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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	:	<i>920260-TL</i>
TELEPHONE AND TELEGRAPH	:	
COMPANY'S repair service	:	
activities and reports.	:	

DEPOSITION OF: JOHN E. FALLER

TAKEN AT THE INSTANCE OF: Florida Public Service Commission

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

TIME: Commenced at 4:20 p.m.
Concluded at 6:15 p.m.

DATE: Tuesday, April 20, 1993

REPORTED BY: SYDNEY C. SILVA, CSR, RPR
PAMELA A. CANELL
Official Commission Reporters

(x-ref 6010-93)

06071 JUN-3 86

RECORDED-INDEXED

REC'D - RECORDS/REPORTING

1 APPEARANCES:

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9 488-9330, appearing on behalf of the Citizens of the State
10 of Florida.

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13 32399-0863, Telephone (904) 487-2740, on behalf of the
14 Commission Staff.

15 JEFFREY H. FINK, 66 West Flagler Street,
16 Miami, Florida 33130, Telephone No. (305) 374-0800, on
17 behalf of the deponent, John E. Faller.

18 ALSO PRESENT:

19 STAN GREER, FPSC Division of Communications

20 CARL VINSON, FPSC Division of Research &
21 Regulatory Review

22 TERRILL BOOKER, FPSC Division of Communications

23 WALTER BAER, Office of Public Counsel

24 WAYNE TUBAUGH, Southern Bell

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WITNESS

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EXHIBITS

<u>Number:</u>		<u>Identified</u>	<u>Admitted</u>
1	April 3, 1991 Memorandum to John Long, John Faller and Maria Smoak from Cherie.	43	
2	Memo Dated 1-16-92 from John Faller to April Ivy	54	

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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.

1 JOHN E. FALLER

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

4 EXAMINATION

5 BY MS. RICHARDSON:

6 Q Okay. Mr. Faller, would you please state
7 your name and spell it to make sure that the court
8 reporter has it accurately.

9 A It's John E. Faller, F as in Frank, -A-L-L-E-R.

10 Q And it's Faller, I've been mispronouncing it.
11 I'm sorry, Faller.

12 All right. And your address, please?

13 A My home address is

14
15 Q And your phone number?

16 A

17 Q Okay. And what is your position, Mr. Faller,
18 with the Company?

19 A I'm an assistant manager with Southern Bell.

20 Q And is that in the SSDAC?

21 A Correct.

22 Q And would you tell me what an SSDAC is?

23 A That is a special services dispatch
24 administration center.

25 Q And how long have you held this position?

1 A Going on three years October, three years in
2 October.

3 Q And who is your present supervisor?

4 A I report to April Ivy.

5 Q And who is the supervisor level above her
6 that you report to?

7 A It would be H. T. Rubin, R-U-B-I-N.

8 Q Okay. And is he the operations manager?

9 A That's correct.

10 Q And who is your general manager?

11 A Linda Isenhour.

12 Q And what did you do before you were an
13 assistant manager in the special services dispatch
14 administration center?

15 A I had a special services crew -- special
16 services installation and maintenance crew.

17 Q Were your responsibilities involving
18 installing new service in homes and businesses?

19 A Yes, new services in homes that were digital and
20 design services, and in businesses. These are for data.

21 Q So not just the ordinary plain old telephone
22 service?

23 A No, these were design circuits.

24 Q Okay. And would that also include then the
25 maintenance for the design circuits?

1 A Yes.

2 Q And how long did you hold that position?

3 A I did that for one year from -- it would be
4 '89 to '90, thereabouts.

5 A And what did you do prior to that?

6 Q Prior to that, I had a services technician crew.

7 A Is that an outside --

8 A That's outside, yes. Service technicians are
9 installer repairmen.

10 Q And that's regular telephone service?

11 A Yes. That's residence and small business.

12 Q Okay. Was that associated with an IMC?

13 A No. We took our troubles -- we were the actual
14 repairmen that went out into the field. I supervised
15 those installer repair persons that fixed the phones.
16 They were not really associated with the IMC.

17 Q Okay. What is it, turf or area, did you
18 cover?

19 A We covered -- my turf when I had the services
20 technicians was from -- this would be geographic.

21 Q Okay.

22 A Okay. Geographically, roughly 184th Street
23 and Perrine to -- actually, let me think -- roughly
24 maybe 264th Street on occasion; but the technicians
25 worked generally in that area.

1 Q Where did your dispatchers generate from?

2 A From the IMC.

3 Q Which IMC was that?

4 A That was South Dade.

5 Q South Dade. Did you work with any other IMCs
6 in Florida?

7 A No.

8 Q Did you hold any other positions relative to
9 residential and small business repair other than this
10 outside service technician position?

11 A Yes.

12 Q And can you tell me what those were?

13 A I was a service technician in 1978 to 1986.
14 At 1986, I was promoted to assistant manager into the
15 South Dade IMC.

16 Q First level?

17 A First level, yes. In 1988 is when I assumed the
18 services technician crew outside about which I just spoke.

19 Q Okay. When you were the assistant manager of
20 South Dade in 1986, who was your second level manager
21 above you?

22 A I'm sorry, would you repeat that, please?

23 Q Sure. And any time you need me to repeat or
24 you don't understand the question, please ask for
25 clarification.

1 Okay. You said that in 1986 you were the
2 assistant manager in South Dade and that was a first level
3 position; and who was your supervisor at that time?

4 A In the IMC?

5 Q In the IMC.

6 A That was Larry Rorrer, R-O-R-R-E-R.

7 Q Thank you for spelling it. I appreciate it.

8 A I understand.

9 Q Okay. And when you were in charge of the
10 service technicians in 1988, who was your supervisor at
11 that time?

12 A It was Ron Lubert, L-U-B-E-R-T.

13 Q And would he have been a second level?

14 A Yes.

15 Q And who was the operations manager over Mr.
16 Lubert?

17 A There was a change in operations management
18 somewhere in there. I'm not certain if it was '86, '87
19 -- possibly '87 or '88, so it was either/or Mr. Perera
20 or George Lewis. I don't know the exact date of the
21 change in management.

22 Q Okay. Have you discussed your deposition
23 here today with anyone other than your attorney or the
24 counselor for Southern Bell?

25 A No.

1 Q Okay. Has anyone advised you whether or not
2 you might be disciplined based upon your responses here
3 today?

4 A Yes.

5 Q Have you been given any assurances that you
6 wouldn't be disciplined based on what you tell us?

7 A Yes, I have.

8 Q Okay. Has anyone advised you of possible
9 penalties for perjury if you do not tell the truth here
10 today?

11 A I understand -- I would have to say, no, but --
12 no.

13 Q Okay. Then just briefly, and I'll let your
14 counselor supplement or add whatever he may want to add.

15 Perjury is a criminal statute and applies to
16 formal depositions or depositions taken under oath,
17 which is what you have sworn an oath to today. If
18 individuals are found to have perjured their testimony,
19 they can be liable for up to a five-year jail term
20 and/or up to \$5,000 fine. Okay.

21 Now, what I'd like to start with, I think, is
22 thinking about just your experience in the residential
23 and business repair of just regular telephone service.
24 Okay. And ask you if you have ever heard the terms
25 "backing up the time"?

1 A Yes, I have.

2 Q Okay. And can you explain to me what you
3 have heard about backing up the time?

4 A Backing up the time is a phrase that we use
5 to describe reflecting an accurate completion time --
6 or, rather, an accurate clearing time, service restoral
7 time -- on a trouble, given that the trouble is
8 actually being closed after the time that it was
9 cleared.

10 An example would be a cut cable. If we have
11 a cut cable at the end of the day, we may have one, two
12 or three technicians working on it but no one in the
13 maintenance center covering it, say, at 10:00 or 11:00
14 when they restore the service. We need to reflect the
15 accurate clearing time the next day. That is, a
16 maintenance administrator will close the trouble out
17 reflecting the time that the service was actually
18 restored, which would be the previous evening at 10:00.
19 That would be an example of backing up the time.

20 Q Okay. When you were working as a service
21 technician and supervising service technicians, were
22 you involved then in cable repair?

23 A No.

24 Q Have you heard the terms "backing up the
25 time" in relationship to your particular job in the

1 service technicians area?

2 A No, we didn't discuss that.

3 Q Have you ever heard the terms "backing up the
4 time" in any other context?

5 A No.

6 Q Have you ever been given instructions by a
7 manager to back up the time, the clearing time on a
8 trouble report?

9 A Yes. Yes, I have. We've had occurrences
10 where we've had office failures, where a central office
11 would fail and then the trouble would be restored. And
12 we would have troubles, we would status them to a
13 particular status and then we would assign someone to
14 clear those troubles and close them, the trouble -- or,
15 rather, to status them cleared and then status them
16 closed. And, although I have not -- I was instructed per
17 se, but I would instruct myself if I were in that position
18 to close that time up. And that's been done on OE, what
19 we call OE failures, office failures. So, yes.

20 Q When you were doing this, would it have been
21 your understanding that it was proper or improper to
22 back up those times in a central office failure?

23 A Any time I backed up the time, that would be
24 with the understanding that that was appropriate.

25 Q Okay. Today, with your understanding today,

1 when you backed up the time on a central office failure
2 clearing times, in your opinion today, was it still
3 appropriate?

4 A Let me qualify.

5 Q Certainly.

6 A I don't back times up. In fact, in my
7 position, I never have been involved with the closing,
8 statusing, screening or any of those functions. In my
9 job I have never had maintenance administrators
10 reporting to me nor have I ever supervised maintenance
11 administrators. So I need to make certain that there
12 is an understanding.

13 I did not close a central office failure. I
14 would simply be the courier of information. We have a
15 failure, it was cleared at such-and-such a time, close
16 those troubles out and reflect the time that the
17 failure was restored, which is, you know, whatever.
18 But I personally did not close them out.

19 And in hindsight, those times at which we
20 closed them were, in fact, appropriate, yes.

21 Q You said you were a courier. Who gave you
22 the instruction to pass along?

23 A This would occur on a weekend when I would
24 have the duty. I'm speaking hypothetically.

25 Q Oh, okay.

1 A I did not do this, but that information would
2 come from the party that cleared the trouble. In this
3 case, it would be our switching control center, which
4 is a group that does those types of things. They fix
5 those problems and we would rely on them to give us the
6 information as to when it was cleared.

7 And this is going on my knowledge of it, but
8 I am not a subject matter expert on that. That is my
9 understanding when I would deal with that, like on a
10 weekend, but I'm not a subject matter expert on that.
11 But the clearing time would come from the parties that
12 actually repaired it.

13 Q All right. And who would you pass the
14 instructions along to?

15 A To a maintenance administrator.

16 Q Was there a particular maintenance
17 administrator that you normally worked with, or just
18 whoever happened to answer your call?

19 A No one in particular, no.

20 MR. FINK: Excuse me a second. (Pause)

21 A If I may, let me qualify something.

22 Q (By Ms. Richardson) Certainly.

23 A The situation with the OE failure, that
24 happens and there's no -- it has happened. I can't
25 tell you exactly when, but I've confused my attorney.

1 Q And me.

2 A Over the course of my several years in the
3 maintenance center, this happened. I can't tell you
4 specifically, but we have situations where it has
5 happened. And I have taken my clearing time from the
6 SCC, given that to an MA and instructed her to close
7 that out at the appropriate clearing time; but I can't
8 tell you specifically when that was.

9 Q Okay.

10 A And I apologize for that.

11 Q That's okay. The clearing time that you were
12 given, would it be before the actual time when the
13 report was closed, real time? Can I give you an
14 example to clarify my question?

15 A Please.

16 Q For instance, these failures were reported to
17 you as having actually cleared at 4:00 p.m. You were
18 instructed at 6:00 p.m. to clear all of these central
19 office failures to a 4:00 p.m. clearing time.

20 A Uh-huh.

21 Q You then pass that instruction on to an MA
22 who began to process the clearing times on the trouble
23 reports in the computer at 6:30 p.m. Real time is
24 6:30. She is loading what, 4:00 p.m.?

25 A If that's when that trouble was cleared and

1 was stored, that is the time that would be reflected as
2 a restoral time, yes.

3 Q Okay. Now, in my hypothetical, have I given
4 an example of what you consider a backing-up-the-time
5 situation?

6 A Yes, that is backing up the time.

7 Q Okay. Have you ever received instructions to
8 back up a clearing time -- no, wait, I'm going to have to
9 start over and make a predicate for this.

10 Are you aware of -- new question: Are you
11 aware of the requirement that the Company clear
12 out-of-service reports within 24 hours at least 95% of
13 the time?

14 A Yes.

15 Q How long have you been aware of that
16 requirement?

17 A 1986, I would say.

18 Q All right. And how did you became aware of
19 that requirement?

20 A When I was promoted, I was promoted into the
21 maintenance center and that was one of the measured
22 indices that we had.

23 Q Was it part of your responsibility in '86 to
24 track those indices, to keep track of them?

25 A No tracking, no, that was done by our staff

1 people.

2 Q Was it part of your responsibility to be
3 aware of whether or not the Company was meeting those
4 indices?

5 A No.

6 Q Okay. Have you ever been given instructions
7 to back up clearing times in order to meet that out-of-
8 service-over-24-hour requirement?

9 A No.

10 Q Do you know of anyone who has ever given
11 instructions to back up clearing times to meet the out-
12 of-the-service-over-24-hour requirement?

13 A No, I don't.

14 Q When you said that these reports would be
15 stasured, what do you mean by "stasured"?

16 A What reports are these?

17 Q Well, I believe you mentioned this in
18 reference to the central office reports would be stasured
19 and then they would given a definite clearing time and a
20 close time and the MA would do those procedures?

21 A The application of a clearing time is a status.

22 Q Okay. Are you familiar with statusing a
23 report out-of-service?

24 A No, I don't do that. That, again, is not
25 something that I get involved with in my line of business.

1 Q Okay. When you were working as an ST and
2 managing service technicians, did you ever have
3 occasion to determine -- make a decision, whether or
4 not a trouble report that you were working on was
5 actually out-of-service?

6 A No, we didn't make that -- that wasn't our
7 determination at the time.

8 Q Okay. When reports came to you dispatched
9 out to your group, was the statusing or the decision of
10 out-of-service or not out-of-service already made at
11 that time?

12 A Yes, I believe so.

13 Q All right. Did you work with the CAT
14 terminal?

15 A No. When I was out there, those weren't
16 present.

17 Q All right. When you were working as an ST,
18 how did you clear and close a report?

19 A When I was working as an ST?

20 Q Or you were supervising. That whole period
21 from '78 to '88.

22 A It was the same. I believe it was the same.
23 I don't think we had CATs when I was supervising. They
24 would call the maintenance administrator and say, "Hi,
25 this is," you know, "177," or whatever. And then they

1 would give them the codes that were appropriate, and
2 they would close out the trouble and take the
3 information for the next job.

4 Q Okay. And the codes that were appropriate,
5 are you talking about disposition and cause codes?

6 A Correct.

7 Q And just generally, what's a disposition code?

8 A A disposition code is a code that will tell
9 us in the system -- defines to the system what the
10 problem was.

11 Q All right. And what's a cause code?

12 A Cause code is the same type of thing, it's a
13 code that has an alpha counterpart that describes what
14 the problem was or what the cause of the trouble was.

15 Q Okay. And when you were talking to the
16 maintenance administrator and looking at your trouble
17 report, were you able to tell whether or not that
18 report had been statused out-of-service or not?

19 A I really don't know. The term "out-of-service"
20 may or may not have been used in that context.

21 You're talking about when I was a supervisor?
22 I was not aware of whether it was or wasn't. It really
23 didn't matter to us. We treated every trouble as a
24 trouble and as an important item to clear. The
25 technicians may or may not have been told it was

1 out-of-service. I don't know.

2 Q Okay. Were the technicians made aware of the
3 24-hour clock on any of the troubles that they worked on?

4 A I don't know.

5 Q Were the technicians made aware of the
6 Company's requirement that they clear reports within --
7 out-of-service reports within 24 hours, that that was
8 an objective?

9 A I don't know. We didn't discuss it with -- I
10 did not discuss it with my technicians. It really was not
11 an issue. You worked on one at a time as fast as you
12 could and try to restore the service as best you could.
13 (Pause)

14 Q Okay. Let me move on to disposition and
15 cause codes for a minute.

16 Are there certain dispositions and cause
17 codes that might exempt an out-of-service report from
18 being counted against the Company in that index?

19 A Yes, there are.

20 Q I don't need the numbers unless that's how
21 you remember them, but just sort of generally what kind
22 of dispositions and causes would do that?

23 A Things that would exclude it. I believe,
24 lightning may exclude; customer, willful damage by the
25 customer, I believe, will exclude it; and none others come

1 to mind. Oh, acts of God, I think, like a hurricane, I
2 believe.

3 Q Yeah. I guess you would know about that one.

4 A Yeah.

5 Q Were you ever given instructions to use the
6 exempt -- these particular types of exemptible or
7 excludable disposition and cause codes to close out
8 out-of-service reports to keep them from going over 24
9 hours or counting against the index -- let me rephrase
10 that altogether.

11 Were you ever given instructions to use these
12 excludable disposition and cause codes to assist the
13 Company in meeting the out-of-service-24-hour
14 requirement?

15 MR. FINK: You mean, in a situation where it
16 wouldn't be appropriate?

17 MS. RICHARDSON: Yes.

18 A No. But that would be -- have I ever
19 received -- no. And if I may expand on that, I didn't
20 close troubles out. So I would have to say, no, I
21 received no instructions to pass along to do that.
22 Perhaps that might help you a little more.

23 Q (By Ms. Richardson) All right. That's good.
24 Now, you told me that the STs would report to the MAs
25 the disposition and the cause codes.

1 A Correct.

2 Q All right. Were the STs ever told to use
3 certain disposition and cause codes that you were aware
4 of were exempt codes?

5 A Not with the intent to exclude the trouble
6 from being stroked as an out-of-service or anything
7 like that, no.

8 Q Was there ever an emphasis on using those
9 exempt codes?

10 A No. Exempt codes are to be used only when
11 they apply. The decision to use a disposition or a
12 cause code falls solely on the technician. It's not
13 anyone's responsibility but the technician to use the
14 appropriate codes. But if that code applies, for
15 example, if the customer did in fact tear his wiring up
16 in a fit of rage or clumsiness, then that does indeed
17 apply and he needs to -- he or she would need to do
18 that when it's appropriate. (Pause)

19 Q Mr. Faller, I'm going to introduce a document
20 to you, we're not going to make it an exhibit, but I'm
21 going to give you an opportunity to read it and let
22 your attorney read it and review it before we go on any
23 further. Okay. But I do want to introduce the
24 document to the record.

25 A Sure.

1 Q All right. This is Southern Bell's response
2 to Citizen's Third Set of Interrogatories. And
3 interrogatories are written questions; and the Company
4 gives us written responses dated June 6, 1991, and
5 there are two different ones.

6 There is a No. 3 and a No. 10.

7
8
9 No. 3, we asked Southern Bell to identify
10 employees who may have knowledge about recording
11 out-of-service reports as affecting-service on repair
12 service forms, reports or records.

13 And No. 10, we asked the Company to identify
14 employees who have knowledge about repair service forms,
15 reports or records that are fraudulently or knowing false
16 in any respect.

17

18

19

20 MR. ANTHONY:

21

22

23 Q (By Ms. Richardson)

24 Okay? Now, the reason it's
25 coming folded like this is that Southern Bell has a

1 request in the Commission for confidentiality on the
2 documents. So the part that's folded that you don't
3 see is considered confidential, and I can't disclose it
4 to you. Okay.

5 And I'll let Southern Bell speak for any
6 further confidentiality that Mr. Anthony feels like
7 needs to occur.

8 A Sure.

9 Q Okay. We were talking a little earlier about
10 not statusing out-of-service. Can you tell me what you
11 know about not statusing reports as out-of-service?

12 MR. FINK: Hold on, hold on. Can you read
13 the question back?

14 (Last question read back by the reporter.)

15 MR. FINK: I have a little problem with the
16 question, which is, that probably anybody who has any
17 glancing familiarity with this, like somebody like
18 myself, could probably expound for two or three hours
19 on that subject. So could you make the question a
20 little bit more specific?

21 I mean, are you asking him for possibilities?
22 Are you asking him, you know, how it might be done, how
23 it might not be done? You know, I could think of a lot
24 of them.

25 MS. RICHARDSON: Okay.

1 Q (By Ms. Richardson) I'm going to
2 mispronounce it. Faller?

3 A Faller.

4 Q Faller, I'm sorry. Mr. Faller, what
5 information do you have about not statusing
6 out-of-service reports as out-of-service when they
7 should have been statused as out-of-service?

8 MR. FINK: Again, I assume what you're asking
9 him is what information he has about that having been
10 done?

11 MS. RICHARDSON: Yes.

12 MR. FINK: Okay. Go ahead.

13 A I am not involved with and my job
14 responsibility has not included statusing troubles
15 out-of-service or not out-of-service. It's just not
16 something that my job entails. I don't have any
17 knowledge of that being done, of out-of-service status
18 being placed to a benefit or withheld to a benefit.

19 Q (By Ms. Richardson) Okay.

20

21

22 A I have asked that.

23 MR. FINK: I'm going to object to that. It's
24 cause for speculation.

25 MS. RICHARDSON: Okay. Are you directing him

1 not to answer the question or just placing an objection
2 on the record?

3 MR. FINK: That's a good question.

4 A Could you repeat the question, perhaps I can
5 answer it simply?

6 MR. FINK: No, I'm not going to direct him
7 not to answer. Go ahead, if she wants you to speculate as
8 to why Southern Bell put your name down on a piece of
9 paper.

10 Q (By Ms. Richardson) Essentially, why? Do
11 you have any idea?

12 A I can't speculate, I don't know.

13 Q Okay. As to your name appearing under someone
14 who may have responsive information about alleged
15 instructions to status out-of-services improperly, can you
16 tell me why your name would appear there?

17 A No, I cannot.

18 Q As to the interrogatory where your name
19 appears as being someone who has or may have responsive
20 information about improper exclusion of trouble
21 reports, can you give me any information about the
22 improper exclusion of trouble reports?

23 MR. FINK: I have the same problem with that
24 as I had with your first question. I assume what
25 you're asking him is whether he has any knowledge of --

1 MS. RICHARDSON: Improper exclusion of
2 trouble reports.

3 MR. FINK: Any knowledge of trouble reports
4 being excluded by people in the Company improperly. Is
5 that what you're asking him?

6 A Any exclusions that I've been aware of were
7 valid exclusions. Now, there may have been mistakes.
8 That's not to say people didn't make a mistake and
9 exclude something improperly, but there are rules and
10 we have a practice on how to exclude. And it should be
11 done by that, but that's not to say a mistake won't be
12 made by, you know, a maintenance administrator.

13 But as far as the context of why I'm called
14 here today regarding that issue, no, I don't know.

15 Q Okay. Is it possible for a service
16 technician to direct an MA to exclude a report?

17 A No. Well, I retract that. Sure, it is possible
18 for a services technician to instruct, if you will, a
19 maintenance administrator to exclude a trouble. But a
20 service technician has no authority to exclude a trouble
21 under any circumstances that I'm aware of in my limited
22 knowledge in those things, having been out of touch with
23 that arena. But a maintenance administrator cannot --
24 should not, I should say -- exclude a trouble that does
25 not fit the rigid criterion that we have for exclusions.

1 That's not to say the tech won't say, "Exclude this
2 report," but that's out of line. That's not proper.

3 Q Do you have any knowledge of that occurring
4 ever?

5 A No, I don't. I don't know that -- of any
6 occurrences where that's even been attempted.

7 Q Okay. Do you know if a customer is due a
8 rebate if their out-of-service report is not cleared
9 within 24 hours?

10 A I understand that the customer is rebated for
11 a 24-hour period of time if their service is out of
12 service and it is not restored within 24 hours.

13 Q And how long have you had this knowledge?

14 A 1986, thereabouts.

15 Q Okay. Do you know of any customer who has
16 been denied a rebate because of falsification of a
17 customer record?

18 A I do not know of any customers.

19 Q Okay. Do you know of any employee who's
20 falsification -- no, I can't say it that way.

21 Do you know of any employees who has
22 falsified a customer record?

23 A Intentionally?

24 Q Yes.

25 A No.

1 Q Okay. Have you ever instructed an employee
2 to give false information -- have you ever instructed
3 service technicians to give false information to a
4 maintenance administrator on a report?

5 A No. Now, I may have given a wrong code,
6 perhaps.

7 Q You're talking about a mistake?

8 A A mistake. But not intentionally, no.

9 Q Okay. So if it was a discretion about using
10 a lightening code as opposed a moisture code and it
11 turned out later it was really moisture, that's what
12 you're talking about?

13 A Yes.

14 Q Have you heard the terms "building the base,"
15 the out-of-service base?

16 A Yes, I have.

17 Q In what context have you heard those terms used?

18 A I've heard it as an outcropping of this
19 entire, if you will, investigation.

20 Q Okay. Do you know of anyone who has
21 improperly coded or stated reports in order to build
22 the base?

23 A No.

24 Q Do you know what a test-OK report is?

25 A Yes.

1 Q And generally what is a test-OK report?

2 A A test-OK report, as I understand it, is a
3 report that had trouble on it, either when it was
4 received or screened, but was later subsequently either
5 tested prior to dispatch and at that time tested okay.
6 And once it tested okay and the fault that created it,
7 the report was gone, we would contact the customer and
8 say, "The trouble seems to have been cleared. Do you
9 want us to dispatch?" And they say "yes," or "no." If
10 they say no, then we will close the trouble out. And
11 it applies to troubles that are not dispatched.

12 Q Okay. Are there certain conditions under
13 which a test-OK would be stasured as out-of-service on
14 closeout?

15 MR. FINK: I'm not clear, since he's a
16 witness and I represent him, as to what standing I have in
17 terms of the types of objections I'm allowed to make. But
18 what I would like the record to reflect is that I think
19 there probably should be a predicate laid for whether he
20 has knowledge of these areas, whether he's an expert in
21 the areas, or whether he would simply be expounding on
22 information he's received just sort of by working in the
23 Company for the length of time that he has.

24 So, you know, you may get an answer that may
25 be part guessing and part, you know, information --

1 based on the way that you asked it.

2 A I would like to predicate that because that
3 came into my mind as well.

4 Again, I have to emphasize, as a special
5 services dispatch administration center, I don't deal
6 with that environment. We don't do any screening. We
7 don't do any of those things of which you're speaking.

8 I do know, as my attorney has pointed out, a
9 broad general overview. Having been in the center, you
10 have to learn something. So, I'm really not a subject
11 matter expert, and I would say that that's may be
12 possible. But that's speculation, and I don't like to
13 do that.

14 Q (By Ms. Richardson) Okay. Mr. Faller, I'm
15 going to show you another document, we're not going to
16 make it an exhibit, but I'm going to show it to you and
17 ask just one or two questions about it. This document
18 was filed in the consolidated rate case and
19 investigation dockets by Southern Bell on April 1st.
20 And it is titled, "Southern Bell Telephone and
21 Telegraph Company's Response to Preliminary Order No.
22 PSC-93-0263-PCO-TL entered on February 19th, 1993."

23 A Okay.

24 Q I have on this document 650 names listed, and I
25 believe your name -- there is a "John E. Faller" on Line

1 159. I'd like you to identify, if that's you, and then
2 there will be time -- we'll go off the record, there will
3 be time for you and your attorney both to review the
4 document and then I will continue to ask you questions.

5 A Okay. Sounds good.

6 Q Okay. So let me show you 159 is where you are,
7 and then you can look at the rest of the document with me.

8 A Okay.

9 Q Okay. And then those numbers correspond to
10 numbers that Southern Bell has listed beginning on this
11 page.

12 (Discussion of the record.)

13 Q (By Ms. Richardson) Okay. All right. I'd
14 like to ask you about No. 17 on that list. And it says,
15 "Intimidation, pressure."

16 MR. FINK: By the way, we ought to state for the
17 record, you know, in terms of this -- this is referring to
18 statements given to the Company, Southern Bell, to show
19 for the record that we haven't seen the statement, it
20 hasn't been released to us. Anyway, go ahead.

21 MR. ANTHONY: Why don't we let the record
22 further reflect that it says -- and I'm paraphrasing
23 because I don't have the docket in front of me -- that
24 the subject may have come up in the course of a
25 statement, but that the individual giving the statement

1 may or may not have had any knowledge about that
2 particular subject, merely that the subject was
3 discussed during the course of the interview.

4 MR. FINK: I'm sorry, go ahead.

5 Q (By Ms. Richardson) That's fine. Let's start
6 of with do you recall making a statement to the Company?

7 A About intimidation?

8 Q Yes.

9 A The only statement that I can imagine making
10 about intimidation --

11 MR. ANTHONY: Wait a second. I'm going to --
12 to the extent that you're asking the witness to
13 describe what kind of statement he gave to the Company in
14 the context within the purview of the privileged
15 investigation, I'm going to instruct Mr. Faller not to
16 answer that question based on attorney-client privilege.

17 MR. FINK: Let me talk to him.

18 (Discussion off the record.)

19 MR. FINK: For the record, I've spoke to Mr.
20 Faller about the assertion of the privilege by Mr. Anthony
21 of Southern Bell, and I will state for the record that at
22 this time he's going to honor the privilege that's been
23 asserted by Southern Bell a*nd not answer the question.

24 Q (By Ms. Richardson) Okay. Let me narrow it
25 down very specifically, just a yes or no. Did you make

1 a statement to a Company investigator or attorney?

2 A I'm afraid I can't answer yes or no. The
3 answer is I don't remember.

4 Q Okay.

5 MR. FINK: Wait, wait, hold it. The answer
6 is simply whether -- I mean the question is simply
7 whether you have, I suppose, ever given any statement
8 to any of those people? I don't think it -- it's not
9 surely tied to the intimidation issue, it's just in
10 general.

11 A Yes, I made a statement. I don't recall
12 whether or not I made a statement --

13 MR. ANTHONY: Just answer the question, okay.
14 You can answer that one.

15 Q (By Ms. Richardson) Okay. Do you remember when
16 the statement was made?

17 A Specifically? No.

18 Q Okay. Do you have a year?

19 A I think it was last year before the
20 hurricane.

21 Q Okay. And one final question on that. Who
22 was present in the room when you gave this statement?

23 A I was speaking with Hampton Booker and the
24 Company attorney. I'm sure that information is
25 available, but I don't have it. I don't remember his

1 name.

2 Q And there was no one else in the room but you
3 three?

4 A As I recall, yes, just the three of us.

5 Q Okay. Have you ever felt any intimidation or
6 pressure to handle a customer trouble in a manner that
7 you felt was inappropriate?

8 A No.

9 Q Have you ever felt any intimidation or
10 pressure to meet the out-of-service-over-24 index?

11 A No.

12 Q Are you familiar with auto-screener rules?

13 A I have heard of them, but I am not familiar
14 with them.

15 MR. FINK: What was the word again?

16 MS. RICHARDSON: Auto, hyphen, screener.

17 S-C-R-E-E-N-E-R.

18 MR. FINK: Thank you.

19 Q (By Ms. Richardson) Okay. Have you heard of
20 "wet rules" and "dry rules"?

21 A Yes, I have.

22 Q What have you heard about them?

23 A I've heard that there were two sets of rules.
24 The wet rules, the way it was explained to me, was that
25 in periods of heavy duress, such as our wettest months,

1 when the system is being stressed by testing and those
2 types of things I'm not familiar with that, that we
3 would employ a less stringent testing parameters on
4 troubles that were testing okay, to wit: a
5 trouble that would have 15 volts of battery would be
6 dispatchable in a normal workaday environment.

7 When the trouble load is really slow, as a
8 result of inclement weather, storms or whatever, the
9 wet rules would address the 15 volts of battery as
10 tolerable until the crisis passed. And then the
11 threshold would be lifted from 15 as being a dispatch --
12 what would normally be say, 3 volts, would be okay. You
13 would raise that to whatever level. I really am not
14 familiar with the level, but we would increase that so
15 that the trouble would test-OK and not require a dispatch.

16 That's my understanding of the wet rules.
17 The dry rules are the normal everyday rules, whatever
18 they are.

19 Q Okay. In your experience, would a 15 volt be
20 an out-of-service condition?

21 MR. FINK: Hold it, hold it. Do you have
22 experience in that area?

23 WITNESS FALLER: No.

24 A No, I don't do screening, so I can't really
25 address that.

1 Q Okay. Well, let me ask you a different way.
2 You've done service tech, which means you go out to the
3 house and you repair the phone?

4 A Uh-huh.

5 Q If you have a 15 volt, it's testing 15 volt
6 and you go out to the house, would you expect to find a
7 dial tone?

8 A I would expect to find a dial tone, but there
9 are occasions where you may not. For example, you can
10 have 15 volts of testing, that 15 volts may just be one
11 of multiple troubles on a line. You can have a station
12 out there, but CPE, et cetera, and not see the station
13 and have 15 volts in my environment when I was doing
14 it, whether their test equipment could mask it or
15 something like that, and it's very possible that the
16 customer would be out of service. You really don't
17 know until you're there.

18 Q Okay. And you said it might be possible for
19 the customer to be out of service. Then what is your
20 understanding of when they would be out of service,
21 just generally?

22 A When they have no dial tone, they can't place
23 a call and obviously they cannot be called. Those
24 constitutes the out-of-service conditions.

25 Q Okay. Do you know for a fact that under those

1 conditions a trouble report is to be statused
2 out-of-service? Is that the Company practice, do you
3 know?

4 A I am not familiar with all of the variables. I
5 understand the Decision III to be complex. I would not
6 venture a guess to that; not having had any training in
7 this screening arena, I would be afraid of misleading you,
8 so I would have to say I really don't know.

9 Q Okay. And when using wet rules in the test-OK,
10 going back to that, do you know if switching to the wet
11 rules had any impact on the Company's meeting the
12 out-of-service-over-24-hour index?

13 MR. ANTHONY: I'm going to object to your
14 question. There's no predicate in the record that the
15 Company has ever used the wet rule.

16 A I was going to mention that. I don't know
17 that they were ever used.

18 Q (By Ms. Richardson) When you heard the
19 differences between wet rules and dry rules and you
20 heard that wet rules were used on stress days --

21 MR. ANTHONY: I'm going to object. That's
22 not his testimony.

23 A If I may?

24 MR. ANTHONY: There's not a question pending.

25 A Okay. Next question.

1 Q (By Ms. Richardson) What's a stress day?
2 What constitutes a stress day?

3 A I don't know.

4 MR. ANTHONY: He didn't use that term, I
5 don't believe.

6 A I don't know, never having been in that.
7 Again, the way that they were proposed or introduced to
8 me, it was simply a feature that the software developer
9 had built in. Whether or not we used that application,
10 I don't know. The criterion surrounding that
11 application and its use, I don't know.

12 I was simply told -- and it was rather
13 offhand, you know, "what is this? "This is what it
14 does." And that was the explanation that was given to
15 me many years ago. But there was no discussion of it
16 being used, nor did I ever have any knowledge that it
17 was ever being used. So I really know of it but that's
18 it. I know of its existence but not of its application
19 or workings.

20 Q Okay. Who explained it to you?

21 A I heard about it -- oh, gosh, that's a really
22 good question. It would be, I believe, it was Ralph
23 Mancusi, one of my coworkers in the maintenance center
24 at the time. It was one of my coworkers. When I first
25 came into the maintenance center, I worked with Ralph

1 Mancusi. It probably was him.

2 Q And was that as an assistant manager in South
3 Dade in 1986?

4 A Yes.

5 Q And as an assistant manager in South Dade,
6 were you inside the maintenance center at that point?

7 A Yes, I was.

8 Q And working inside the maintenance center,
9 did your responsibilities include supervising MAs?

10 A No.

11 Q What were your responsibilities?

12 A My responsibilities when I went in there was
13 a position wherein I would -- I supervised what are
14 called administrative report clerks. And my job was to
15 make sure that the daily reports and things like that
16 were produced and distributed, and that was basically
17 it -- and repeat investigations and higher management
18 complaints and Public Service Commission cases. Those
19 types of thing.

20 Q Okay. And would the ARC bring you the
21 reports that she pulled off the printer?

22 A That's correct.

23 Q Was it part of your job to analyze those
24 reports?

25 A That's correct.

1 Q And did those reports include information on
2 out-of-service reports, the number of out-of-service
3 reports?

4 A No, just the individual reports that were
5 out-of-service over 24 hours.

6 Q So you tracked how many
7 out-of-service-over-24-hour reports were happening in the
8 IMC on a daily basis?

9 A I didn't really track of them per se. My
10 clerks pulled those reports and distributed the
11 information. My function was to analyze the reports
12 and find out if there was an error on the part of the
13 Company, either an employee or plant, that led to the
14 service outages over 24 hours, or if it was a simple
15 load condition. That was the analysis that I did.

16 In terms of tracking the numbers every day, I
17 didn't really track them. That printed automatically
18 or one of my clerks requested it, one of the two. And
19 that information was compiled and distributed to
20 management.

21 Q Were there occasions when the maintenance
22 center -- and I'm still speaking of when you were the
23 assistant manager in the South Dade maintenance center,
24 working with these reports, okay? I want to get it in
25 that context. Were there occasions when the

1 maintenance center was in jeopardy of missing that 95%
2 out-of-service-over-24-hour index?

3 A There may have been.

4 Q Okay. Were there times when they actually
5 did miss the index, they didn't make the 95%?

6 A I would imagine.

7 MR. FINK: Wait a minute.

8 A I don't remember. I don't remember.

9 MR. FINK: She's asking for your knowledge,
10 not for a guess.

11 MS. RICHARDSON: Okay. I'm going to come
12 back to that in a minute. I want to show you some
13 other things at this point I think.

14 MS. RICHARDSON: All right. This one will be
15 an exhibit. This will be Exhibit 1. It is an April
16 3rd, 1991 memorandum to John Long, John E. Faller and
17 Maria Smoak from Cherie.

18 (Deposition Exhibit No. 1 marked for
19 identification.)

20 Q (By Ms. Richardson) Have you seen this
21 memorandum before?

22 A Yes, I have.

23 Q Are you the John E. Faller that is mentioned?

24 A Uh-huh, that's correct.

25 Q All right. And there's a handwritten note at

1 the top. "Cherie, John E. Faller wrote response back
2 4-4-91." Is that you?

3 A Correct. That's me.

4 Q And who is the "Thanks, John"?

5 A That's John Long. He was the associate manager,
6 systems administrator in the maintenance center.

7 Q Okay. And what is this memorandum referring to?

8 A This is referring to -- as I recall, I have
9 the weekend duty in the last weekend -- I think it was
10 like the last weekend of the month. Clearly, the end
11 of the month was coming up, the load was very heavy.

12 These reports, seven additional reports, this
13 is out-of-service-over-24, seven reports went over 24
14 hours. And the assumption on Ms. Calvert's part was
15 that I didn't get them dispatched in time to resolve
16 the trouble and to give the customer service within 24
17 hours. In reality, what had happened is those troubles
18 were missed on Thursday or Friday, before I had the
19 weekend duty.

20 At this time, I was a system tech supervisor;
21 but still, in the maintenance center, you work on
22 weekends on occasion. And I wrote the response back;
23 although the misses occurred Thursday or Friday before
24 I assumed the position of control for the weekend, I
25 nonetheless answered the letter. But I was not in any

1 way involved outside of answering the letter.

2 Q Okay. Do you remember why those seven were
3 missed?

4 A I have no idea.

5 Q Do you know if missing those seven reports
6 caused West Dade Silver Oaks to miss their
7 out-of-service-over-24-hour index?

8 MR. FINK: You mean other than what it says in
9 the memo?

10 A No, only from what this says. Again, let me
11 confirm what the letter says.

12 Q (By Ms. Richardson) Okay. The letter
13 indicates that on the 28th they reflected 96.3%. The
14 28th is not the end of the month, and then there were
15 seven additional reports. Do you recall whether or not
16 on March 31st they had actually met the
17 out-of-service-over-24 index or not?

18 A No, I don't know. And as I recall, the seven
19 additional reports occurred on Friday, Thursday or
20 Friday, not over the weekend as this letter states.

21 Q Okay. On Page 2, is this the kind of report
22 that you worked with when you were an assistant manager
23 in the IMC in 1986?

24 A Yes, it is.

25 Q Is this a standard report?

1 A Standard?

2 Q Is this the one that you used daily or weekly
3 or monthly to track out-of-services?

4 A We track it daily.

5 Q Okay. And is this a standard daily report?

6 A It is one of the reports that we see in the
7 center, yes.

8 Q Okay. And reading across the top, are these
9 different wire centers for South Dade?

10 A Yes, they are.

11 Q All right. And then reading down the side,
12 this report was produced on what, March 28th, '91?

13 A I can't really see the month.

14 Q I see an 03-28-91, is that --

15 A That appears to be it, yes.

16 Q Okay. Would that be the report date?

17 A I would -- I don't know. I would imagine so.

18 Q Okay. When you handled these reports, is
19 that normally the date of the report that would appear
20 right there?

21 A I wasn't handling this report, I didn't
22 create this report or I didn't -- this is -- I was not
23 in analysis at the time of this report. Let me
24 rephrase: This particular report, I was in the SSDAC
25 at this time.

1 Q Okay.

2 MR. FINK: The question before when she said,
3 "Was this the type of report that you worked with?"

4 A When in 1988, this is the type of report I
5 worked with.

6 Q (By Ms. Richardson) Okay. So you're
7 familiar with this --

8 A Yes.

9 Q -- this report but not this specific report?

10 A Not this particular one in our hands.

11 Q Not the one in our hands.

12 A This version.

13 Q Okay. Does this report relate to the cover memo
14 for the misses and the seven misses in Silver Oaks?

15 MR. FINK: You're asking him whether he
16 recalls whether it relates, or are you asking him
17 whether it appears that it relates?

18 Q (By Ms. Richardson) When you dealt with this
19 the memo, because you said you were copied on the memo,
20 Do you remember seeing these reports?

21 A No, I did not look at this report. I got the
22 -- when I answered the letter, I gleaned my information
23 from a report on troubles that were carried over
24 out-of-service-over-24, not from this. I went by the
25 actual telephone numbers of the reports in the final days

1 of the month that were carried out-of-service-over-24.
2 This report, I did not reference this report.

3 Q Okay. Then let's go back to your using this
4 type of report and just deal with it generically.

5 A Well, again, we didn't use it. This is an
6 information-type of report -- a performance report, how
7 you're doing. That's all this is. It's not a tool to
8 be used, it's an informational report is what it is.

9 Q Okay. What is that bottom line of information
10 telling you?

11 A Which bottom line is that? The very, very --

12 Q The very last line, yes, that's across the
13 bottom.

14 A "Out-of-service required," it appears to be.

15 Q To do what, required to do what?

16 MR. FINK: I think she means these three
17 lines and this line across here. Other than guessing, do
18 you know?

19 A This is objective met or not met.

20 Q Okay. And what does it mean when "Objective
21 met or additional number of out-of-service required"?
22 How do you understand that to mean?

23 A I'm not really certain.

24 Q Okay. Let's look on the second report that's
25 attached.

1 On the line that says, "Out-of-services-over-
2 24," do you know what that column indicates?

3 A The number of out-of-services that are over
4 24 in that particular center.

5 Q All right. And then right beneath that it
6 says "OOS" and with a second series of numbers. Do you
7 know what that column indicates?

8 MR. ANTHONY: Just for the record, you're
9 referring to the rows and not the columns?

10 MS. RICHARDSON: I'm sorry, the rows. Thank
11 you. That's fine, the rows.

12 A The number of out-of-service.

13 Q (By Ms. Richardson) The total number of
14 out-of-services for those each individual wire centers.
15 Okay.

16 And then where it says "Percent missed." Do
17 you know what that row stands for?

18 A That row would apply to the percentage of
19 total out-of-services that were missed.

20 Q All right. And then "Percent made?"

21 A Would be the inverse of that or -- yes, the
22 percent made would be the ones not missed.

23 Q Okay. And does the percent made have
24 anything to do with 95% index requirement?

25 MR. FINK: Wait, I don't understand the

1 question. I assume what you're asking is whether the
2 person who created this document or, you know, and
3 created these categories intended that the percent made
4 would be keyed to the PSC requirement.

5 MS. RICHARDSON: He's indicate that it's a
6 standard document and that he has worked with this in
7 the past, I believe he said 1988 -- not this document
8 page but this standard type document -- and he had done
9 analysis on these standard type of reports, so I'm
10 asking if he knows.

11 MR. FINK: Well, but the percent made,
12 obviously, means the percent made. When you ask
13 whether the percent made has any relevance to the PSC
14 requirement, I don't know what you're asking. Are you
15 asking whether he personally correlated those two
16 things? Whether the person who created the document --

17 MS. RICHARDSON: I'm asking whether he,
18 personally, when he looks at this standard type report,
19 correlates percent made with the 95% index requirement?

20 MR. FINK: Go ahead and answer the question,
21 but I don't understand that. And I'm supposed to be a
22 lawyer who understands these things, so go ahead.

23 WITNESS FALLER: Well, if you don't
24 understand it, I have reservations.

25 MR. ANTHONY: I'm just going to ask a

1 question, too, because I'm a little confused now. Are
2 you asking, rather, that -- in the percent made it just
3 a mathematical computation, if I understand it
4 correctly. So if you're asking whether he correlates
5 to anything, it's either above 95% or it isn't. And
6 it's either above 95% or below 95% of what the
7 Commission looks at or it's not what the Commission
8 looks at. Is that what your question is?

9 MS. RICHARDSON: I give up on that.

10 Q (By Ms. Richardson) Let's move down to the
11 next row where it says "Objective met." Does that
12 correspond to whether or not the Company met the 95%
13 index?

14 MR. FINK: Maybe we can establish a
15 predicate? This form -- not the numbers on this form
16 but this form itself, when you were in the IMC, did you
17 ever work with these forms?

18 WITNESS FALLER: Yes.

19 MR. FINK: Okay. And when you got these
20 forms and you reviewed them, did you review them for a
21 purpose?

22 WITNESS FALLER: It was an at-a-glance
23 performance measure is all.

24 MR. FINK: And why did you get these forms?
25 I mean you, personally. Why did they send you these

1 forms? Did you have some function that you needed to
2 know this information?

3 WITNESS FALLER: These go to the maintenance
4 center management as a quick at-a-glance where we stand
5 on our indices. The 95% is an indices of ours. And
6 there's an old adage in management: if you can't
7 measure it, you can't control it.

8 This is a vehicle -- is an attempt to measure
9 that at a glance for the management of the IMC, so that
10 we know how well we're doing in providing our customers
11 with service on out-of-service within 24 hours. That
12 is the sole purpose of it, to look at a glance and
13 recognized how we're doing on that particular PSC
14 requirement. And that's really the purpose, as I
15 understand it, of this document. That's what it's
16 intended to do.

17 Q (By Ms. Richardson) Okay. And then I'd like
18 you to look on West Dade Oaks, specifically down that
19 column and then that bottom row, "Objective met or
20 additional number of OOS required." And it says "21."
21 What's your understanding of the 21?

22 A My understanding of the 21 is that the total
23 number of out-of-services, the objective is met by a
24 percentage equivalent to 21 out-of-service troubles.

25 Q Okay. So if we had 20 more out-of-services

1 then they would be at 95%, is that what you're saying?

2 A That is my understanding, yes.

3 MR. FINK: Read the question and answer back,
4 please.

5 (Last question and answer were read back.)

6 MR. FINK: Go ahead.

7 MS. RICHARDSON: We're back on the -- make
8 sure we're all at the same point here.

9 Q Do you know if the standard type forms and
10 this information on that bottom line, "objective met
11 additional number of out-of-service required," were
12 used by anyone in the maintenance center to create
13 out-of-service reports to meet the 95% index?

14 A No.

15 Q Okay. Have you ever heard of that being
16 done?

17 A No.

18 Q Okay. I'd like to give you --

19 MR. FINK: Do you want this back?

20 MS. RICHARDSON: Yes, this is an exhibit. So
21 if you like, you can have two copies, if you would
22 like. We seem to have enough. We've got Exhibit 2
23 coming. I'll ask you to pass one to Mr. Anthony.
24 Exhibit 2 is a January 16, 1992 memo from a John Faller
25 to a Ms. April Ivy.

1 (Deposition Exhibit No. 2 marked for
2 identification) (Pause)

3 MR. FINK: Go ahead.

4 Q (By Ms. Richardson) All right. I'd like to
5 really address my questions to Page 2. And beginning
6 with that first paragraph, you state, "I served as a
7 backup for my co-workers throughout 1991, including
8 backup systems administrator for Mr. Long and
9 Ms. Smoak."

10 A Uh-huh.

11 Q What is a systems administrator?

12 A The systems administrator in the IMC is
13 responsible for keeping all of the CPUs, computers,
14 mini computers and terminals in functional operation,
15 as well as keeping the links upon which we depend to
16 communicate to other data bases up and in functioning
17 order, or at least to report them should they fail.

18 Q Okay. Is there any analysis involved of the
19 trouble reporting process in the systems administrator
20 function?

21 A No.

22 Q All right. When you say you processed over
23 30 PSCs, what do you mean?

24 A That means received them from our customer
25 appeals center, as it may or may not still be called,

1 and follow up, contact the customer and, basically,
2 follow the trouble through to its resolution and to
3 customer satisfaction. And then to document that on a
4 standardized mask and print it up and send it back to
5 our customer appeals center. That was processing PSCs,
6 and higher management complaints were the same.

7 Q Okay. So a PSC would be a customer complaint
8 to the Public Service Commission?

9 A Correct.

10 Q All right. And what is a 60 CAT-IIs and
11 IIIs?

12 A Category IIs and IIIs. A Category III is a
13 higher management complaint. A Category II is just a
14 less severe. And they're treated in like manner as
15 PSCs.

16 Q Basically, this is dealing with complaints?

17 A Exactly, customer complaints.

18 Q All right. When you did the analysis and the
19 research on the customer complaints, did you discover
20 any potential -- no, did you discover any problems with
21 the handling of customer reports by employees that
22 created these complaints?

23 A No.

24 Q Okay. Looking down at the second paragraph,
25 are SSMP, and would you tell me what that means?

1 A That's special services measured maintenance
2 plan.

3 Q All right. "Duration was out of line with
4 our objectives until I approached each maintenance
5 administrator individually and explained the correct
6 procedures for generating TTNs -- what's a TTN?

7 A Trouble tracker number.

8 Q Trouble tracker number?

9 A Or trouble ticket number.

10 Q Or trouble ticket number?

11 A It refers to the seven-digit number with
12 which we identify trouble, as well as the circuit ID.

13 Q Okay. "-- special circuits referred to
14 cable. The duration dropped dramatically after my
15 training and remains competitive today."

16 A That's correct.

17 Q What do you mean by "duration"?

18 A Okay. The troubles that I deal with in my
19 environment reside in TIRKS.

20 Q That's T-I-R-K-S?

21 A Correct. The troubles are designed and
22 housed in TIRKS and are measured through TIRKS. All of
23 their service rebates and all of those things are done
24 through the TIRKS database. When a trouble is referred
25 to the cable, the terminology we use for the handoff

1 from a network technician to a cable repair technician
2 to resolve a problem in the facilities, there's a
3 problem. One, because the network tech is working from
4 a TIRKS-based trouble, there is no means mechanically
5 to get that trouble information into the LMOS database
6 through which the cable repairman would be dispatched.
7 So what we do is we generate a trouble ticket number on
8 a circuit ID that is designated and created for cable
9 repairman to dispatch upon and to clear. Meanwhile,
10 the original trouble is still residing and has a
11 duration in the TIRKS system. The design trouble is
12 still alive and well, pending its restoration by the
13 cable repairman.

14 We had a problem with the maintenance
15 administrators. Through a misunderstanding, for
16 whatever reason, they were generating the trouble
17 tracker numbers that were exclusive "dummy," if you
18 will, circuit IDS just for the cable people. It was
19 strictly an in-house Southern Bell vehicle. They were
20 creating those as customer direct reports in error.
21 They were to be a category called "referred in."

22 Q V?

23 A V, correct. So what would happen is I would
24 have the -- the other unfortunate thing is when these
25 dummy numbers were built into the records, they impact

1 the SSMMP. And what would happen is if the MAs made it
2 a customer direct, that SSMMP duration time would
3 reflect the trouble duration time of that ticket for a
4 cableman, which could be two days. We would also carry
5 that duration in the TIRKS database on the design
6 trouble, so it was a -- we would be hit with two
7 durations.

8 I went and trained all of the MAs, reaffirmed
9 with each and every one of them that those troubles
10 need to be Category V, because the trouble already
11 exists in another database and we have a clock, if you
12 will, a duration rebate, all of those things being
13 done, in that database.

14 And that stopped the problem -- well, reduced
15 it dramatically. And then as a result of that, I was
16 not taking these cable repair trouble durations on the
17 special service measured maintenance plan, and that's
18 what that's referring to.

19 Q Okay. And just as a point of clarification I
20 want to make sure I understand. Under the SSMMP plan,
21 were those out-of-service type troubles? Could they
22 have been?

23 A I don't know, honestly.

24 Q Okay.

25 A I don't know.

1 Q Do you know whether or not the
2 out-of-service-over-24-hour index would have applied to
3 the SSMMP troubles?

4 A I don't know.

5 Q Do you know if taking them out of -- the MAs
6 taking them out of their cable tracker and moving them
7 strictly over to TIRKS would have removed a trouble
8 from the index?

9 A I'm not a subject matter expert -- but the
10 trouble resides in TIRKS all along. There simply is no
11 vehicle through which we can dispatch a cable repairman
12 to the site to clear that facility problem. That
13 trouble tracker number -- now, mind you, this is the
14 exception of very, very much the exception we're
15 talking about here, not the rule. But it doesn't take
16 but one of those troubles with a duration of 35 hours,
17 for example, to skew the measured maintenance plan
18 results.

19 But the MAs don't -- that trouble is supposed
20 to be strictly for Southern Bell use and transparent
21 and should not, to my knowledge, affect any
22 measurements at all. It should be strictly a Southern
23 Bell vehicle, facilitated dispatch of a different type
24 of technician. So that's the best answer I can give
25 you there.

1 Q Okay. You said it was a Category V. Do you
2 know if a Category V report would be counted in the
3 out-of-service index?

4 A No, I don't know.

5 MS. RICHARDSON: Okay.

6 MR. ANTHONY: Excuse me. Can we go off the
7 record just a minute?

8 (Discussion off the record.)

9 Q (By Ms. Richardson) Okay. The last thing I
10 would really like to go over with you -- and these will
11 not be put in the record, I just want you to look at
12 them so I can ask you just one or two questions about
13 them -- are your 5100s, your annual evaluation forms.
14 Okay? And I would like to start with the one that I
15 have that is for 1987. And the first thing I need you
16 to do is make sure this is your form. If you would
17 identify whether or not that's you.

18 A This is me.

19 Q Okay. And who is your supervisor at the
20 time?

21 A That's Larry Rorrer.

22 Q Okay. And I just want to address, I think,
23 one question to that. Under "Second Quarter" I see
24 "KSRI." What is KSRI?

25 MR. FINK: Are you sure it's not KRSI?

1 MS. RICHARDSON: KRSI?

2 A That's a key revenue service indicator.

3 Q (By Ms. Richardson) And why is that on your
4 performance evaluation?

5 A Those were Company corporate objectives and
6 they were pretty much on everybody's. It was something
7 that the entire division -- those were the goals that
8 the entire division was working towards as a team.

9 Q And would one of those goals be meeting the
10 PSC out-of-service index?

11 A Yes.

12 Q Okay. So part of your evaluation on an
13 annual basis was how well you as a team, you and
14 whatever maintenance center or operation you were
15 working with, met the PSC index?

16 A How well the Company did as a whole. It
17 involved a team effort by all.

18 Q Okay. And your personal contribution to
19 that?

20 A My personal contribution would be in just
21 doing my job as best I could. That's what it depended
22 on.

23 Q All right. Was any bonus money, award money,
24 extra money above and beyond your annualized salary
25 based upon the KRSI information?

1 A I would say -- well, I don't know.

2 MR. FINK: Okay. I was going to say, don't
3 guess. If you know, you know.

4 WITNESS FALLER: I don't know.

5 Q (By Ms. Richardson) Have you ever received a
6 bonus by the Company?

7 A Yes. Yes, I have.

8 Q Were you told why you received the bonus?

9 A Yes.

10 Q Okay. And can you tell me when?

11 A I received a bonus in 1987. I had a special
12 services crew and I consolidated work centers. I
13 shipped back inventory in the hundreds of thousands of
14 dollars. I consolidated the team and just improved the
15 crew and the atmosphere of my team. For that, I was
16 rewarded with an individual incentive award.

17 I was recently voted by a number my peers --
18 we got in a room and we voted for one another in a peer
19 program, and I was awarded a bonus by my peers.

20 Q Was that a monetary bonus?

21 A Yes, it was.

22 Q All right. And 1987 is the same year that
23 the KRSI is indicated, is that correct?

24 A KRSI is indicated in 1987.

25 Q Okay. Let me give you, if you would, your

1 performance evaluation for 1988. At least if you would
2 identify if that is yours. (Witness provided
3 document) (Pause)

4 A Yes, this is mine.

5 Q Okay. And was Mr. Lubert your manager then?

6 A Yes, he was.

7 Q Okay. And I believe -- I'm sorry, I don't
8 have extra copies -- at the bottom of Page 1 there is
9 an indication of sales, an increase in sales per
10 employee?

11 A Uh-huh.

12 Q And that's a "yes"?

13 A That's what it says, yes.

14 Q All right. Can you explain to me what your
15 involvement with sales was?

16 A Yes. Sales are part of our job. As a
17 technician in the field, we're a direct contact
18 marketing representative, in effect. If we have an
19 opportunity to query a customer and mention some of the
20 products that we have to offer, then there's a
21 possibility that the customer would buy that. And that
22 is always desirable, to market your product.

23 The problem with this is I was assuming a
24 special services crew, and this was my first immersion
25 into the special services environment. And I didn't

1 realize that we couldn't do those types of things with
2 our major accounts because it was a totally different
3 world. It was not a simple residence or a simple
4 maintenance. I believe this is my special services
5 crew. One moment, let me -- (Pause)

6 Okay. I don't know if this is when I had
7 SSIM, special services, or regular STs. Well, let me
8 think on it.

9 Q Well, you had indicated earlier in your
10 testimony in my notes that in 1988 you were in charge
11 or supervising service technicians?

12 A STs, okay.

13 Q Now, I don't know if that's accurate or if
14 you need to rethink it.

15 A No, that's accurate. That would be right.
16 '88 and '89 I had network techs. So this is valid,
17 that was an attempt to increase sales effort for my
18 crew.

19 Q Okay. Was this part of a Company sales
20 effort program?

21 A Not for me. It was -- I mean, the Company
22 did have a sales program. But if it was part of that,
23 I can't say. I don't know. But sales was part of our
24 job. We were marketing. Basically, we were out there,
25 we needed to market our products.

1 Q Okay. Did you and your employees earn
2 points, award points, sales points, for sales?

3 A Those that sold -- I really don't know. I
4 can't -- in that time frame, I can't tell you. As you
5 can see, as evidenced, my employees were not big
6 sellers; so I really don't know at that time, I can't
7 answer.

8 Q All right. Did you ever win any prizes or
9 awards for sales?

10 A I won awards as a service tech, services
11 technician.

12 MR. FINK: For sales?

13 WITNESS FALLER: For sales in 1979? 1979.
14 And we were selling telephones. ESS was nonexistent at
15 that time.

16 Q (By Ms. Richardson) And that is the only
17 time you have ever received an award from the Company
18 for sales?

19 A As an ST, when I sold, there was about a year
20 where I was selling. And I have not received any
21 awards that I'm aware of as management, no.

22 Q Okay. Have any of the employees you
23 supervised received awards for sales?

24 A Not that I'm aware of, no.

25 Q Okay. When you were supervising the sales

1 efforts of your employees, did you give them any
2 instructions on how to code their time?

3 A No. No, all sales time was coded against the
4 job. It was part of their job.

5 Q Okay. And when you say "part of their job,"
6 is there a particular code for regulated work that they
7 do, repair work?

8 A I don't know. I'm not familiar with the
9 codes.

10 Q Okay. So no distinction was made in the time
11 they spent between sales and the time they spent
12 between repair?

13 A I --

14 MR. FINK: Hold it, hold it, hold it. When
15 you're asking whether any distinction was made, are you
16 asking whether he made any distinction or his employees
17 made any distinction?

18 MS. RICHARDSON: Let me do that.

19 Q (By Ms. Richardson) Did you, yourself, with
20 your employees make any distinction in the time they
21 spent in sales and the time they spent in repair?

22 A No.

23 Q Okay. Can you estimate for me --

24 A If I may, as a caveat to that?

25 Q Certainly.

1 A The time spent in sales was when they met the
2 customer, spoke with the customer, and advised the
3 customer that they were finished. The sales period was
4 in that part of the premise visit.

5 Q Okay. And about how much time might be spent
6 on an average?

7 A Five minutes. If they made an effort, five
8 minutes. The customer will want the service or the
9 customer will not. And very few don't know of it.

10 Q Did you ever instruct your employees in
11 selling maintenance, inside wire maintenance plans?

12 A No.

13 Q Then what kind of services did your employees
14 sell?

15 A We have Touch-Tone, Call Forwarding, ESS
16 features, things like that.

17 Q Okay. Were you aware of any boiler room
18 sales operations?

19 A I was not aware of any boiler room
20 operations, no.

21 Q Were any of your people, to your knowledge,
22 ever involved in boiler room sales operations?

23 A No, not to my knowledge.

24 Q Okay. I would like to go back to 1987 for
25 just a moment, and I'm going to hand it back to you.

1 In 1987, on your performance evaluation, did
2 you meet the out-of-service index all year? (Pause)

3 A No.

4 Q When did you miss it?

5 A The fourth quarter.

6 Q Okay. And can you tell me the column below
7 that, I believe, or there's a column there that says
8 TELSAM?

9 A TELSAM, there are four rows marked TELSAM.

10 Q And what is TELSAM?

11 A That is a telephone service attitude
12 measurement program.

13 Q And what does it show?

14 A It reflects, reportedly reflects, the
15 customers' perceptions of the quality of service that
16 we're giving them, their attitudes towards us.

17 Q Okay. And that would be on repair work?

18 A Yes, among others.

19 Q All right. And what's the first quarter
20 report for residence TELSAM?

21 A Residence TELSAM is 82.8.

22 Q All right. So what would 82.8 -- let me see
23 if I can -- 82.8, then, indicates that 82.8% of the
24 TELSAM customers researched were satisfied with their
25 service?

1 A That's my understanding.

2 Q Okay. So a little under 16% were
3 dissatisfied with their service, is that correct?

4 A According to this, yes.

5 Q All right. And what was the PSC index number
6 percentage met?

7 A It was 97.3.

8 Q All right. So 97.3% of reports were repaired
9 within 24 hours, out-of-service reports were repaired
10 within 24 hours, but almost 16% of the customers in
11 repair were dissatisfied. Is that accurate?

12 A That's what this shows, yes.

13 Q Is there any discrepancy in your mind between
14 those two numbers?

15 MR. ANTHONY: I'm going to object. There's
16 no grounds for a foundation laid to show the
17 relationship between those two numbers, if there is
18 any. You haven't asked him what elements go into
19 TELSAM. And whether there's a correlation between the
20 two. I object to the question.

21 Q (By Ms. Richardson) Okay. Now, he's
22 objected, but you can still respond?

23 A Well, I --

24 MR. ANTHONY: I'm going to ask you to lay the
25 foundation for the question. There's no foundation

1 upon which he can answer the question.

2 A Statistically, that's --

3 MR. FINK: Hold it, hold it. I don't know
4 what she's going to do.

5 MS. RICHARDSON: Do you understand the
6 question?

7 Do you understand the question?

8 MR. ANTHONY: I'm not going to let him answer
9 the question. I'm asking to you lay a foundation.

10 MS. RICHARDSON: Okay. So you're directing
11 him not to answer, period?

12 MR. ANTHONY: I'm asking you to lay a proper
13 foundation, then he's free to answer the question.
14 Unless you lay a foundation, you're asking him a
15 question that --

16 Q (By Ms. Richardson) Okay. What does a
17 TELSAM report indicate?

18 A The TELSAM report indicates the level of
19 satisfaction or the attitudes of customers. In this
20 particular instance, it's reciting that we have
21 repaired, provided repair service to them, then we
22 called a sampling of those customers back. I'm not --
23 I would say statistically speaking, I have seen --

24 MR. FINK: Hold it, hold it, hold it. Are
25 you answering another question or the one that she just

1 asked?

2 WITNESS FALLER: No, that's it. No, that's
3 what that is.

4 Q (By Ms. Richardson) Okay. Do you believe in
5 your mind that there is any correlation between these
6 two numbers?

7 A I'm not qualified to answer that.

8 Q Okay. What does the almost 16%
9 dissatisfaction mean to you on the TELSAM report?

10 A We did not have a great month.

11 Q A great month in regards to what?

12 A Customers' attitudes, customers' attitudes
13 were not good. I do not know why they were not good.
14 I just simply know they were not good.

15 Q All right. What does, excuse me for reading
16 over your shoulder, the 97.3% out-of-service-over-24
17 index indicate to you?

18 A That indicates that we achieved our objective
19 of meeting in excess of 95% of our out-of-service
20 customers. TELSAM, however, measures many things, not
21 just out-of-service-over-24, any one of those other
22 things --

23 MR. FINK: Wait, wait, wait, are you still
24 answering the question or the other question?

25 WITNESS FALLER: Yes, thank you.

1 Q (By Ms. Richardson) And on the PSC index, is
2 that a measurement of the Company's quality of service
3 to a customer?

4 MR. ANTHONY: As measured by whom?

5 A It's a measure --

6 MR. FINK: Hold it, hold it, hold it.

7 MS. RICHARDSON: As measured by the Company.

8 MR. FINK: I apologize. Can you read the
9 question back?

10 (Pending question read back by the reporter.)

11 MR. FINK: Can you clarify whether you're
12 asking him for his personal opinion or whether you're
13 asking him what he understands the Company's position
14 to be?

15 MS. RICHARDSON: I'm asking for his personal
16 opinion.

17 MR. FINK: Go ahead.

18 A My personal opinion on whether the
19 out-of-service-over-24 is an indices that -- what?

20 Q Is a customer service quality, shows how well
21 the Company is meeting the --

22 A Would it directly affect, for example,
23 something like TELSAM? Or as a measure of quality, it
24 is one of many measures.

25 Q Okay. Let me move on for a moment. Let's

1 look at your 1989 performance evaluation. I'm going to
2 direct your attention to the second page of that. Item
3 No. 4, "Reducing overtime." But first, if you would,
4 identify if that's you and who your supervisor is.

5 (Pause)

6 A Yes, that's me. My supervise is Ron Lubert.

7 Q Ron Lubert. Okay. And Item No. 4 on the
8 second page regarding overtime?

9 A Okay.

10 Q Okay. What is "plant clearing time"?

11 A Plant -- that should read "local plant
12 clearing time." That is the trouble duration that is
13 controlled by the special services installation
14 maintenance group, the field network technicians. That
15 is in the CIMAP world.

16 Q And that C-I-M-A-P, CIMAP?

17 A Yes, TIRKS, CIMAP, same thing.

18 Q Okay. And what kind of systems are in
19 CIMAP? Are those regular business and residence or?

20 A Designed circuits, access and those things.

21 Q So we're talking large companies, kind of
22 thing?

23 A Yes, generally large and small.

24 Q All right. And the emphasis on reducing
25 overtime, did that emphasis generate with you or with

1 someone else?

2 A No, that was my objective to achieve that
3 through training my technicians to do their job better.

4 Q Okay. And I guess what I'm asking is did
5 your supervisor sit down and suggest to you that this
6 might be an objective that you want to pursue or is
7 this one that you just sort of initiated on your own?

8 A It's one that I wanted to address.

9 Q Okay. And were you successful in doing that?

10 A I don't remember.

11 Q Okay.

12 A Honestly. Apparently, judging from this, I
13 had a good year.

14 Q Okay. I'll skip '90. Let's just go on to
15 1991. And, again, if you would first of all identify
16 the document as being yours? And then I have a few
17 questions on Page 1.

18 A Okay. (Pause) Okay. Is this Page 1?

19 Q Uh-huh. Is that your evaluation for 1991?

20 A Yes.

21 Q And who was your supervisor in 1991?

22 A Cherie Calvert.

23 Q All right. And looking at the top line where
24 it says, "Percent of service orders completed"?

25 A On plant test date.

1 Q On plant test date. And what is a plant test
2 date?

3 A Plant test date is an in-house measurement
4 through which it is our desire to have the local
5 exchange facilities tested and verified as capable of
6 sustaining the type of service that we intend to
7 install upon that pair of wires.

8 Q Is this installation already ordered?

9 A Oh, yes, uh-huh.

10 Q All right. Is there an objective for meeting
11 the installation request?

12 A For meeting the -- completing the order on
13 the customer's due date? Yes.

14 Q Yes. All right. And what is that objective?

15 A I believe it 98%.

16 Q Within what period of time?

17 A That is, over what period of time is it
18 measured?

19 Q No, 98% by the date set, or 98% within 72
20 hours of the date set, or?

21 A No, on the date.

22 Q On the date that it was ordered?

23 A On the due date, which is not plant test
24 date.

25 Q Okay. And on that percentage of completions,

1 what was the specific objective stated there on your
2 performance?

3 A Here it was 80%.

4 Q It was 80%?

5 A Uh-huh.

6 Q All right. And on the first quarter, how
7 well did you meet it?

8 A Oh, we didn't meet it at all. No. In fact,
9 we were not overly concerned by that. It was not a
10 critical measurement for us.

11 Q Okay.

12 A As it turns out, it was --

13 Q It was just an internal Company measurement?

14 A Yes.

15 Q All right. Do you know whether or not it was
16 a PSC-required measurement?

17 A No, I don't.

18 Q Okay. And I'd like to turn back just a
19 moment to the analysis that you did when you were an
20 assistant manager in the IMC. Can you tell me what
21 kind of analysis you were performing specifically?

22 A What I would do is I would take basically
23 missed appointments and out-of-service-over-24, I would
24 highlight the ones that we mishandled for whatever
25 reason -- either through basically preventable error,

1 whether it was from a field person, an inside person,
2 or whomever -- and I would print the trouble history,
3 highlight of the instances that could, that needed some
4 kind of looking into, explanation in one form or
5 another, and mail them to the appropriate managers.
6 And that was it.

7 Q Okay. So did you identify these by specific
8 employees that may have made a mistake on these trouble
9 histories?

10 A I didn't track the employees. Whoever it
11 was, I mean, I did note who it was, so I would know
12 who. I would advise his supervisor this person needs
13 to be trained, whatever the case is, but I didn't keep
14 a log or anything of that. I simply identified the
15 person and forwarded the document to the individual
16 that needed to address that.

17 Q Okay. While you were doing this analysis,
18 did you ever form an opinion that any of these trouble
19 reports were being improperly coded on purpose?

20 A No, I did not see any attempt to do that.

21 Q Okay. Did you see any consistent errors that
22 may have affected the Company's ability to meet the PSC
23 index for out-of-service?

24 A There were just errors that happened, but not
25 any one person consistently or any one error

1 consistently; simply errors that I would forward out,
2 but I did not track them to accumulate knowledge from
3 that, no.

4 Q Okay. And do you know how the supervisors
5 used your reports?

6 A No.

7 Q Did you ever receive feedback from the
8 individual employee on how your reports were used?

9 A No.

10 Q Did you ever receive feedback from the
11 supervisors on how your individual reports were
12 used?

13 A No, not that I recall.

14 MS. RICHARDSON: Okay. Mr. Faller, I think I
15 have finally run out of questions. I know you can't
16 believe that. I'm not sure I believe it myself. But
17 the Commission Staff may have one or two questions.
18 I'm sure Mr. Anthony probably has some. Maybe your
19 attorney would want to do redirect. So we have a
20 little more business, but I want to thank you for your
21 time today.

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EXAMINATION

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BY MR. GREER:

Q Mr. Faller, I've got a few. I'll make them brief. Back when you were the supervisor of the STs, did your STs do installation of in-service orders?

A Yes, they did.

Q Did you ever see trouble reports that were associated with -- that were called in because a new service order wasn't installed properly?

A Oh, yes.

Q Was that a big problem in your area?

A I don't know that it was a big problem, but we caught those I-Reports as they occurred. I don't know to what extent they were a problem.

Q You called them what?

A Installation reports.

Q For the trouble reports, back again when you were an ST supervisor, what months were heavy trouble reports months for your area?

A As I recall, whenever it rained. The rain was our nemesis. I don't know exactly what months those were, but summer months. The rainy season is difficult for us.

Q So, basically, it was any month that had more rain or was a rainy month?

AFFIDAVIT OF DEPONENT

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This is to certify that I, JOHN FALLER, have read the foregoing transcription of my testimony, Pages 1 through 80, given on Tuesday, April 20, 1993, in Docket No. 910163-TL, and find the same to be true and correct, with the exceptions, and/or corrections, if any, as shown on the errata sheet attached hereto.

JOHN FALLER

Sworn to and subscribed before me this _____ day of _____ 1993.

NOTARY PUBLIC

State of _____

My Commission Expires:

1 DOCKET NO. 910163-TL
2 DEPOSITION OF: JOHN FALLER
3 DATE TAKEN: APRIL 20, 1993
4
5

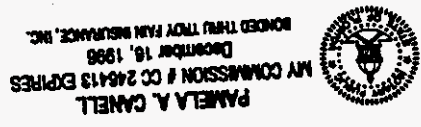
6 F L O R I D A)
7 :
8 COUNTY OF LEON)

CERTIFICATE OF OATH

9 I, the undersigned authority, certify that
10 JOHN FALLER personally appeared before me and was duly
11 sworn.

12
13 WITNESS my hand and official seal this 12th
14 day of May, 1993.
15

16
17 *Pamela A. Canell*
18 PAMELA A. CANELL
19 Notary Public - State of Florida
20 My Commission No.
21 Expires:



22
23
24
25

1 STATE OF FLORIDA)
2 :
3 COUNTY OF LEON)

CERTIFICATE OF REPORTER

4 We, SYDNEY C. SILVA, CSR, RPR, and PAMELA A. CANELL, Official Commission Reporters;

5 DO HEREBY CERTIFY that we were authorized to and did stenographically report the foregoing deposition of JOHN FALLER;

6 We FURTHER CERTIFY that this transcript, consisting of 80 pages, constitutes a true record of the testimony given by the witness.

7 We FURTHER CERTIFY that we are not a relative, employee, attorney or counsel of any of the parties, nor are we a relative or employee of any of the parties' attorney or counsel connected with the action, nor are we financially interested in the action.

10 DATED this 12th day of May, 1993.

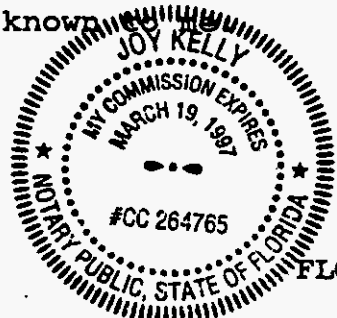
12 Sydney C. Silva
13 SYDNEY C. SILVA, CSR, RPR

14 Pamela A. Canell
15 PAMELA A. CANELL

16 Official Commission Reporters
17 Telephone No. (904) 488-5981

18 STATE OF FLORIDA)
19 :
20 COUNTY OF LEON)

21 The foregoing certificate was acknowledged before me this 12 day of May, 1993, by SYDNEY C. SILVA and PAMELA A. CANELL who are personally known



24 Joy Kelly
25 Notary Public - State of Florida

Exhibit 1

Faller
4-20-93



Southern Bell

Cherie,
J/L Faller wrote response back
4/4/91. Thanks,
J/L 4/8/91

APRIL 3, 1991

MEMORANDUM

TO: JOHN LONG
JOHN FALLER
MARIA SMOAK

RE: MARCH, 1991 OOS >24 HOURS WEST DADE, SILVER OAKS

AS PER THE ATTACHED REPORTS YOU CAN SEE THAT WE MISSED THE OBJECTIVE FOR OOS > 24 HOURS FOR WEST DADE, SILVER OAKS FOR THE MONTH OF MARCH, 1991.

THE REPORT THROUGH 03/28/91 REFLECTED 96.3% COMPLIANCE WITH THE RULE. HOWEVER, WE LOST SEVEN (7) ADDITIONAL REPORTS FROM FRIDAY, MARCH 29th THROUGH SUNDAY, MARCH 31st. A WRITTEN EXPLANATION FOR THE MISSES MUST BE FORWARDED TO MR. SANDER'S OFFICE IMMEDIATELY. I AM REQUESTING THAT YOU INVESTIGATE THE SEVEN REPORTS AND PROVIDE ME WITH A DETAILED RESPONSE TO EACH SO I MAY FORWARD OUR REPLY. I AM ASKING THE WEEKEND COVERAGE MANAGERS TO PROVIDE THIS INFORMATION SINCE THERE APPEARED TO BE NO PROBLEMS THROUGH THE CLOSE OF BUSINESS THURSDAY. IF REPORTS WERE MISSED ON FRIDAY, YOU MAY NEED THE ASSISTANCE OF YOUR PEERS TO EXPLAIN THE MISS.

PLEASE HAVE THIS INFORMATION TO ME NO LATER THAN NOON, THURSDAY, APRIL 4, 1991.

IF YOU HAVE ANY QUESTIONS, PLEASE SEE ME.

THANKS,

Cherie

ATTACHMENTS

CC: IMC MANAGERS

	BIG PINE	HHED	ISLA	K.LGO-LGO	K.H.	MRA.	N.K.L.	SUGAR	NO,OMKS	FERRINE	CANAL	H. MIAMI	RED ROAD	DISTRICT TOTAL
FSC CR-8	256	257-258	259	260 261	262	264	265	266	270	253	269	271	272	
CUMULATIVE:	872	24-25	664	652 451	294,296	239,743	367	745	960	232,233	221,552	261,266	661,666	
G79 & G97 :					292									

03-23-91									11	6	29	2	7	57
005 > 24	0	7	1	1	2	0	0	0	297	481	457	140	260	2147
005	17	215	37	56	121	41	9	16	4%	1%	4%	1%	3%	2.65%
% MISSED	0%	3%	3%	2%	2%	0%	0%	0%	96.30%	98.75%	95.62%	98.57%	97.31%	97.35%
% MADE	100.00%	96.74%	97.38%	98.21%	98.35%	100.00%	100.00%	100.00%						
00J NET OR ACQ'L # 005 REQ'D	NET	NET	NET	NET	NET	NET	NET	NET	NET	NET MARGINAL	NET	NET	NET	NET

CORRECTIONS

	BIG PINE	HHSO	ISLA	K.LGO-LEO	K.H.	HARA.	N.K.L.	SUGAR	HO, DAVIS	FERRINE	CANAL	H. MIAMI	RED ROAD	DISTRICT TOTAL
PSC DR-8	256	257-258	259	260 261	262	264	265	266	270	253	269	271	272	
CUMULATIVE:	872	21-25	664	852 451	254,296	289,743	367	745	960	232,233	221,552	261,266	661,666	
G79 & G77 :					292									

03-31-91														
005 > 24	0	7	1	1	5	0	0	0	18	9	23	2	8	74
005	19	240	40	58	130	45	10	17	339	522	489	153	280	2342
% MISSED	0%	3%	3%	2%	4%	0%	0%	0%	5%	2%	5%	1%	3%	3.16%
% MADE	100.00%	97.00%	97.50%	98.28%	96.15%	100.00%	100.00%	100.00%	94.69%	98.28%	95.30%	98.67%	97.14%	96.84%
OBJ NET OR ACC'L # QOS REQ'D	HET	HET	HET	HET	HET	HET	HET	HET	21	HET MARGINAL	HET	HET	HET	HET

Ex 2
J. Faller
4-20 93



Southern Bell

8610 S. W. 107th Ave.
Miami, Florida
(305) 598-4157

John Faller
Assistant Manager SSDAC

January 16, 1992

Mrs. April Ivy
Manager IMC
Miami, Florida

Dear April,

I would like to take this opportunity to address some of the accomplishments that my SSDAC team and I have enjoyed during 1991. It would be easy for me to claim credit for the strides made by the SSDAC, but the fact of the matter is I could not have done as well as I have without the excellent teamwork of the SSDAC players.

Inter-exchange carriers have dominated the 1991 specials environment. To assist in the provisioning and restoration of IC and non-IC services I embarked on a training program within the SSDAC. I have trained all of my clerks on the use of CIMAP from a SARTS perspective; that is, my clerks can now update and interpret CIMAP information as effectively as any SARTS tester. This has enhanced the escalation process and increased communications between the SSC and the SSDAC. I forwarded a copy of the training package to Pam Cannon in North Dade, and she has trained her clerks as well. Today, my updating the CIMAP log is taken for granted, yet the process was unheard of a year ago.

During 1991, I assumed and trained three new SSDAC dispatch clerks. The new clerks, along with Lina and Marylin, newly arrived from Central, gave me an opportunity to build a fresh team and a renewed spirit within the SSDAC. This is the accomplishment of which I am most pleased.

President Bush and Vice-President Quayle visited us in South Florida last year, giving us an opportunity to process orders in a most chaotic manner. We did manage to process those orders throughout those events, despite the confusion.

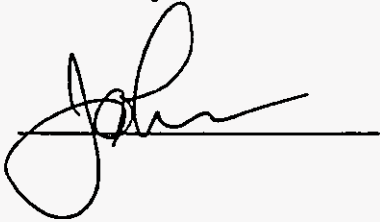
I served as a backup for my co-workers throughout 1991 including, backup Systems Administrator for Mr. Long and Ms. Smoak. I processed over 30 PSC's, 60 CAT II & III's, and 65 Third level escalations in just the last six months of 1991. During Ms. Gonzalez's absence, I managed the ICC and FACS groups as well. Carol and I agreed to back-up one another in the beginning of 1991, as an act of teamwork, and the arrangement has kept us both quite busy in one another's absence.

Our SSMMP duration was out of line with our objectives until I approached each Maintenance Administrator individually, and explained the correct procedures for generating TTNs for special circuits referred to cable. The duration dropped dramatically after my training and remains competitive today.

For personal development, I've completed 32 credits with Barry University, and should graduate in June of this year.

These are some of the events of last year that I believe contributed to the overall performance of the maintenance center and division in general, during 1991. My commitment to increased customer satisfaction is paralleled only by my commitment to improve customer service. I am looking forward to working with you in 1992, and as long as you're here for that matter.

Sincerely,

A handwritten signature in black ink, appearing to be "John", written over a horizontal line.

ERRATA SHEET

DOCKET NO. 910163-TL

NAME: JOHN E. FALLER

DATE: April 20, 1993

Page	Line	
39	5	"UNDERSTAND THE DECISION III"
		SHOULD READ;
		"UNDERSTAND THE DECISION TREE"
44	20	"WAS A SYSTEM TECH SUPERVISOR"
		SHOULD READ
		"WAS A SSDAC SUPERVISOR" WHERE
		SSDAC IS PRONOUNCED "SIS-DACK"

DOCUMENT NO. 06011-93
 DATE 1-1-93
 FPSC - COMMISSION CLERK

9-12-11
 append to end of DN
 -ac