

1 BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

2 IN RE: Petition on behalf  
3 of CITIZENS OF THE STATE  
4 OF FLORIDA to initiate  
5 investigation into  
6 integrity of SOUTHERN BELL  
7 TELEPHONE & TELEGRAPH COMPANY'S  
8 repair service activities  
9 and reports.

920260-TL

No. 910163-TL

6 - - - - - x

8 DEPOSITION OF:

9 SARA S. STAKE,  
10 On Behalf of the Citizens of the  
11 State of Florida

COPY

11 Examination of a witness beginning at 8:40 AM,  
12 and concluding at 9:00 AM, on MONDAY, JUNE 7, 1993,  
13 taken at 7900 Mandarin Boulevard, Orlando, Florida,  
14 before CHRISTINE L. GETTINGS, Notary Public, State  
15 of Florida at Large, and Registered Professional  
16 Reporter.

15 A P P E A R A N C E S:

16 CHARLES J. BECK, ESQ., Office of Public Counsel,  
17 111 West Madison Street, Room 812, Tallahassee,  
18 Florida 32399-1400, for the Citizens of the  
19 State of Florida.

20 ROBERT BEATTY, ESQ., 150 West Flagler Street,  
21 Suite 1910, Miami, Florida 33130, for Bellsouth  
22 Communications, Inc.

23 ROBERT J. PIERSON, ESQ., Florida Public Service  
24 Commission, 101 East Gaines Street, Tallahassee,  
25 Florida 32399-0863, for the Florida Public  
Service Commission.

26 JOSEPH EGAN, JR., ESQ., OF: Egan, Lev & Siwica, PA,  
27 Post Office Box 2231, Orlando, Florida  
28 32802-2231, for the Witness.

29 ALSO PRESENT: Stan L. Greer and Michael Jones.

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I N D E X

**SARA S. STAKE**

Direct Examination by Mr. Beck	3
Cross Examination by Mr. Greer	21
Cross Examination by Mr. Beatty	22

\* \* \* \* \*

E X H I B I T S

None marked.

\* \* \* \* \*

S T I P U L A T I O N S

It is hereby stipulated and agreed by and between counsel for the respective parties, and by the deponent, that the reading and signing of the deposition be waived.

It is further hereby stipulated and agreed by and between counsel for the respective parties that all objections, with the exception of the form of the question, be reserved until such time as the deposition shall be offered in evidence at the trial of this cause.

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P R O C E E D I N G S

THEREUPON:

SARA S. STAKE

having been first duly sworn to tell the truth, the whole truth, and nothing but the truth, testified as follows:

DIRECT EXAMINATION

BY MR. BECK:

Q. Ms. Stake, my name is Charlie Beck with the Office of Public Counsel. I'm going to start off the depositions. There's also people from the Public Service Commission that might have questions after I've completed. If you have any questions as we go along or if you don't understand the questions I'm asking, please stop me so we make it clear you're answering what I'm asking.

Please state your full name.

A. Sara S. Stake.

Q. Are you employed by Southern Bell?

A. Yes, sir.

Q. What position do you have?

A. Maintenance administrator.

Q. Is that here in Orlando?

A. Yes, sir.

Q. How long have you been a maintenance

1 administrator here in Orlando?

2 A. Years. I can't tell you how long. I  
3 don't know.

4 Q. Did you have any other jobs with  
5 Southern Bell?

6 A. I've worked in accounting.

7 Q. Is that in Orlando, also?

8 A. Yes, sir.

9 Q. Do you remember the -- just generally what  
10 time frame that was that you worked in the county?

11 A. About twenty-eight years ago.

12 Q. Okay. Have you given any statements to  
13 Southern Bell investigators before?

14 MR. EGAN: Over what in particular?

15 Q. About your job as maintenance  
16 administrator.

17 MR. EGAN: Any time in your career have  
18 you given a statement regarding your job as  
19 administrator?

20 Q. Do you recall how many statements you've  
21 given or how many times you've done that?

22 A. One.

23 Q. Just once?

24 A. One.

25 Q. Do you remember who was present in the

1 room when that statement was taken?

2 A. Security and a company lawyer and a union  
3 rep.

4 Q. Do you recall who the union rep was who  
5 was present?

6 A. Linda.

7 Q. Do you recall her last name?

8 A. Huh-uh. She was the union president.

9 Q. Was she present for the entire time that  
10 your statement was being taken?

11 A. Uh-huh.

12 Q. Do you recall about when that statement  
13 was taken?

14 A. I couldn't tell you. I don't know. I  
15 don't remember.

16 Q. Do you think it was in the last few years?

17 A. Yeah.

18 Q. Would you just generally describe what  
19 your job is as maintenance administrator just very  
20 generally?

21 A. Screening the troubles, putting them in  
22 the system if they need to be dispatched on, doing  
23 whatever needs to be done to get the customer  
24 service.

25 Q. Okay. Who do you work for, report

1 directly to?

2 A. Right now?

3 Q. Yes.

4 A. Wendy McGowan.

5 Q. Is she a first level supervisor?

6 A. Yes, sir.

7 Q. Do you know about how long you've worked  
8 for her?

9 A. Oh, a few years, I guess.

10 Q. Okay. Who did you work for before that?

11 A. I don't remember. One of the supervisors.

12 Q. You don't recall the person's name?

13 A. Huh-uh.

14 Q. Who is your union steward?

15 A. In there?

16 Q. As maintenance administrator.

17 A. Anybody I choose, I guess.

18 Q. Don't you have one person designated as  
19 the union steward for the maintenance  
20 administrators?

21 A. Not that I know of, no. I mean, there may  
22 be, but I don't know of one.

23 Q. If you had a problem that you wanted to  
24 report to the union, who would you see?

25 A. Oh, probably -- I usually call him.

1 Q. Mike Jones?

2 A. Uh-huh.

3 Q. Who's present here right now?

4 A. Uh-huh.

5 Q. Is Mr. Jones employed by Southern Bell?

6 A. Yes, sir.

7 Q. What's his position with the company?

8 A. Outside tech.

9 Q. Have you ever been asked to back up your  
10 -- either the clear time or close time on a trouble  
11 report?

12 A. Yes.

13 Q. Could you describe what brought that  
14 about?

15 A. Closing office failures.

16 Q. Could you elaborate on that?

17 A. When it's been -- when it's been cleared,  
18 you know, before -- quite a bit of time before you  
19 actually go to close it out.

20 Q. Okay. There's times when you would write  
21 down or report what the clear time is if the trouble  
22 was cleared up before the close time; is that right?

23 A. Yes, sir.

24 Q. But that's a proper procedure; is it not?

25 A. Yes, sir.

1 Q. Have you ever been asked to improperly  
2 back up the clear time to a time before the trouble  
3 was fixed?

4 A. No, sir.

5 Q. Do you know of any instances where that  
6 has occurred with anybody else other than yourself?

7 A. No, sir.

8 Q. Have you ever heard any supervisor or  
9 manager give instructions to anybody to back up a  
10 clear time to a time prior to when the trouble was  
11 fixed?

12 A. No, sir.

13 Q. Have you ever heard about times being  
14 backed up in backing up the clear time to a time  
15 before the trouble was fixed? Have you ever heard  
16 anybody else discuss that happening in the office?

17 A. No, sir, I don't remember.

18 Q. Are you familiar with the term commitment  
19 time?

20 A. Uh-huh. Yes, sir.

21 Q. What's that?

22 A. The time that is given to the customer  
23 that the trouble will be cleared or fixed.

24 Q. Do you have any knowledge about directions  
25 ever being given to change the commitment time on a



1 troubled report?

2 A. No.

3 Q. Are you familiar with the term called  
4 building the base?

5 A. No, sir.

6 Q. Have you ever or do you have any knowledge  
7 of out-of-service or -- let me start that question  
8 again.

9 Do you have any knowledge of affecting  
10 service trouble reports being reported as  
11 out-of-service trouble reports?

12 A. What do you mean?

13 Q. Let me back up then. Do you know what  
14 affecting a service trouble report is?

15 A. When the customer is not out of service.

16 Q. And out of service is when the phone  
17 doesn't work?

18 A. Right.

19 Q. Do you have any knowledge of any of those  
20 conditions being statused improperly?

21 A. No, sir.

22 Q. You never heard out of service being  
23 statused as affecting a service improperly?

24 A. You can't do it. You mean change it?

25 Q. Or initially reporting it as a --

1 A. I haven't, no, sir.

2 Q. Have you heard any other persons talk  
3 about that?

4 A. No, sir, not that I remember.

5 Q. When is a trouble initially statused?

6 A. What do you mean? Out of service?

7 Q. (Witness nods head).

8 A. Right now they -- the centralized repair  
9 does it.

10 Q. Let's go back a few years. When was it  
11 statused?

12 A. When the MA screens it.

13 Q. And the MA makes a determination whether  
14 it's an affecting service or out-of-service  
15 condition?

16 A. Yes, sir.

17 Q. Do you have any knowledge of the statusing  
18 ever being done improperly at that stage of the  
19 proceeding?

20 A. No, sir.

21 Q. How about not being statused at all by the  
22 MA and having seen it later?

23 A. I've seen that.

24 Q. Can you explain about that?

25 A. Going back to office failures, when it's

1 been out of service and had to status out of service  
2 on the closeout.

3 Q. Why would you do that?

4 A. If the customer was out of service.

5 Q. Was it initially -- in that instance  
6 initially established as affecting service?

7 A. It wasn't statused as either probably.

8 Q. There isn't a status out of service for  
9 office failure; is there?

10 A. If it's not out of service, yes. There's  
11 a time when it's not had service.

12 Q. Have you ever seen or heard of a trouble  
13 report being statused out of service when it was not  
14 out of service?

15 A. No, sir.

16 Q. Has there ever been any intimidation or  
17 pressure put to you to status something improperly?

18 A. No, sir.

19 Q. How about to back up the times, the clear  
20 times on a trouble report?

21 A. No, sir.

22 Q. Are you familiar with wet and dry rules?

23 A. No, sir.

24 Q. Never heard those two terms?

25 A. (Witness shakes head).

1 Q. Do you know what Code 222 is?

2 A. That's something that the ARC's used.

3 Apparently when they called the customer we weren't  
4 going to make the commitment or something.

5 Q. Do you know what it stands for?

6 A. No. No, I can't say that I do.

7 Q. What do you think it stands for?

8 A. I don't know. Just I told you all I know  
9 about it.

10 Q. You said it's something the ARC's used  
11 when they are not going to make a commitment?

12 A. If they contact the customer and they are  
13 not going to make it.

14 Q. What is the ARC?

15 A. Outside plant clerks.

16 Q. And what -- I don't fully understand.  
17 Could you tell me how that code is used by them?

18 A. I don't know. I've never done it. I  
19 mean, they are the ones that do it.

20 Q. What do you know about it? You told me  
21 that's a code they use if they are going to make the  
22 commitment.

23 A. All I see in the narrative, you see the  
24 222, contacted sub or something like that.

25 Q. Have you ever heard of the term called CON

1 code?

2 A. No.

3 Q. Have you ever talked to anybody about the  
4 use of the 222 code?

5 A. Not that I remember, no, sir.

6 Q. Have you ever seen anything put down on a  
7 service order that wasn't put down appropriately?

8 A. No, sir.

9 Q. Have you ever had any duties with respect  
10 to service orders?

11 A. No, just dispatching.

12 Q. Okay. Are you familiar with the term  
13 test okay?

14 A. Yes, sir.

15 Q. What is a test okay?

16 A. It means there's nothing wrong.

17 Q. Have you ever seen a report that should  
18 have been statused out of service being statused as  
19 test okay?

20 A. No, sir.

21 Q. Have you ever heard of that being done?

22 A. No, sir.

23 (Mr. Jones leaves room).

24 Q. What happens when a repair person goes out  
25 to repair a telephone line and they have to get

1 access to a customer's property but they are unable  
2 to get access, say there's a dog on the property  
3 preventing them from getting on, how would you  
4 status that?

5 A. They would tell us to "no access" it.

6 Q. Does that mean that there's something on  
7 the customer's part that's preventing the repair  
8 technician from fixing the line?

9 A. Yes, sir.

10 Q. Have you ever seen that used in instances  
11 where it shouldn't have applied to the situation?

12 A. No, sir.

13 Q. Have you ever heard of that being done?

14 A. No, sir.

15 Q. Are you familiar with exclude codes?

16 A. Yes, sir.

17 Q. What are they?

18 A. Reports that don't need a disposition and  
19 cause code.

20 Q. Why would that be?

21 A. Because the company says so.

22 Q. What's the logic or the reason for it  
23 other than the company saying so?

24 A. I don't know. I mean, we have a list of  
25 them.

1 MR. EGAN: Just answer the question.

2 Q. What are the troubles caused by  
3 lightning? How would you reflect that on a repair  
4 report?

5 A. You mean close it out?

6 Q. Yes.

7 A. I tell whatever the guy tells me to close  
8 it to.

9 Q. Is there one for lightning?

10 A. Yes, sir.

11 Q. What is that?

12 A. I don't know. I have to look.

13 Q. Has anybody ever told you to put down a  
14 code for lightning in instances where lightning  
15 wasn't the cause of the trouble?

16 A. No, sir.

17 Q. Have you ever heard of that being done?

18 A. No, sir.

19 Q. Have you ever heard of the term -- I think  
20 I asked you that, have I asked you about a CON code?

21 A. No, sir, I've never heard of it.

22 Q. You don't know it? If a customer's line  
23 is out of service for over twenty-four hours through  
24 no fault of their own, do you know whether that  
25 person would be entitled to a refund for part of

1 their service?

2 A. Yes, sir.

3 Q. Is it only in instances where it's out of  
4 service over twenty-four hours where the rebate  
5 would be applied?

6 A. I guess so.

7 Q. Have you ever heard of any instances or  
8 talked to anybody about the possibility of customers  
9 not receiving refunds in instances where their  
10 trouble or their line was out of service for more  
11 than twenty-four hours?

12 A. No, sir.

13 Q. Do you know what an employee-originated  
14 report is?

15 A. One that the employee calls in.

16 Q. Is that an instance where the employee  
17 finds the trouble and starts to fix it?

18 A. Yes, sir.

19 Q. Have you ever heard of or know of any  
20 instances where a trouble report that was originated  
21 by a customer was stasured as an employee-originated  
22 report?

23 A. No, sir.

24 Q. Have you ever heard of troubled reports  
25 being stasured improperly for any reason?



1 A. No, sir.

2 Q. You mentioned earlier that you had  
3 occasions to deal with central office failures.

4 A. Yes, sir.

5 Q. How are they generally handled? Could you  
6 describe the procedure from the first time it's  
7 heard there's central office failure to the time  
8 it's closing out the reports?

9 A. We status an office failure and whenever  
10 it's fixed, we call the customers, close out the  
11 trouble.

12 Q. Are they always statused out of service?

13 A. I do, yes, sir, if they are out of  
14 service, not if it's not out of service.

15 Q. Have you ever heard of instances where  
16 anyone else would have statused those improperly?

17 A. No, sir.

18 Q. Has anyone ever accused you of statusing a  
19 report improperly?

20 A. No, sir.

21 Q.

22

23 A.

24 Q.

25 A.

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Q.

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Q.

MR. BEATTY: Objection. Relevance. You can respond.

A.

Q. Have you ever had a manager imply in any form that you should do something improper in your job or something you felt was improper?

A. Yes.

Q. Could you describe that?

A. It was having to do with a feature and I was told to exclude it to CCS instructions and I said I couldn't because I hadn't talked to the sub.

Q. What did you mean by feature?

A. Call waiting, three-way calling, stuff like that.

1 Q. Is this with taking an order for a  
2 customer?

3 A. No.

4 Q. I don't understand.

5 A. The customers reported they are having  
6 trouble with one of their features.

7 Q. Okay. And so what did you do in that  
8 instance?

9 A. I tested it okay.

10 Q. And what did the manager imply that should  
11 be done?

12 A. Well, when I told her that I didn't talk  
13 to the sub, so I can't exclude it as customer  
14 instructions because I didn't give them any and she  
15 said I was right.

16 Q. When you say talk to a sub, what is a sub?

17 A. Subscriber.

18 Q. Okay. I'm not completely versed in  
19 telephone lingo yet.

20 And it's because you didn't talk to the  
21 subscriber, it was improper to exclude it?

22 A. In my thinking, yes.

23 Q. What did the manager do that you felt was  
24 wrong?

25 A. I just challenged her because she said

1 exclude it to begin with.

2 Q. When you say exclude it, what do you mean?

3 A. Exclude. I don't know what else you want.

4 Q. I don't know what it means to exclude it.

5 This is a repair report?

6 A. Uh-huh.

7 Q. What code would you put down to do what  
8 the manager was doing?

9 A. Exclude.

10 Q. You just put down the word exclude?

11 A. Exclude it.

12 Q. Who was the manager?

13 A.

14 Q.

15 A.

16 Q.

17 A.

18 Q. About when did this happen?

19 A. Oh, in the last couple years -- it's been  
20 in the last year.

21 Q. What was the resolution of the -- did  
22 anything happen?

23 A. No. She said I was right.

24 Q. Nothing happened as a result of that?

25 A. No, sir.

1 Q. Were there any other instances where a  
2 manager implied or told you to do something that you  
3 thought was not proper?

4 A. No, sir.

5 MR. BECK: Thank you. That's all I have.  
6 There may be other questions.

7 MR. GREER: I've got one. My name is  
8 Stan Greer with the Public Service Commission.

9 \* \* \* \* \*

10 CROSS EXAMINATION

11 BY MR. GREER:

12 Q. Mr. Beck talked about exclude codes. What  
13 do you do when you exclude trouble reports? Do you  
14 hit a specific key function, do you go to the final  
15 status mask and exclude it there or how do you  
16 exclude it?

17 A. It's excluded on the final mask.

18 Q. On the final mask?

19 A. Uh-huh.

20 Q. Is there an entry placed there, you put an  
21 "X"?

22 A. Yes, sir.

23 Q. Is that where you exclude it?

24 A. Yes, sir.

25 Q. Is that the only way of excluding reports?

1 A. Yes, sir.

2 MR. GREER: Okay, that's all I have.

3 \* \* \* \* \*

4 CROSS EXAMINATION

5 BY MR. BEATTY:

6 Q. With regards to matters related to  
7 did she tell you that you were correct --

8 A. Yes, sir.

9 Q. -- after you explained to her why you  
10 could not exclude that record?

11 A. Yes, sir.

12 MR. BEATTY: I have nothing further.

13 Thank you very much.

14 (Deposition concluded at 9:15 AM).  
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C E R T I F I C A T E O F O A T H

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STATE OF FLORIDA )  
COUNTY OF ORANGE )

I, CHRISTINE L. GETTINGS, being a Notary Public, State of Florida at Large, and a Registered Professional Reporter, do hereby certify that SARA S. STAKE personally appeared before me and was duly sworn.

Witness my hand and Official Seal this 28th day of JUNE 1993.

Christine L. Gettings

Court Reporter  
Notary Public, State of FL  
Notary Comm. No. CC-258454  
Commission Expires: 3/28/97

C E R T I F I C A T E

STATE OF FLORIDA     )  
COUNTY OF ORANGE    )

I, CHRISTINE L. GETTINGS, being a Registered Professional Reporter, do hereby certify that I was authorized to and did stenographically report the foregoing deposition; and that the transcript is a true and correct record of the testimony given by the witness.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties' attorney or counsel connected with this action, nor am I financially interested in the action.

Done and signed this 30<sup>th</sup> day of June 1993.



OFFICIAL SEAL  
CHRISTINE L. GETTINGS  
My Commission Expires  
March 28, 1997  
Comm. No. CC 258454

Christine L. Gettings  
Court Reporter

STATE OF FLORIDA     )  
COUNTY OF ORANGE    )

The foregoing Certificate was acknowledged before me this 30<sup>th</sup> day of June 1993, by CHRISTINE L. GETTINGS, who is personally known to me.

Leon F. Shoemaker  
Leon F. Shoemaker  
Notary Public, State of FL  
My Commission No. CC-076091  
Commission Expires: 2/2/95