

6 Q

7

8 A

9 Q And I think you indicated Would
10 it be that told you to do this?

11 A

12 Q Well, you gave me a but you couldn't
13 remember her last name.

14 A Yeah, I can't believe it, I'm sorry.

15 Q Okay. Were there any other first levels that
16 you can't recall?

17 A Well, there's been eight at all times.

18 There's usually eight in the test center.

19 Q So there's and at least
20 six other first levels?

21 A Uh-huh.

22 Q And was it your understanding that all of
23 these six or eight, excuse me, gave indications that
24 the commitment time would be met even if it required
25 backing up the time?

1 A Uh-huh.

2 Q Do you know if this was done in other
3 maintenance centers?

4 A I've worked in three. I can tell you that it
5 was done in three test centers.

6 Q And which were the other two test centers
7 that you worked in?

8 A Metro, Central and then South Dade.

9 Q Do you know your time frames approximately?

10 A Yes.

11 Q When were you in Metro?

12 A '81 to '82.

13 Q And when were you in Central Dade?

14 A '82 to '85.

15 Q All right. And can you tell me who in the
16 Metro test center gave you these instructions?

17 A No.

18 Q Okay. Would it have been a manager that told
19 you to do this?

20 A No. I was there 12 months, and I was trained
21 by a craft person, and I didn't know what I was doing
22 for 12 months. It takes quite a while to learn the
23 job, and I had no idea if it was day or night, much
24 less, you know, who was telling me -- no, the craft
25 person that trained me trained me like that.

1 Q And then in Central Dade were you given
2 specific instructions by any individual to back up
3 commitment times.

4 A Yes.

5 Q And do you know by who?

6 A Yes.

7 Q And who was that?

8 A All my bosses.

9 Q All of your first level and second level
10 managers?

11 A All my first level, excuse me.

12 Q All first level managers, and do you remember
13 any names?

14 A I think they are
15 the only two screening foreman that I had and they were
16 over that particular area.

17 Q Okay. Were you ever given instructions to
18 back up a clearing in a closed time?

19 A I'm sorry, could you explain to me?

20 Q Do you know what a clearing time is on a
21 trouble report?

22 A Yes.

23 Q All right. And what's your understanding of
24 the clearing time?

25 A That the customer was in service, that the

1 exact time that the line came clear.

2 Q In other words, the customer had dial tone
3 again, to make a phone call or receive a phone call?

4 A Yes.

5 Q Were you ever instructed to back up a clearing
6 time on a trouble report before you closed it out?

7 A If the clearing time was past the commitment.
8 Yes.

9 MS. BAKER: I'm going to ask for some
10 clarification here. Is this a different question?

11 MS. RICHARDSON: Yes.

12 MS. BAKER: Because I don't know that my
13 client would have understood it as a different question
14 from the series of questions you were just asking her
15 prior to, you know, using the phrase "clearing time."

16 MR. ANTHONY: Why don't we go through,
17 because I think her answer indicated she didn't
18 understand the difference. So why we just go through
19 them. If she doesn't understand the difference she can
20 say, I suppose.

21 MS. BAKER: Well, can you clarify for me
22 what's the difference between backing up the time and
23 back up the clearing time?

24 MS. RICHARDSON: Okay. Backing up a
25 commitment time and backing up the clearing time were

1 the two individual instances that Ms. Moran was
2 speaking to, if I'm not incorrect on that.

3 Q (By Ms. Richardson) And Ms. Moran, the
4 commitment time then -- you're understanding of the
5 commitment time would be what? What's a commitment
6 time for?

7 A The commitment time is the time that the trouble
8 goes out of the base, as far as we're concerned. That
9 it's actually closed. It's no longer existing.

10 MS. BAKER: Your questions and her answers
11 have been -- her answer had been we backed up to meet
12 the commitment. Now, you're making an assumption that
13 -- now I understand that you're making an assumption
14 about her testimony, which may be correct, but I don't
15 know that it's correct.

16 You're making an assumption that she was
17 talking about backing up commitment time. I don't know
18 that to be what she was talking about. I think it's
19 equally possible she was talking about backing up
20 clearing time to meet a commitment, not backing up
21 commitment time.

22 MS. RICHARDSON: Okay.

23 MS. WILSON: Okay. Why don't we clarify what
24 that meant.

25 MS. RICHARDSON: We're going to try. Do you

1 want to do that?

2 MS. WILSON: No, no. I thought that she did
3 say something about -- you said backing up to meet the
4 commitment.

5 MS. BAKER: Who did? She did. Ms. Moran did.
6 But she didn't say backing up what.

7 MS. WILSON: Which is consistent with
8 backing up --

9 WITNESS MORAN: Sue, that would be the only
10 time.

11 MS. WILSON: Exactly.

12 WITNESS MORAN: That would be a different
13 time when the clearing time and the close-out time
14 would be different would be to back up, to make a
15 commitment.

16 Q (By Ms. Richardson) Okay. Let me start at
17 the beginning of the trouble report then. We get the
18 trouble report. The CRSAB gets it and then sends it to
19 you; is that correct?

20 A Uh-huh.

21 Q All right. And then when you receive the
22 trouble report, is there a commitment time by which the
23 Company has told the customer they will have his
24 trouble fixed?

25 A Yes.

1 Q And that's at the top of the report?

2 A Yes.

3 Q And that's along with a "can be reached" number?

4 A Yes.

5 Q All right. Now, when you told me that you
6 backed up commitment times, is that the commitment time
7 that you were speaking about? Is that the commitment
8 time that you were speaking about?

9 MS. BAKER: She didn't testify to that.

10 A I don't quite understand. Are we closing out
11 the trouble now?

12 MS. BAKER: She did not testify to those
13 words. She may or may not have meant those words, but
14 she did not testify to the words that you've just
15 imputed to her.

16 MS. RICHARDSON: Okay. Then let me start over.

17 Q (By Ms. Richardson) In terms of backing up
18 the time, all right, what times were actually backed up
19 on a trouble report?

20 MS. BAKER: To your knowledge.

21 A The cleared line.

22 Q The cleared line was backed up.

23 A The cleared line.

24 Q Okay. Was that commitment time, by which the
25 Company told the customer that the trouble would be met

1 -- the time that it would be met by, was that time ever
2 backed up?

3 A Yes, to make it, to make the commitment time.

4 Q Okay. Now, are you using commitment time and
5 clearing time as being the same time on the trouble
6 report?

7 A Well, the close-out time is actually when the
8 trouble is closed. Like right now, it would be closed
9 right now. If I have a trouble that's due at 12:00 and
10 it's ten after 12, my close-out line is going to be 11:59.

11 Q Okay.

12 A And then when you push the button the
13 computer takes the time it is now, 12:11 or 12:10,
14 whatever.

15 Q All right. Now, on that status line, would
16 that show up like "clear customer advised," the CCA
17 line?

18 A That's exactly what it is.

19 Q Okay. Have you ever heard of backing up a
20 screening time? Have you ever heard of backing up any
21 other times on a trouble report? Just that final
22 close-out time.

23 A No.

24 THE REPORTER: I'm sorry.

25 MS. BAKER: She can't take nods or shakes of

1 the head down on paper.

2 WITNESS MORAN: I've had the flu for week,
3 excuse me.

4 THE REPORTER: No problem. Thank you.

5 Q (By Ms. Richardson) Are you familiar with
6 the Company rule that requires an out-of-service report
7 to be repaired within 24 hours at least 95% of the
8 time?

9 A Yes.

10 Q Okay. Are you familiar at all with any
11 individual building the base in order to meet that 95%
12 index?

13 A I have no personal knowledge of that.

14 Q Okay. Has anyone in your tour of duty in the
15 maintenance center as an MA, ever told maintenance
16 administrators that there would not be any reports
17 statused out-of-service today? Don't status any more
18 out-of-services today. We can't take any more.

19 A I'm sorry, you're asking me if I ever heard
20 of that or if it's ever been told to me?

21 Q Yes.

22 A Yes.

23 Q All right. Can you give me the context? Was
24 it told to you, did someone direct you?

25 A Yes.

1 Q All right. Who?

2 A It was in Central, I don't know what year.

3 And you would come in in the morning, and they would
4 say don't stroke anything out-of-service this week.

5 Q Would that be

6 A Yes.

7 Q Both?

8 A No. was overscreening.

9 Q All right. And under what kind of conditions
10 would he tell you that? I mean, do you know why he
11 would say that?

12 A No. We didn't care.

13 Q Did you ask him why?

14 A (Shakes head.)

15 MS. BAKER: No.

16 A I'm sorry, no.

17 Q (By Ms. Richardson) Did you feel that this
18 was proper or improper at the time?

19 A No, I had no feeling.

20 Q No feelings about it. Did you question him
21 on doing that?

22 A Never.

23 Q And why not?

24 A I've never questioned my supervisor in the 28
25 years that I've worked.

1 Q Okay. Were you given a direct order then?

2 A Yes --

3 Q You understood it as a direct order?

4 A -- I was very good at following directions.

5 Q All right. Did you feel or have an
6 impression that if you didn't follow that order you
7 would be disciplined?

8 A Yes.

9 Q Did you at that time -- were you aware of a
10 personnel responsibility booklet, were you required to
11 sign an ethics statement or a personnel responsibility
12 booklet at that time?

13 A I don't remember.

14 Q Okay. Did you feel that you should report
15 this action --

16 A No.

17 Q -- to anyone?

18 Do you know if anyone else ever reported?

19 A No.

20 Q Do you know if any other actions that you
21 were directed to do to build the base?

22 A Not me, no. Nothing.

23 Q Do you know of any other actions that other MAS
24 were given -- any other directions any other MAS were
25 given in order to build the base to meet that 95% index?

1 A No.

2 Q Okay. Are you familiar with the a test-OK?

3 A Yes.

4 Q And what's your understanding of a test-OK?

5 A When a test-OK comes in we call the customer, if
6 it's test-OK, we close it out. If we can't reach the
7 customer, we hold it until two hours before the commitment
8 time, before we close it out to give the customer, you
9 know, time. And that's it and we close it out.

10 Q Okay. If it's test-OK, would it normally be
11 stasured out-of-service before close out?

12 A No.

13 Q All right. Are there certain conditions when
14 a test-OK might be stasured out-of-service properly?

15 A Oh, absolutely, everyday.

16 Q Okay. Would more of the test-OKs be
17 out-of-service or more of them be affecting service?

18 A More of them be affecting.

19 Q Okay. Now, do you know of anyone who has
20 ever used that test-OK file to build the base of
21 out-of-services by taking a bunch of test-OKs and just
22 closing them out as an out-of-service?

23 A No, I have no personal knowledge of that.

24 Q Have you ever heard of that being done?

25 A Yes.

1 Q Okay. And in what context have you heard of
2 that being done?

3 A When I came to South Dade, I heard that there
4 was -- that they had people that do that.

5 Q Other maintenance administrators?

6 A Yes.

7 Q Do that, and it was --

8 A And I had never heard of that.

9 Q Were the maintenance administrators just
10 doing it on their own, or were they being told?

11 A Oh, no. No, they told somebody to do it an
12 hour today or whatever.

13 Q In other words, a manager would give them a
14 direction?

15 A This is what I was told, right.

16 Q Okay. But you never personally were told to
17 do this?

18 A Never.

19 Q Okay. And you never personally did this
20 yourself?

21 A Never.

22 Q Okay. What's a central office failure?

23 A A central office failure is a group of
24 numbers in one CO. I'm sure you're familiar with -- we
25 have central offices and the cable feeds out of the

1 central offices to people's houses. And a CO failure is
2 like, let's take West Dade for example, something could go
3 wrong, a plug inside the switch or whatever, could go down
4 and you could lose 1,000 people just like that, just by
5 that little plug. And if that happens, that's called a
6 failure because it's a vast amount of troubles.

7 Q All right. Do you know of anyone who has
8 each used the central office failure file in order to
9 build the base of troubles?

10 A No, I have no personal knowledge of that.

11 Q Okay. Could a test-OK -- could a test --
12 testing a line end up testing okay when it was actually
13 a central office failure?

14 A I have never seen that. When you have a CO
15 failure like that, you automatically get a recording,
16 "Are all circuits busy?" Or you get a hold -- the numbers
17 come in, they have what we have, originating office
18 equipment; all of the equipment goes down -- and no, not
19 at all. You'd never get a test-OK on a central office.

20 Q Okay. When you close a report out to a
21 central office failure, does that count as an
22 out-of-service report, generally? If it's a CO failure?

23 A I've never closed one out, but, yes, that
24 would definitely be out-of-service.

25 Q Okay. Would that count against the Company

1 if it went over 24 hours, do you know?

2 A No. Oh, the Company, excuse me, yes. Not
3 the maintenance center. It would be the CO people, the
4 switch system, the COs, and the NOC and the SEC.

5 Q Okay. Does the central office people get to
6 close out their central office failure trouble reports?

7 A No.

8 Q It's just the maintenance center that deals --

9 A It's us.

10 Q Okay. So is it possible that they could --
11 the central office could have reports closed out
12 against central office when they weren't necessarily a
13 central office failure then?

14 MS. BAKER: If you know.

15 A No. I don't believe that's ever happened
16 because the foreman would eat the other foreman alive.
17 No.

18 Q Okay.

19 A No way. Not that.

20 MS. BAKER: If you know.

21 WITNESS MORAN: I know. I'd stake my life on
22 that.

23 Q (By Ms. Richardson) Would it be usual to
24 take central office failures and close them as test-OKs?

25 A Not usual, no.

1 Q Has that been done?

2 A I've seen it done.

3 Q Has it be done improperly? In other words,
4 when it shouldn't have been, a central office failure
5 should not have been a test-OK, but it was closed out
6 as a test-OK.

7 A I've seen it done one time.

8 Q Okay. And when was this?

9 A I'm not sure of the year.

10 Q Well, which maintenance center?

11 A It was either '88, South Dade.

12 Q South Dade, '88. Okay.

13 A Yes. The CO was -- we had a failure, it
14 went down in the early evening, it was about 600
15 numbers, and they had the switchman and the CO working
16 all night. They cleared it by 4:30, 5:00 in the
17 morning, well within the 12 hours, the 24 whatever.

18 And the next morning I came in at 7, and I
19 heard a foreman -- well, the foreman out in the field,
20 Steve LaPierre called and said, "I'm going home. Call
21 the NOC center and get your proper five codes. Get the
22 codes, you know, the close-out codes that you need.
23 I'm going home." Which he should have called and got
24 the five codes, but it was closed out to a test-OK. It
25 was never closed out to the five codes, and it should

1 have been because it was a CO failure.

2 Q Okay. Do you know what affect that would
3 have had on the out-of-service index?

4 A Nothing.

5 Q Okay. And would you spell the outside
6 person's name, Steve.

7 A LaPierre.

8 Q L-A?

9 A P-I-E-R-R-E, I believe.

10 Q In our NOCs center.

11 A Yeah. He's in the NOC center.

12 Q That's a what? NOX?

13 A NOC, it's the Network Operations Control
14 Center, I believe. They're the switchman, the ETs, the
15 electronic technicians that man the COs.

16 Q Okay.

17 A And he's a foreman, he's a nighttime foreman.

18 Q And part of the reason I'm doing this is that
19 when I read your statement it won't make sense to me if I
20 don't get the right acronyms and everything spelled out.
21 So, you'll know what you said but I won't remember.

22 A Okay.

23 Q Can you recall, I believe you said
24 and at some point had given you directions,
25 possibly to do things that you felt were improper.

1 A Uh-huh.

2 Q Other than the instances that we've already
3 discussed, can you recall any other directions that you
4 were given that you felt were improper?

5 MS. BAKER: I'm going to object. I don't
6 know that Ms. Moran has testified to the words you've
7 imputed to her. You know, I don't recall her
8 testifying that she felt something was improper. Those
9 are your words and I don't recall that testimony, so
10 I'd rather you not impute it to her. Could you just
11 ask her a question without imputing to her something I
12 don't think she said.

13 MS. WILSON: Could you read that question?

14 THE REPORTER: Yeah, I'm still writing it.
15 She talks very fast.

16 MS. WISON: Sorry.

17 (Question read back by the reporter.)

18 MS. BAKER: My objection -- and I want to
19 reiterate it, and I'm just checking back on my own
20 notes, I believe that does not correctly state what was
21 Ms. Moran testified to. We can go back and look, if
22 you wish, to her earlier testimony. My notes indicate
23 she said they had no feeling about those directions.
24 You asked her whether she questioned them and she said
25 she hadn't. You asked her if she felt that she would

1 be disciplined if she didn't follow them and she said
2 "yes." And you asked her if she felt that she should
3 have reported those instructions and she said "no."
4 I'd be happy to stand corrected if you want to go back
5 and read through the record, but I do not believe that
6 she testified to what you imputed to her.

7 MS. RICHARDSON: I don't want to cut you off
8 Ms. Baker, is that --

9 MS. BAKER: Yeah.

10 Q (By Ms. Richardson) Ms. Moran, let me take
11 them one at a time. Do you feel it's proper to back up
12 a clearing time?

13 MS. BAKER: I'm going to ask for a time
14 frame. Today, as she sits here, or some other time, is
15 what I'd like to --

16 Q (By Ms. Richardson) As to what she has
17 testified to here today, when you said that if it was due
18 at noon and they called it in at 1:00, it was closed at
19 11:59 I believe you said; do you feel that was proper?

20 MS. BAKER: Today -- as she sits here today,
21 you're asking her?

22 Q As you sit here today.

23 A No.

24 Q At that particular time when you were doing
25 that, when your manager was telling you to do that, do

1 you feel that that was proper?

2 MS. BAKER: I'm going to object to the
3 question. Unless you clarify whether you are talking
4 about as she sits here today, does she feel that
5 something wasn't proper that occurred earlier or back
6 at the time it occurred?

7 Q I think that's what I was trying to say, back
8 at the time that it occurred, did you feel at that time
9 that it was improper?

10 A I had no feeling at all about it.

11 Q Okay.

12 A Either way.

13 Q Okay. All right. In terms of receiving
14 instructions not to status any reports as
15 out-of-service, at the time you received those
16 instructions, did you think that they were improper?

17 A No.

18 Q Okay. Are you familiar with the no-access code?

19 A Yes.

20 Q And what's your understanding of no-access code?

21 A I'm sorry, I don't quite understand. The code?

22 Q What's a "no-access"?

23 A A "no-access" is when a repairman goes out in
24 the field and the customer is not home. He usually
25 leaves a card. He usually checks everything up to the

1 protector or wherever he can get up to, and then he
2 leaves a card and we hold that file for three days and
3 then we close it out.

4 We hold it, if within that three-day period
5 the customer calls back in, it's called a subsequent
6 report, then we dispatch out on it or wherever their
7 instructions are time frame-wise, they're going to be
8 home this time, this time and that time, that's my
9 understanding of what "no-access" is.

10 Q All right. Do you know of anyone that's given
11 instructions to no-access a report when a notification was
12 not left, or the dispatch was never made?

13 A No.

14 Q All right. Do you know if the no-access
15 report removes an out-of-service report from the index
16 so that it doesn't count as a miss for the Company?

17 A I believe it stops the clock.

18 Q All right. Do you know of anyone who has
19 used the no-access status code to stop the clock on a
20 report just to keep from missing the index?

21 A No.

22 Q All right. Do you know certain disposition
23 and cause codes, what those are, generally?

24 A Yes. Yes.

25 Q Do you know of any disposition and cause codes

1 that might exclude an out-of-service report from being
2 counted against the Company in that over-24-hours index?

3 A No.

4 Q What about CPE or inside wire, the 1200
5 disposition codes? Would they exclude a report from
6 being counted?

7 A I don't believe so. And that's usually used
8 by the outside force. We don't use it inside.

9 Q What about certain cause codes like weather
10 -- heavy weather, hurricane, would those exclude an
11 out-of-service report if it went over 24 hours, from
12 being counted against the Company?

13 A I have no idea. We never use those codes.

14 Q As a maintenance administrator, during your
15 eight years that we've been -- since '88 that we've
16 been discussing, was part of your job to input
17 disposition and cause codes on trouble reports before
18 closing them out?

19 A Yes.

20 Q Did you select the disposition and cause code?

21 A No, we have a list.

22 Q You have a list. Who determines which
23 disposition and cause code gets put down on the trouble
24 report?

25 A Staff.

1 Q Is that your manager you mean?

2 A Staff tells us and they give us a sheet. And
3 we get a set of sheets about every six months. And
4 it's very final -- in black and white.

5 Q All right. Then how do you decide between
6 whether or not you're going to close it out to the
7 central office failure or to inside wire, or to
8 something else? On what basis do you decide among
9 those codes?

10 A Okay. If I called a customer, and the
11 customer said that he was getting -- had noisy
12 transmission and couldn't hear very well. And I said,
13 "How many phones do you have?" And he says, "One
14 phone. He says, "I have another phone in the bedroom.
15 I said, "Could you please unplug that phone?" He
16 unplugs that phone, the static goes away. I said, "Sir
17 you have a defective set." Then I would close it out
18 to defective set, and we have codes for that.

19 CO codes, we don't determine what CO codes to
20 use. The CO gives us what codes to use. And if I call
21 the customer and the customer can't call out, and I
22 tell him to depress number five, they depress number
23 five, it's testing okay. They depress number five,
24 they've got -- their coils are reversed in the CO. I
25 call the CO, I said, "Please put reversing coils and

1 da-da-da." She does. His trouble is fine. He can
2 call out now. Then we've got reversing coils from the
3 CO that we have to use, and our narratives have to
4 comply with the codes. They're very strict about that.

5 Q Okay. Did you ever receive instructions for
6 using disposition and cause codes that did not match
7 the definitions?

8 A No.

9 Q Did you ever receive instructions to use
10 disposition and cause codes that you personally felt
11 did not apply to the trouble?

12 A No.

13 Q Do you know how to exclude a report?

14 A Yes.

15 Q All right. And how is that done?

16 A Physically, we X it out.

17 Q Okay. So there's a final status screen and
18 there's an X, and then you just X it out.

19 A We put the CCA line, cause we always have to
20 have a CCA line, and then we just put an X down here
21 with the proper exclude narrative. Once again, they're
22 very emphatic about what that narrative says.

23 Q Do you know of anyone who has excluded
24 out-of-service reports to keep them from counting
25 against the base?

1 A I personally have no knowledge of that.

2 Q Okay.

3 A I've never seen it done.

4 Q All right. Do you know if anyone who has
5 improperly excluded out-of-service reports on a
6 consistent basis?

7 A No.

8 Q Do you know of anyone who has used another
9 person's employee code in statusing a trouble report?

10 A I don't have any personal knowledge of that, no.

11 Q Have you heard of that being done?

12 A Yeah.

13 Q And where have you heard of it being done?

14 A In South Dade.

15 Q Is that South Dade generally or just the
16 South Dade IMC?

17 A South Dade IMC.

18 Q Okay. Have you heard any names associated
19 with that being done?

20 A No.

21 Q In what context does that come up?

22 A The rumor?

23 Q Uh-huh.

24 A When I first got there I heard that they used to
25 close out reports and use other people's numbers and

1 stuff.

2 Q On a consistent basis?

3 A Yes. But my number was never used.

4 Q By anyone else, you mean?

5 A Never.

6 Q Okay. And is it possible to do that today?

7 A No.

8 Q Okay. And why is it not possible today?

9 A Because we have individual codes and we're
10 the only ones that know these codes, except for the
11 system's administrator. And not even our bosses know
12 what these codes are, as well as our number.

13 So if you used my number, my number is 637,
14 you'd have your own code in there and they could find
15 it was you. And, you know, then they'd say, "I didn't
16 do that." And they say, "Yes, you did. Look, here's
17 your personal code." And you said, "No, that's Pat.
18 Pat is 637." But it's your code and your code would be
19 higher ranking than my number. And that's why now the
20 codes and the number have to match. Mine is BYJTSSC or
21 whatever, and they're all silly things and we can't
22 write them down anywhere. It's very -- you know, we
23 can't. We have to have them in our head.

24 MS. BAKER: Can we go off the record for a
25 moment?

1 MR. ANTHONY: We'll deal with confidentiality
2 of the deposition later.

3 MS. BAKER: Let's just go off the record for
4 a moment.

5 MS. RICHARDSON: That's fine with me.

6 (Discussion of the record.)

7 MS. BAKER: I asked to go off the record to
8 clarify that the code that Ms. Moran gave in this last
9 answer that she was giving was not, in fact, her own
10 personal code. She was giving that merely as an example.

11 Q (By Ms. Richardson) All right. And when you
12 heard these rumors about people in South Dade using
13 other employees' code numbers, do you know why that was
14 being done? Did you hear why they were doing that?

15 A No.

16 Q Was it your understanding from the rumors
17 that it was improper?

18 A Yes.

19 Q Do you have any knowledge of anyone closing
20 out-of-service reports to meet the 24-hour commitment,
21 and then reopening them as either subsequent reports or
22 employee-originated reports.

23 MR. ANTHONY: I want to object to the form of
24 the question. Are we talking about the 24-hour PSC
25 requirement or one of the Company's internal commitment

1 time?

2 MS. RICHARDSON: The 24-hour PSC requirement.

3 WITNESS MORAN: I have no personal knowledge
4 of that.

5 Q (By Ms. Richardson) All right. Do you know
6 of anyone who has consistently taken affecting service
7 reports and status them as out-of-service in order to
8 build the base to meet the PSC index?

9 A I'm sorry, would you repeat the question?

10 Q Do you know of anyone who has taken just a
11 group of affecting service reports and statused them as
12 out-of-service in order to build the base to meet --

13 A No.

14 Q Okay. Okay, Ms. Moran, I want to thank you
15 for your time and your attorney's time. I'm sorry and
16 I apologize for having run late today.

17 At this point, unless something jogs my
18 memory from their questions, I think you and I are
19 through. Now, there may be one or two questions before
20 you go.

21

22

EXAMINATION

23 BY MS. WILSON:

24 Q You said that you were trained at the Metro
25 IMC by a craft person. Do you remember who that craft

1 person was?

2 A Uh-huh.

3 Q Who was that?

4 A I was trained in three different areas when I
5 first got there, her name was

6 Q Anyone also who trained you?

7 A And then six months later I was trained by
8 . . . And then I transferred.

9 Q During this training, I think you had
10 indicated that you were instructed on how to back up
11 times to meet the commitment. That was part of your
12 formalized training.

13 MS. BAKER: I object to the word
14 "formalized."

15 Q (By Ms. Wilson) I'm sorry, excuse me. Did
16 you not receive this training -- wasn't this training
17 at Southern Bell, gave you -- prepare you to perform
18 your job duties and responsibilities?

19 A No, it's where you sit with a craft person
20 for a certain amount of time and you watch what they're
21 doing and you learn the job.

22 Q But you are, in fact, learning the job and
23 this was your training that you received from Southern
24 Bell to perform the job.

25 A That's the type of training that I learned.

1 Q Did you know at the time when you were being
2 instructed with regard to backing up times to meet the
3 commitment, did you fully understand what that meant?

4 A Not at all.

5 MS. WILSON: Okay.

6 EXAMINATION

7 BY MR. VINSON:

8 Q Ms. Moran, when you were filling us in on the
9 three different maintenance centers where you worked in
10 and backing up time had taken place, I was wondering if
11 you can recall at South Dade, names of people who had
12 given you instructions to do that. You had listed some
13 supervisors, for example, at Central, but do you have
14 names of supervisors at South Dade who had instructed
15 you to back up times?

16 A They didn't have to -- well, management
17 didn't have to give us instructions. It was you did
18 it. You just did it.

19 Q So your supervisors at South Dade included,
20 if I recall correctly you said, well, could you just
21 list the supervisors that you were under at South Dade
22 that you have their --

23 A

24 Q And --

25 A

1 Q

2 A And

3 Q Okay. You can't recall --

4 A No.

5 Q So was a supervisor here, he
6 was at both Central and at South?

7 A Yeah, she was.

8 Q Okay. And the period of time that you're
9 referring to at South Dade was after 1985?

10 A Yes.

11 Q So it would be what '86 to 1990 period?

12 A To right now.

13 Q And the time that this backing up went on, it
14 would cover what period?

15 A From 1981 until 1993 -- not '93. Until '88
16 or whatever.

17 Q '88. Okay. So none of this backing up went
18 on after 1988?

19 A No. The end of 1988, '89.

20 Q Also you mentioned the -- to exclude a
21 trouble report with the X, and you said that currently
22 there's a narrative required.

23 A Yes.

24 Q That they're very strict, I believe?

25 A Yes.

1 Q Has that narrative always been a requirement
2 in making that type of deletion of a trouble report?

3 A Yes. It's always been strict, ever since
4 I've been in the maintenance center.

5 Q So that requirement, that narrative has
6 existed since the entire time you've been a maintenance
7 administrator; is that correct?

8 A Yes.

9 MR. VINSON: That's all the questions I have.

10 MS. WILSON: Can I follow up with one more?

11 FURTHER EXAMINATION

12 BY MS. WILSON:

13 Q With regard to this training you received on
14 how to back up time, how did you know when to back up the
15 time and when not to back up the time? Did the craft
16 person indicate to you when you were to apply this?

17 A They indicated that we should make the
18 commitment. When I was trained it was indicated that I
19 should make the commitment.

20 Q And 100% of the time.

21 A 100% of the time. Now, you understand that
22 we made the commitment a lot of the times, maybe 80% of
23 the times we made the commitment.

24 Q So how did you know when to back up the time
25 or not to back up the time? Only when necessary --

1 A When it was after the commitment when
2 necessary.

3 Q When necessary.

4 A When necessary.

5 MS. WILSON: Okay.

6 FURTHER EXAMINATION

7 BY MS. RICHARDSON:

8 Q She did jog my memory. But some part of this
9 training you received was from a

10 A He was one of them.

11 Q

12 A I don't know how to spell his last name.

13 Q Okay.

14 A Yes.

15 Q All right. And did ever indicate
16 to you whether or not it was proper or improper?

17 A Yes.

18 Q He indicate to you what he felt about it?

19 A Yes.

20 Q Okay. Do you know whether or not he ever
21 told anyone else, reported this --

22 A Everybody.

23 Q -- higher in the chain? He did. All right.

24 And what happened? Did anything get done about it, any
25 changes made? Any investigations start?

1 A Not in Metro. And then we went to the Gables
2 and then he stayed in the Gables and I went to South
3 Dade. And I never saw him again. I don't know.

4 MS. WILSON: Okay. Okay.

5 MR. ANTHONY: I have some questions for you.

6 EXAMINATION

7 BY MR. ANTHONY:

8 Q Ms. Moran, about you never
9 really -- although I think Ms. Richardson may have
10 assumed the answer, and maybe it's the right
11 assumption, when she asked you whether
12 indicated whether he thought it was proper or improper,
13 but I don't think you ever said which he felt it was.

14 A Improper.

15 Q He felt it was improper. But despite the
16 fact he felt it was improper, he told you to do that?

17 A We were -- he sat next to me and I had to sit
18 next to him and like, watch him work all day and we had to
19 do it. But he'd say, "This is wrong, this is wrong, this
20 is wrong." And I was green, I just sat there and --

21 Q Okay. But he nonetheless showed you to do
22 things the wrong way?

23 A Yeah.

24 Q Now, if I understand it correctly, what he
25 was telling you to do was to back up time to meet the

1 commitment. Is that correct?

2 A Uh-huh.

3 Q Is that the Company commitment to the
4 subscriber, to the customer?

5 A The Company commitment.

6 MS. BAKER: I'm sorry.

7 WITNESS MORAN: Our commitment, "our" means
8 --

9 Q Southern Bell's?

10 A Yeah, the only commitment I know.

11 Q Okay. In other words, just so I make sure I
12 know what you mean by commitment. Are you saying the
13 time that Southern Bell has told the customer it will
14 have the customer's trouble fixed by?

15 A Yes. Yes. Yes.

16 Q And that's different from the 24-hour PSC
17 requirement; is that correct?

18 A Well --

19 Q It may be the same; it may be different.

20 A Right. It may be. And you know, like -- I
21 believe that goes back to what she said. We would back it
22 up when necessary. You know, it wasn't always necessary.

23 Q But you were backing it up to meet the
24 commitment, not the 24-hour clock from the Commission;
25 is that correct?

1 A We were backing it up to meet 24 hours.

2 Q Well, you've got me confused now.

3 A I'm sorry.

4 MS. RICHARDSON: But we went through this all
5 in the beginning.

6 MR. ANTHONY: I understand it. I'm trying to
7 clarify it.

8 MS. RICHARDSON: That's right.

9 Q (By Mr. Anthony) Now, let me make sure we're
10 all talking from the same page here. I think that was
11 used earlier.

12 You have the commitment time that the Company
13 gives a customer and you have the 24-hour clock. And I
14 think you agreed with me that those might be the same
15 but those might also be different; is that correct?

16 A Uh-huh.

17 Q And when you were backing up the time --

18 A Uh-huh.

19 MS. BAKER: Say, "yes" or "no." Don't say
20 "uh-huh."

21 Q (By Mr. Anthony) If you could say "yes" or
22 "no." It's easier for the court reporter. So those were
23 all "yeses" your uh-huhs just now; is that correct?

24 A Huh-huh.

25 Q Those were "nos."?

1 MS. BAKER: Pat, please, "yes" or "no." I
2 must hear it out loud.

3 A Yes.

4 Q (By Mr. Anthony) Let me back up again.

5 You agree with me that the commitment and a
6 24-hour may be the same or may be different?

7 A Yeah.

8 Q Is that correct? And you said that you were
9 backing up the time to meet the commitment; is that
10 correct?

11 A Yes.

12 Q You said nobody from management ever told you
13 in South Dade to back up the time. You just did it.
14 Is that a correct paraphrase of your earlier testimony?

15 A Yes.

16 Q And as of the end of '88 or by 1989 no
17 backing up of time to meet the commitment was being
18 done; is that correct?

19 A Yes.

20 Q But that had been done since 1981?

21 A Yes.

22 Q But when did you start in South Dade?

23 A '85.

24 Q '85. If you would just give me one more
25 minute please, Ms. Moran.

1 If a trouble was out-of-service and cleared
2 within 24 hours, but was shown -- rather than as
3 out-of-service, it was shown as test-OK, would it be
4 better for the Company in terms of the 24-hour
5 requirement for the Commission to have shown it as
6 out-of-service if it were cleared within 24 hours or as
7 test-OK? Which case would be better for the Company in
8 terms of meeting the commitment? If you understand the
9 question. If not, I'll rephrase it.

10 A I do.

11 Q Okay.

12 A It would be better to meet the customer's
13 commitment.

14 Q Okay. You talked about -- let me be more
15 direct. You talked about a central office failure where
16 you had about 600 troubles that were cleared within 24
17 hours you said. Were those out-of-service troubles?

18 A Yes.

19 Q And they were all cleared within 24 hours?

20 A Yes.

21 Q But you said that rather than showing them as
22 out-of-service they were shown as test-OK; is that
23 correct?

24 A Yes.

25 Q All right. Did that in any way have an

1 adverse impact, to your knowledge, on the Company's
2 reporting of trouble reports to the Commission?

3 A No.

4 MR. ANTHONY: Okay. Thank you. That's all I
5 have.

6 MS. BAKER: I have a question, unless --

7 MS. WILSON: We do also.

8 MS. BAKER: I'm sorry. I get to go last.

9 FURTHER EXAMINATION

10 BY MR. VINSON:

11 Q Let me -- just in case we've gotten off
12 target -- let me go back, for example, to what you said
13 about Central Dade, 1982 through 1985 instructions that
14 you received from and . Okay.

15 As I understand it, during that period of
16 time which you were instructed by those supervisors
17 would be that -- for example, if a trouble came in and
18 was cleared, say, after 25 hours, okay, that you were
19 instructed by these supervisors to back up the time and
20 report it as if it had been closed at, say, 23-1/2
21 hours; is that correct?

22 MR. ANTHONY: I'm going to object. I don't
23 believe that's her previous testimony. But you can
24 certainly ask her the question.

25 MR. VINSON: Well, let me form that in the

1 form of a hypothetical, okay, rather than
2 characterizing anything you said.

3 Q (By Mr. Vinson) If a trouble report comes
4 into the maintenance center and it's dispatched out and
5 the service technician gets out there and clears the
6 trouble 25 hours after the trouble was originally
7 reported, and then it is backed up to 23-1/2 hours, is
8 that the type of backing up that you are saying you
9 were instructed to do at the Central Dade, let's say,
10 maintenance center?

11 A No.

12 Q Okay.

13 MS. WILSON: What is your understanding of
14 backing up times to meet the commitment?

15 MR. ANTHONY: We've asked and answered this.
16 That was the purpose of my question.

17 MS. WILSON: Okay. I just want to make sure
18 that I understand what you mean by "commitment," are
19 you talking about the PSC 24-hour commitment?

20 MR. ANTHONY: No. She's talking about --

21 WITNESS MORAN: I'm talking about our customer's
22 -- our loyalty to the customer. And their commitment.

23 MS. RICHARDSON: If you met --

24 MR. ANTHONY: Wait a second. Wait a second.

25 One party at a time.

1 MS. RICHARDSON: I'm sorry. Were you through?

2 MS. WILSON: Go ahead.

3 FURTHER EXAMINATION

4 BY MS. RICHARDSON:

5 Q If you met the Company commitment, would you
6 not also meet the PSC 24-hour commitment?

7 MS. BAKER: If you know? (Pause)

8 A Yes.

9 Q Okay. Always, right?

10 A You've got me so confused. Yes, always.

11 MS. RICHARDSON: We're all getting confused.
12 It's getting late.

13 MR. ANTHONY: Let's go off the record for a
14 minute.

15 MS. BAKER: It's fine.

16 (Discussion off the record.)

17 MS. BAKER: Okay. We've had an
18 off-the-record discussion in an effort to clarify Ms.
19 Moran's answer to the question about whether or not
20 meeting the commitment would or wouldn't always,
21 therefore, meet the PSC requirement.

22 And one thing we have discussed in the
23 interim that I'll state on the record and then we're
24 going to just ask the same question again to Ms. Moran,
25 the thing that we've discussed is that there can be

1 instances when because of a customer request for a
2 particular service time, that the commitment to the
3 customer is beyond 24 hours. And in such an instance,
4 obviously, meeting the commitment to the customer would
5 not also meet the 24-hour requirement.

6 Having clarified that there is that type of
7 instance, I would now just like the same question to be
8 put to Ms. Moran as was put previously, so that she can
9 give her own answer in her own words as to her
10 understanding.

11 Q (By Ms. Richardson) Okay. On an
12 out-of-service report, would the commitment time
13 offered the customer, to your knowledge, be within the
14 24-hour PSC time?

15 A Yes.

16 Q When you stated about the practice of backing
17 up the time to meet the commitment, did it apply, your
18 statement, to the out-of-service reports?

19 A Yes.

20 Q When you backed up the time to meet the
21 commitment on the out-of-service reports, would you
22 also then be meeting the PSC 24-hour commitment?

23 A Yes.

24 Q On out-of-service reports, where the customer
25 has requested -- the customer called in a subsequent

1 report and requested a future-date commitment beyond
2 the PSC 24 hours, would that report count against the
3 Company if it was missed?

4 MS. BAKER: If she knows.

5 A I don't think so.

6 Q All right. On a report where the customer
7 has requested a future-date commitment beyond the 24
8 hours, were those reports -- were the times on those
9 reports backed up to meet the commitments?

10 A No.

11 Q So your managers instructed you to back up
12 times on out-of-service reports where the commitment
13 was set within the 24 hours and there were no future-
14 date requests by the customer; is that correct?

15 A Yes.

16 Q Is it your understanding then, that when you
17 backed up that time you met the commitment, and a
18 consequence of meeting that commitment was also meeting
19 the PSC 24-hour index?

20 A I knew that we met the commitment.

21 Q Do you know if you met the PSC 24-hour index?

22 A Now, I do.

23 Q Okay. But you did not know that then?

24 A No.

25 MS. RICHARDSON: Does that clarify -- have I

1 clarified it as a --

2 MR. ANTHONY: No.

3 MS. WILSON: Do you have any questions?

4 FURTHER EXAMINATION

5 BY MR. ANTHONY:

6 Q Ms. Moran, I'm going to try this again. Because
7 I think this is important enough not to have somebody give
8 you some information, perhaps not totally accurate.

9 The Company might give a commitment, might it
10 not, of 20 hours after the report was called in; is
11 that correct?

12 A Yes.

13 Q Let's say that's 1:00 in the afternoon, and
14 then 24 hours would be 5:00 in the afternoon of
15 whatever day it is; is that correct?

16 A Yes.

17 Q And a trouble could have been actually
18 cleared and closed at, let's say 2:00, by the
19 technician; is that correct?

20 A Yes.

21 Q So after the commitment, but before the
22 24-hour time?

23 A Yes.

24 Q And what you're testifying to is that you
25 would back up that 2:00 time to 12:59, for example, is

1 that what your testimony is? You're past the commitment,
2 the commitment was 1:00. You got the call that it was
3 cleared at 2:00, the 24-hour PSC requirement is 5:00, what
4 would you do in that situation?

5 A It was cleared at 2:00?

6 Q Yes, ma'am.

7 A And the commitment was what time?

8 Q 1:00.

9 A 1:00. I'd ask the technician when he gave
10 service, when the customer actually had service.

11 Q Yes, ma'am. What would you show in terms of
12 -- would you back up time in that situation to the
13 commitment time?

14 A Yes. If he says I actually gave service at
15 1:45 -- I mean not 1:45 -- the customer actually had
16 service at 12:30, that I had some rehab work to do. I
17 back up the time, yeah.

18 Q Well, I'm confused. You talked about backing
19 up times to the commitment time.

20 A Uh-huh.

21 Q Is that correct?

22 A Uh-huh.

23 A Yes. Is that a "yes?"

24 MS. BAKER: Say "yes" or "no".

25 A Yes.

1 Q And this is an out-of-service. And in my
2 example the commitment was 1:00 and the technician says "I
3 cleared the time at 2:00." Is that when you -- I'm trying
4 to understand when you backed up the time. Is that when
5 you have backed the time up to 1:00 to meet the
6 commitment?

7 A Yes.

8 Q Okay. So it was before the 24-hour clock had
9 run?

10 A Yes.

11 Q But after the commitment and you would back
12 it up in that instance?

13 A Yes.

14 Q To meet the commitment?

15 A Yes.

16 Q The Company commitment?

17 A Yes.

18 MR. ANTHONY: Thank you. I have no further
19 questions.

20 FURTHER EXAMINATION

21 BY MS. WILSON:

22 Q The scenario he described, is that the only
23 time you would ever back up times to meet the
24 commitment? That is where it was, in fact, clear
25 before the 24-hour clock had run and the service tech

1 had, in fact, cleared the line before then, or did you
2 ever back up times to meet the commitment in other
3 instances when, in fact, you didn't have any
4 information that the trouble would have actually been
5 cleared earlier?

6 A I would back it up if the repairman told me
7 that he had cleared it an hour ago. I would back it up
8 an hour.

9 Q Are those the only instances that you would
10 do that?

11 A Yes. In that scenario, yes.

12 Q Those are the only times you ever backed up
13 times to meet the commitment?

14 MS. BAKER: I object to your misstating what
15 she just testified to. She said "in that scenario."

16 A You mean like when I had a guy on the line?

17 Q (By Ms. Wilson) That would be the only time
18 you would do that? Are there other instances when you
19 would not actually have knowledge that, in fact, the
20 trouble had been cleared earlier by the service tech?

21 A Then I would put down what time the service
22 tech had cleared it. Because he actually gave service
23 at that time. He said, "I had some rehab work to do"
24 and that's happened a lot. "I have been on this two
25 hours and I did rehab. This customer had service two

1 hours ago or two and a half hours ago." Then I would
2 back that up to when that customer had service.

3 FURTHER EXAMINATION

4 BY MR. VINSON:

5 Q Ms. Moran, continuing with Mr. Anthony's
6 hypothetical that he just posed, I believe you said
7 that -- in the example the 24-hour mark would be 5:00
8 p.m.

9 A Uh-huh.

10 Q If the service tech called in and said, "I
11 closed and cleared" -- I'm sorry -- called in and says
12 "I cleared this trouble at 5:30." What would you
13 report?

14 A 5:00.

15 Q So if he says 5:30 and you record 5:00, in
16 order to -- why would you show 5:00 instead of 5:30?

17 A That would be the customer's commitment.

18 Q In Mr. Anthony's hypothetical the commitment
19 was 2:00, I believe.

20 MR. ANTHONY: 1:00, I think.

21 Q (By Mr. Vinson) 1:00. Okay. But let's
22 start over with the hypothetical that he set up, was a
23 1:00 commitment time, and at 5:00 the 24-hour period
24 would have elapsed. The service tech calls in and says
25 "I cleared the trouble and restored service to an

1 out-of-service line at 5:30." What would you record?

2 A 5:00.

3 Q And the reason for you recording 5:00 instead
4 of 5:30 would be?

5 A I would make the commitment.

6 Q The commitment to attain the Public Service
7 Commission's 24-hour requirement?

8 A No, to the customer.

9 Q Okay. But this hypothetical was that it was
10 1:00 commitment to the customer.

11 A Oh. The customer's commitment was -- that's
12 right, was at 1:00.

13 Q 1:00. Right.

14 A Oh, Lord.

15 Q Rethinking that, I don't want to rush you.
16 With a commitment of 1:00, the 24-hour point of 5:00,
17 and an actual restoral of service at 5:30 by the
18 service technician, what would you record?

19 A I, personally, I'd close it out to 5:30;
20 we've already missed the customer's commitment.
21 Because the guy was dispatched out after 1:00, he
22 hasn't been on that five -- three, four hours. So he's
23 already been dispatched on it after the commitment
24 time. And that's what I care about, my customer's
25 commitment time. So I'd close it out to 5:30.

1 MR. RICHARSON: If he was dispatched -- if
2 the ST was dispatched at 11 a.m. and it did actually
3 take him that long, he was dispatched before the
4 commitment.

5 Still working with the same hypothetical.
6 (Pause)

7 WITNESS MORAN: We've had CATs for years, the
8 way they closed out their own things. I have never had
9 that scenario. You were asking me something that the
10 guy in the field -- I know what I do, when I have a guy
11 on the line, it's been -- they've had CATs for five
12 years. We don't close out the guys in the field. We
13 don't have anything to do with them.

14 MS. RICHARDSON: Okay. I guess we were just
15 all -- I, personally, let me speak about myself -- was
16 just a little confused.

17 MR. ANTHONY: Well, no. You are to ask
18 questions, not to make speeches. I object to making
19 speeches.

20 MS. WILSON: Did you ever put down a
21 different time than what the service tech told you?
22 Let me just ask that. If he told you 5:00, did you
23 always enter 5:00 or did you, in some instances, back
24 up the time to meet the 24-hour commitment? In other
25 words, did you tell him, "you're in jeopardy of

1 missing" --

2 A To my knowledge, I've always put down what
3 the tech has told me, because he knows he is supposed
4 to make the commitment too. And there's been very few
5 cases where a tech has ever missed a commitment without
6 really trying -- because they try to make those
7 commitments too, just like we do. I've had scenarios
8 where he's told me to close it at out at 3:00, because
9 he gave service at 3:00 and the commitment -- you know,
10 that's been backed up because that's when the customer
11 actually had service. But it has been years since
12 we've dealt with the guys in the field as far as
13 closing out codes. So that's all hypothetical.

14 MR. ANTHONY: I don't have anything further.

15 MS. RICHARDSON: I'm going to give up on this
16 too.

17 MS. BAKER: I have one question.

18 EXAMINATION

19 BY MS. BAKER:

20 Q When Mr. Falsetti was your colleague at work,
21 co-crafts person, and acted in the fashion that you
22 described in your testimony, did you form an opinion
23 about his conduct at that time?

24 A I thought he was the most obnoxious man I
25 ever met.

1 Q Did you have any opinion about his mental state?

2 MS. RICHARDSON: I would like to object that
3 she is a layperson, not qualified to give an opinion
4 about another person's mental state.

5 MS. BAKER: I'm only asking her as a layperson,
6 not at all as an expert.

7 Q (By Ms. Baker) Did you have an opinion when
8 he conducted himself in the way that you described?

9 A Yes.

10 Q What was your layperson's opinion as to Mr.
11 Falsetti's mental state?

12 A Well, it was because of the first thing he ever
13 said to me in my whole life when I walked into the test
14 center.

15 Q Why don't you just answer my question. I
16 have no idea what the --

17 A Well, you have to know what he said to me, the
18 first thing he said to me. I thought he was just
19 obnoxious.

20 MS. BAKER: Let's leave it there.

21 MR. ANTHONY: Thank you, Ms. Moran. I
22 appreciate your time.

23 (Thereupon, the deposition concluded at 3:55
24 p.m.)

25

1 This is to certify that I, PATRICIA MORAN, have
 2 read the foregoing transcription of my testimony, Page
 3 6 through 65, given on April 19, 1993 in Docket No.
 4 910163-TL, and find the same to be true and correct,
 5 with the exceptions, and/or corrections, if any, as
 6 shown on the errata sheet attached hereto.

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 PATRICIA MORAN

Sworn to and subscribed before me this
 ____ day of _____, 19__

 NOTARY PUBLIC

State of _____

My Commission Expires:

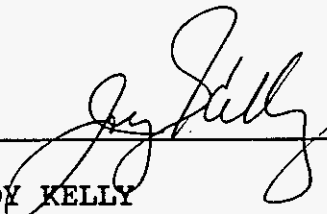
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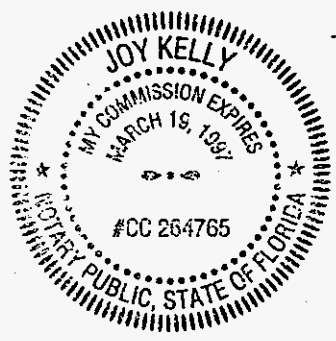
CERTIFICATE OF OATH

I, the undersigned authority, certify that
PATRICIA MORAN personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 29
day of April, 1993.



JOY KELLY
Notary Public - State of Florida



1 STATE OF FLORIDA)
 :
 2 COUNTY OF LEON)

CERTIFICATE OF REPORTER

3
 4 I, JOY KELLY, Official Commission Reporter
 and Registered Professional Reporter,
 5 DO HEREBY CERTIFY that I was authorized to
 and did stenographically report the foregoing
 deposition of PATRICIA MORAN;

6 I FURTHER CERTIFY that this transcript,
 consisting of 67 pages, constitutes a true record of
 7 the testimony given by the witness.

8 I FURTHER CERTIFY that I am not a relative,
 employee, attorney or counsel of any of the parties,
 nor am I a relative or employee of any of the parties'
 9 attorney or counsel connected with the action, nor am I
 financially interested in the action.

10 DATED this 29 day of April, 1993.

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16 STATE OF FLORIDA)

17 :
 COUNTY OF LEON)

18 The foregoing certificate was acknowledged
 before me this 29th day of April, 1993,
 19 by JOY KELLY, who is personally known to me.

20

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25

Notary Public, State of Florida
 My Commission Expires April 20, 1995
 Bonded Thru Troy Fein - Insurance Inc.

Patricia A. Church
 PATRICIA A. CHURCH
 Notary Public - State of Florida

ERRATA SHEET

DOCKET NO. 910163-TL

NAME: PATRICIA MORAN

DATE: April 19, 1993

Page	Line	
11	2-3	Strike "reason" and insert in its place "saying" so the sentence reads "... that goes without saying." REASON: The correction is needed so that my answer makes sense.
17	4	After "yes" add "to back up to meet the commitment." REASON: The correction is needed to make the answer I gave accurate.
20	14-15	After different, strike "would be to back up, to make a commitment." REASON: The correction is needed so that my answer makes sense.
22	3	Strike "yes" and insert in its place "No. The cleaning time would be backed up" so the entire answer reads "No. The cleaning time would be backed up to make it, to make the commitment time." REASON: The correction is needed to make the answer I gave accurate.
23	13	After "of that," add "other than what I testify to below." REASON: The correction is needed to make the answer I gave accurate.
26	1	After "No," add "other than what I testify to below." REASON: The correction is needed to make the answer I gave accurate.
26	18	Insert "would" between "them" and "be" so the sentence reads "more of them would be affecting." REASON: The word "would" was dropped.
50	1	After "24 hours," add "if that was the commitment to the customer." REASON: The correction is needed to make the answer I gave accurate.

DOCUMENT NO. DATE
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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

:
In the Matter of
:
Investigation into the
integrity of SOUTHERN BELL
TELEPHONE AND TELEGRAPH
COMPANY'S repair service
activities and reports.

DOCKET NO. 910163-TL

DEPOSITION OF: PATRICIA MORAN

TAKEN AT THE INSTANCE OF: Florida Public Service
Commission

PLACE: 666 N.W. 79th Avenue
Room 640
Miami, Florida

TIME: Commenced at 2:45 p.m.
Concluded at 3:55 p.m.

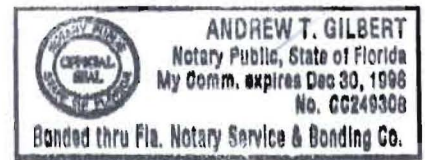
DATE: Monday, April 19, 1993

REPORTED BY: JOY KELLY, CSR, RPR
Chief, Bureau of
Reporting

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 3 6 through 65, given on April 19, 1993 in Docket No.
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Patricia Moran
 PATRICIA MORAN



Sworn to and subscribed before me this
 14 14 day of June, 1993

Andrew T. Gilbert
 NOTARY PUBLIC

State of _____

My Commission Expires: