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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition on behalf of CITIZENS)
OF THE STATE OF FLORIDA to Initiate)
Investigation into Integrity of)
SOUTHERN BELL TELEPHONE & TELEGRAPH)
COMPANY's Repair Service Activities)
and Reports.)

DOCKET NO. 910163-TL

92-0260-TL

COPY

DEPOSITION OF: ALEXANDER B. MOIR
TAKEN AT THE INSTANCE OF: Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE: Wednesday, July 29, 1992
TIME: Commenced at 8:00 a.m. Concluded at 9:20 a.m.
PLACE: 666 N.W. 79th Avenue Room 642 Miami, Florida
REPORTED BY: JANE FAUROT Notary Public in and for the State of Florida at Large

ACCURATE STENOGRAPHY REPORTERS, INC.
100 SALEM COURT
TALLAHASSEE, FLORIDA 32301
(904) 878-2221

DOCUMENT NUMBER-DATE
11347 OCT 21 1992
RECORDS/REGISTRATION

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APPEARANCES:

REPRESENTING THE SOUTHERN BELL TELEPHONE AND
TELEGRAPH COMPANY:

HARRIS R. ANTHONY, ESQUIRE
BellSouth Telecommunications, Inc.
d/b/a Southern Bell Telephone &
Telegraph Company
c/o Marshall M. Criser, III
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Tallahassee, Florida 32301

REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

SUE RICHARDSON, ESQUIRE
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REPRESENTING THE FLORIDA PUBLIC SERVICE
COMMISSION:

JEAN WILSON, ESQUIRE and
STAN GREER, Class B Practitioner
FPSC Division of Legal Services
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0863

REPRESENTING ALEXANDER B. MOIR:

MONROE KIAR, ESQUIRE
7931 SW 45th Street
Davie, Florida 33328

ALSO PRESENT:

WALTER BAER, Office of Public Counsel.
CARL VINSON, FPSC Division of Communications.

* * * * *

I N D E X

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WITNESS:

PAGE NO.

ALEXANDER B. MOIR

Direct Examination by Ms. Richardson
Cross Examination by Mr. Vinson

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CERTIFICATE OF REPORTER

53

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

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The following deposition of ALEXANDER B. MOIR was taken on oral examination, pursuant to notice, for purposes of discovery, for use in evidence, and for such other uses and purposes as may be permitted by the Florida Rules of Civil Procedure and other applicable law. Reading and signing of said deposition by the witness is not waived. All objections, except as to the form of the question, are reserved until final hearing in this cause; and notice of filing is waived.

* * * * *

Thereupon,

ALEXANDER B. MOIR

was called as a witness, having been first duly sworn, was examined and testified as follows:

MS. RICHARDSON: Do you think we ought to make appearances again for the day?

MR. ANTHONY: Why don't we do that.

All right. I am Sue Richardson for the Office of Public Counsel, and with me is Walt Baer.

MS. WILSON: I'm Jean Wilson. I represent the Staff of the Florida Public Service Commission. With me is Carl Vinson and Stan Greer, who is a Class B Practitioner.

MR. ANTHONY: Hank Anthony on behalf of Southern

1 Bell Telephone and Telegraph Company.

2 MR. KIAR: Monroe Kiar. I'm Mr. Moir's attorney.

3 MR. ANTHONY: Okay. Mr. Kiar, just to let you
4 know, we have been operating -- this is the third day
5 of depositions -- we have been operating under some
6 basic stipulations. Just to run through them quickly
7 for you and make sure you don't have any objections:
8 First of all, that the deposition is taken pursuant to
9 proper notice; we won't go off the record without Mr.
10 Moir's consent.

11 Am I pronouncing your name correctly?

12 THE WITNESS: Yes.

13 MR. ANTHONY: I just want to make sure.

14 That we will save any objections, except as to the
15 form of the question, until the use of the transcript
16 at the hearing, trial or wherever it might be used; and
17 that we won't waive reading and signing of the
18 transcript.

19 One other thing, Mr. Moir --

20 MR. KIAR: I will say that if I feel there is
21 something objectionable, I'm going to interpose my
22 objection, if I understand what you're getting at.

23 MR. ANTHONY: Well, yes, if you feel like it's
24 getting into an area that is impermissible, or
25 whatever. In fact, I was going to mention that,

1 Mr. Moir, that some of these questions that you get
2 might relate to knowledge that you have gained through
3 the Company's internal investigation. These
4 depositions relate to an investigation begun by the
5 Public Service Commission dealing with trouble
6 reporting issues, and, of course, Southern Bell had its
7 own investigation of related issues that was done under
8 the direction and auspices of the Southern Bell Legal
9 Department and it's privileged, which means that
10 information relating to it can't be discovered by a
11 third party. And so if you receive any questions that
12 are directed toward your knowledge about that
13 investigation, things that you learned in the
14 investigation or that you told anybody during to an
15 interview during that investigation, I'm going to
16 instruct you not to answer the question because it is
17 privileged. To the extent that you have knowledge
18 about anything that either Ms. Richardson or Mr. Greer,
19 if he's the one that asks the questions for the Staff,
20 ask you and it is unrelated to the investigation, then,
21 of course, you should answer the questions and answer
22 them fully and honestly, to the extent that they are
23 not otherwise objectionable. So, if I jump in and
24 instruct you not to answer, please don't answer the
25 question. Okay?

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THE WITNESS: Okay.

MS. RICHARDSON: Did you have anything that you felt like needed to go on the record?

MR. KIAR: No, not at all. Just, as I have indicated, if I find something violating the privilege or objectionable, I'm going to interpose my objection. I reserve that right.

MS. RICHARDSON: Okay. Certainly.

MR. KIAR: Thank you.

MS. RICHARDSON: All right. I have just a few preliminary matters, too, Mr. Moir. These are just definitional so that we don't have a communication misunderstanding when we are discussing things today. I want to make sure that we both have the same understanding of the same terms. And they are very general terms. The first one is "I don't know." Okay. If you respond to me or respond to any of my questions, "I don't know" or if I ask you, "Do you know," and you say "No," then that means that you have no personal, direct, firsthand knowledge of the event or the person or the matter. You also have no hearsay knowledge, no secondary knowledge, from any source. Your mind is an absolute blank, in other words, is what "I don't know" means.

MR. KIAR: I would like you, if you get into those

1 questions, which probably you're going to, I'd like you
2 to clarify at the time whether you're talking about
3 from direct knowledge or otherwise.

4 MS. RICHARDSON: Okay. If I neglect to do so,
5 would you please interject at that point and ask me to
6 do so, so that we can be clear on the record. I don't
7 want to take a generic "I don't know" from you and not
8 have it clear. If you will make whatever your response
9 is very clear, then, for --

10 MR. KIAR: For the record, I have already
11 instructed Mr. Moir to discuss that which he has
12 personal knowledge of, so that if you ask him, "Do you
13 know," it is going to be from personal knowledge. So,
14 I would ask that if you want to go beyond that, then
15 you do so with a follow-up question.

16 MS. RICHARDSON: All right. The next term is "I
17 can't remember" or "I don't recall," absolute blank on
18 memory. There is no stray little thought floating
19 around out here. Is that acceptable as a definition
20 for you? Do you understand "I don't remember" to mean
21 that?

22 THE WITNESS: Yes.

23 MS. RICHARDSON: Okay. If we could start.

24 DIRECT EXAMINATION

25 BY MS. RICHARDSON:

1 Q If you would please state your name and spell your
2 name for the court reporter?

3 A My name is Alexander B. Moir. That's M-O-I-R.

4 Q All right. And your address, please?

5 A

6 you need the zip and the phone?

7 Q Would you? Not the phone, but the zip code,
8 please.

9

10 Q Okay. Thank you. And what is your present
11 position with the Company?

12 A I am an assistant manager, and I work in the North
13 Dade district.

14 Q In the IMC in the North Dade district?

15 A Yes, in the installation and maintenance center,
16 IMC.

17 Q Okay. And who is your present supervisor?

18 A My present supervisor is Carlos Quintero.

19 Q And who is his supervisor?

20 A Ralph De La Vego.

21 Q Okay. And how long have you held this position?

22 A I have been an assistant manager with Southern
23 Bell since I hired in, in April of 1981.

24 Q All right. In this same North Dade center?

25 A No.

1 Q All right. How long have you been an assistant
2 manager in this particular center?

3 A It was either '86 or '87, I transferred to North
4 Dade. And I don't remember which year.

5 Q Okay. What is your present pay grade?

6 A My present pay grade is Pay Grade 3.

7 Q Pay Grade 3.

8 A Right.

9 Q Were you a Pay Grade 3 when you transferred?

10 A Yes. I hired in as a Pay Grade 3.

11 Q You hired in. And what did you do prior to
12 transferring to North Dade, the exact same job?

13 A Yes.

14 Q Okay. So, you hired in basically as an assistant
15 manager for an IMC, and you have been that throughout your
16 term?

17 A Yes.

18 Q And which other IMC did you transfer from?

19 A I transferred from the Miami Metro IMC.

20 Q Was the transfer because Metro consolidated with
21 Central, or --

22 A No. Living in Broward County, I transferred
23 closer to home, and that is the reason for it.

24 Q Okay.

25 A And they just transferred me over to the North

1 Dade district. And I transferred to Miami Metro from the
2 Central Dade district. And I was in Central Dade until 1985
3 or '86. And I spent one year in Miami Metro and then
4 transferred to North Dade.

5 Q So, you have pretty much, I guess, served in all
6 of the Dade IMCs, except what, South Dade?

7 A That's correct.

8 Q Okay. Then would you explain, please, what your
9 responsibilities are as an assistant manager in an IMC?

10 A Currently, I am the analysis foreman for the North
11 Dade district, and it is my job to run the standardization
12 MTAS reports and make sure that we do what we are supposed
13 to do, as far as the integrity of the district is concerned.
14 And I also back the other positions and work in training of
15 our maintenance administrators, MAs, to the current
16 practices that we follow.

17 Q Okay. In terms of the MTAS report and analysis
18 that you do, can you explain a little bit more in detail
19 what that function involves?

20 A MTAS is mechanized trouble analysis system, and
21 there is a set index, or guideline, or -- I can't think of
22 the word --

23 Q Criteria?

24 A Set routine of reports that we are supposed to
25 run. And we are supposed to make sure that the reports are

1 run and that the errors are passed out to the people. And
2 if there is any findings that are in there that are either
3 abnormal or do not look right, either be reported or
4 corrected.

5 Q Can you give me an example of errors or abnormal
6 findings?

7 A An error would be, for instance, if a report came
8 in and the maintenance administrator found the customer had
9 reported their telephone line when they were denied service
10 and they were asking us to restore the service without
11 catching up their bill properly; and they excluded the
12 report, which is a legal exclude, because they are not
13 paying for the service. And they didn't put the date down
14 that the service was denied. Okay, that would be an error.
15 And I would give that to them and then explain that they
16 need to put that in the narrative.

17 Q And how would an MTAS report catch that?

18 A The MTAS report, there is a series of them, and
19 they look at all different functions of the IMC.

20 Q Okay. So, there are set routine reports to catch
21 particular types of errors in MTAS?

22 A Right.

23 Q Would one type of error be, for instance, catching
24 reports where a clearing time was placed in a report, and
25 the clearing time ended up being earlier than the dispatch

1 time?

2 A No.

3 Q It wouldn't catch that?

4 A No.

5 Q Would a type of MTAS report to catch an error be,
6 for an example, where an employee has opened a report and
7 seen that it's on this one same line. It was closed out at
8 23 hours and 30 minutes, and another report was opened five
9 minutes later and carried over and then closed out. Would
10 it catch that type of error?

11 A No.

12 Q Would it catch the type of error where we had an
13 affecting service, and all of the indicators in the report
14 indicated that it was really an out-of-service, yet it was
15 closed out as affecting service?

16 A Let me get this question straight. The trouble
17 report came in as affecting service, right?

18 Q Uh-huh.

19 A But it was never statused as out-of-service?

20 Q Yes. Let's say AUTOSCREENER just plugged it in as
21 affecting service. It was a cable repair and AUTOSCREENER
22 said affecting service, as it does for most cable reports.

23 A Right.

24 Q And then it was closed out -- it was determined,
25 you could tell by looking at the DLETH in the narratives

1 that this was an absolute cut cable for this number, and it
2 was definitely out-of-service, yet it was closed out as
3 affecting service. Would it catch that type of error?

4 A No.

5 Q Would MTAS have any way of checking whether or not
6 someone used a dummy employee code or an unassigned code or
7 another person's employee code in statusing?

8 A No.

9 Q It wouldn't catch that type of error. Would MTAS,
10 and I think you may have given me one example of this, but
11 does it allow you to catch the type of errors where someone
12 has closed a series of out-of-service re[ports to test okay
13 improperly?

14 A Yes.

15 Q Would one of the reports possibly look at the no
16 access code function and determine if there were any errors
17 in the use of no access code?

18 A Yes, those are two of the reports that MTAS does
19 look at.

20 Q Would you explain what the report looks at to find
21 a no access code error?

22 A It just looks at -- it pulls all troubles that
23 have the no access code status to it. You pull the DLETHs,
24 and you look at them to see if they were done properly. In
25 other words, if they were dispatched on prior to the

1 commitment, the repairman did go out there, and no accessed
2 the trouble in his narrative, and that it was done without
3 gaining access either to the customer's premises or yard
4 that he resides in. Because a lot of our no accesses are
5 due to dogs in the yard and all of that kind of stuff, which
6 is a legitimate no access.

7 Q Okay. Would it catch an error or see an
8 abnormality in excessive use of inside wire codes?

9 A No.

10 Q What other types of abnormalities might an MTAS
11 report find?

12 A Well, in the standardization practice, it's going
13 to look for the different categories. When they are
14 employee reports, are they originated to the way they are
15 supposed to be, whether reports are excluded properly or
16 not. It's also to look at an out-of-service statusing,
17 whether that was done properly. It looks at no access
18 codes. It checks the use of non-network codes to see if
19 they were properly used. It looks at special circuits to
20 see if they were followed through in a proper manner. And
21 I'm trying to think of the other one. That is all that I
22 can think of that it does, but that covers most everything
23 that we handle.

24 Q Okay. There is one out there, but you, at the
25 moment, can't remember it?

1 A (Witness indicating yes.)

2 Q Okay. How does it find an employee-originated
3 error? What type of error are we talking about with that
4 report?

5 A Well, if the person -- if a customer -- if you're
6 in a business, and you have five lines in your business, and
7 you report your main number, but, actually, it's like the
8 third or fourth line that's out-of-service. All right. And
9 the employee calls you and finds out that it's actually your
10 third line. So, what they would do is they would exclude
11 the report on the first line, and they are to enter a
12 customer-direct report with the same date and time received
13 as the original phone number and the same commitment time
14 and then re-issue it on the proper line that's
15 out-of-service. Well, there is some confusion, and they
16 issue them as employee-originated, because they think
17 because they are putting it in it's employee-originated,
18 instead of remaking it a customer-direct. And that is part
19 of an ongoing training process that we have. And that is
20 just an example. We have been working very hard, and we
21 have about corrected that problem. And we don't have that
22 problem any more.

23 Q What about exclude problems, how do you catch
24 those and what kind are they?

25 A Just pull all reports that are excluded, and you

1 read the narratives, and you read what the customer
2 reported, and you see if it was properly or improperly done.

3 Q So, a report that was excluded without a narrative
4 would be an error?

5 A Right. Now, we have some that come in with no
6 narratives, and that's because sometimes they may hit the
7 "send" button, make a key punch error, and send it; which
8 would, if you filled it out, but hit the "narrative" or
9 "send" button before you type the narrative in, then the
10 report is going to go. Or they don't put enough
11 documentation. Like I said earlier, they don't put the date
12 that the subscriber was denied for nonpayment. That needs
13 to be in there along with the service order number.

14 Q What kind of errors do you catch in out-of-service
15 statusing?

16 A The errors that I find is that the MAs do not
17 status the reports as out-of-service when they come across
18 -- when they go to put them in the pool. And we look at
19 that, basically, almost every day to see what they do. That
20 is one of the things I look at. Either they just don't
21 understand, or they just misinterpret it, and that is just
22 an ongoing training process we have. But we have gotten
23 better in that, also.

24 Q What cues you that it should have been
25 out-of-service? What do you look for in the MTAS report?

1 A I look at what was found, and I look at what the
2 maintenance administrator had to work with up front, and
3 make a decision of -- they could make that decision as to
4 whether the trouble report should have been statused
5 out-of-service or not. And if the report was closed out to
6 an out-of-service condition, but there is no way they could
7 tell, then I can't fault the MA for not picking that up to
8 begin with.

9 Q Would the VER code, the type code, the disposition
10 code --

11 A All of that would play into effect, yes.

12 Q Okay. And you said something about errors and
13 non-network codes. I'm not certain what a non-network code
14 is?

15 A A non-network code would be -- it's Disposition
16 Code 1000, and that is a referred out. And what that would
17 be is if a customer reports they have a line down in their
18 backyard. And we dispatch a repairman out there, and they
19 find it's cable TV, right? So, they would charge it to a
20 1000 type code disposition, and find out that the cable TV
21 line was down. And, therefore, being non-network, that
22 means Southern Bell would not be charged with a trouble
23 report, because it wasn't a Southern Bell problem.

24 Q So, an out-of-service report with a 1000 code is
25 inconsistent, then?

1 A That's correct.

2 Q And the MTAS report would pick that up?

3 A Yes.

4 Q What about, say, an affecting service report,
5 noise, Disposition Code 300, 1000 -- I mean, 1000
6 disposition code, but noise indicated somewhere and there is
7 static on the line, would that be inconsistent, also?

8 A Yes, very inconsistent.

9 Q Okay. You also indicated that part of your
10 responsibilities and duties was ensure the integrity --

11 A Right.

12 Q -- of the customers --

13 A By following up the standardization practice and
14 making sure that we keep within the guidelines that have
15 been set down in our Bell System practices.

16 Q Okay. And have there been a number of changes to
17 those recently?

18 A Yes, every year they have changes that come down
19 in the practice on that.

20 Q What are some of the key changes that you have
21 seen this year that you have had to work with?

22 A In Disposition Code 12, which is our station
23 wiring and jacks and telephone sets, they eliminated
24 Disposition Code 13, and they consolidated everything into
25 four codes. But they have expanded that back up recently to

1 what it is. And that is what -- that's what they have done.

2 Q Did BellSouth change the way trouble reports were
3 to be statused out-of-service, the basis for the reports
4 statusing out-of-service?

5 A I'm trying to remember the difference in what they
6 passed down. No.

7 Q So, what is it presently?

8 A Presently it's if the customer cannot receive
9 calls, cannot call out or has no dial tone at their
10 premises, the customer is out-of-service on their telephone
11 line.

12 Q Okay. And is this determined by what the customer
13 reports or by the mechanized line test or the AUTOSCREENER
14 test that's run on the system when the customer calls in?

15 A All of them.

16 Q A combination of?

17 A A combination.

18 Q So, if the customer says, "I don't have dial
19 tone," but the line test is showing a line in use, what
20 would you do? What would you tell your people to do?

21 A Well, I would tell them to run a multiple loop
22 test on it. I would tell them to dial up the phone number.
23 And I would tell them, based upon what happened when they
24 dialed up the phone number, that if they couldn't get
25 through to the customer, to call the contact number and make

1 a further attempt to determine whether the customer is in or
2 out-of-service, and find out what the customer's exact
3 problem is. And at this point in time, if they felt the
4 customer was out-of-service, they were to stroke the trouble
5 as such and go on with the next one.

6 Q In your responsibilities, do you deal with
7 AUTOSCREENER?

8 A With the actual AUTOSCREEN rules themselves, as
9 far as making changes in them?

10 Q Or with understanding them, or applying them, or
11 in any way?

12 A How would I apply AUTOSCREEN rules? I'm not
13 trying to be facetious.

14 Q No, that's fine.

15 MR. KIAR: I should have said it at the outset.
16 Ms. Richardson, isn't it?

17 MS. RICHARDSON: Yes, sir.

18 MR. KIAR: If counsel asks you a question, and you
19 don't understand it, I'm sure she'll be happy to
20 restate it in such a manner that you will be able to
21 understand it.

22 THE WITNESS: Right. How would I apply AUTOSCREEN
23 rules?

24 MS. RICHARDSON: Just go ahead and ask it back to
25 me, and we'll try it again.

1 BY MS. RICHARDSON:

2 Q I guess it was sort of a loose term. Let's see.

3 A Either you implement them or you don't do anything
4 with them. That's basically -- AUTOSCREEN rules are set
5 and --

6 Q Okay. They are just in the system. But you're
7 not the person in charge of putting them in the system. And
8 you said you're not the person in charge of changing them in
9 the system?

10 A Right.

11 Q Okay. Would that be your present supervisor that
12 would have that responsibility?

13 A Yes.

14 Q In your experience throughout the time that you
15 have worked for Southern Bell with the AUTOSCREENER rules,
16 how many people, in terms of management level or craft level
17 or anybody, any level -- I don't mean an individual person,
18 but in terms of within the organization -- had access to
19 AUTOSCREENER rules in terms of inputting or taking them out
20 or changing them?

21 A Up until this February anyone could access the
22 system and change the rules on it.

23 Q Okay. And then this February that was another
24 change, then?

25 A Right. They made the change that only certain

1 people on staff had the capability to go in and change it in
2 the system.

3 Q Do you have any idea why that change was made?

4 A I was told it was for security reasons.

5 Q With all of these MTAS reports that you run to
6 catch errors and miscoding --

7 A Uh-huh.

8 Q -- by the maintenance administrators, and I assume
9 the STs in the field, does that include --

10 A Uh-huh.

11 Q Is it your experience that you are capable of
12 determining at every instance when someone is misusing the
13 system?

14 A Yes, in the standardization review package.

15 Q Within those items that you had given me?

16 A Right.

17 Q So, in your experience, then, it is possible to
18 misuse the system and not be aware of it within that
19 standardization package, because the misuse is outside of
20 that standardization package?

21 A The standardization package will catch most of the
22 errors that come through, the large majority of them. For
23 me to say it's going to catch every error or ever attempt to
24 misuse the system, I can't say that for sure. And to do so
25 would be. But it catches most of the errors that come

1 through.

2 Q Okay. And how often are these reports run?

3 A I've had this position since 1988, and they have
4 been run every two weeks.

5 Q Every two weeks. Are the operational reviews
6 based upon MTAS data and tests?

7 A Yes.

8 Q They are. The same tests that you run every two
9 weeks?

10 A Yes.

11 Q So, the review process is pretty much the same
12 when a special team comes in to do an operational review as
13 opposed to you doing it yourself?

14 A Right. But when the operational team comes in,
15 they look at a lot of other facets that go on. But as far
16 as my end of what I look at, it's basically the same package
17 that they run.

18 Q Do you have any idea of what else they do look at?

19 A They interview the other managers as to their
20 knowledge, and they look at the different functions of the
21 maintenance center.

22 Q So, it's possible that errors or problems might
23 crop up in an operational review or would be caught by a
24 review that would not have been caught by you?

25 A That is correct, depending on where they fell in

1 the maintenance center.

2 Q I'm not quite sure by what you mean by "where they
3 fell."

4 A Well, for instance, if the installation and
5 control center, which handles the service orders, has errors
6 in it, I would not find that in that end of the universe.
7 That is what I was referring to, because the IMC handles
8 installation and maintenance. And I basically look at the
9 maintenance side of the house.

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1 be applied again?

2 A No, I can't.

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15 Q Was this Mr. De La Vego?

16 A Yes, it was.

17 Q Was anyone else present?

18 A Yes, Helen Prieto.

19 Q Can you just spell that for the reporter?

20 A Okay. P-R-I-E-T-O.

21 Q And do you know her position with the Company?

22 MR. ANTHONY: Are you sure that it's not -- I'm
23 sorry -- Hilda Geer?

24 THE WITNESS: I'm sorry. You're absolutely right.

25 It was Hilda Geer. I apologize. I thought -- I knew

1 it was an H-something or other. He's absolutely right.
2 It was Hilda Geer, G-E-E-R. You know, it was only a
3 five or seven-minute meeting, so, I didn't -- you know.

4 BY MS. RICHARDSON:

5 Q Do you know her position with the Company? You're
6 unaware, though. You have no --

7 MR. ANTHONY: Mr. Moir, if you don't --

8 MR. KIAR: Yes, if you don't know, just say you
9 don't know.

10 THE WITNESS: I don't know what her --

11 BY MS. RICHARDSON:

12 Q What her position is?

13 A Right. I was told, but I forgot.

14 Q So, it was just those two individuals? There was
15 no one else?

16 A That's correct.

17

18

19

20

21 A No, I do not.

22 Q Do you have any secondhand information about who
23 was disciplined?

24 A No, I do not.

25 Q Having worked in the maintenance center all of

1 those years, and having worked from '88 to present with the
2 MTAS and the integrity and catching errors and problems and
3 being aware of operational reviews, do you feel that you
4 would have known that there had been some major problem or
5 some big errors going on that would have created or been
6 caught by someone else? Would you not have known ahead of
7 time that these things were going on?

8 MR. KIAR: What time frame are you talking about?

9 BY MS. RICHARDSON:

10 Q Well, let's go from '88 forward. Let's try that
11 first.

12 A In July of 1990, I did the standardization review
13 for July 16th to July 31st. On the Section E-3, which is
14 the troubles that are test okay that are stasured
15 out-of-service, I found that Employee Code 099 stasured a
16 lot of troubles, and I don't have the number, probably it
17 was around anywhere from 50 to 100 troubles that were test
18 okay that were out-of-service. I tried to find out who an
19 Employee Code 099 was, but I could not. I checked the
20 standardization review from August 1st to August 15th of
21 1990, and found that Employee Code 099 was not doing this
22 again. I thought the problem had resolved itself, and I
23 couldn't figure out what happened. We did miss the
24 out-of-service index in the month of July 1990 in the North
25 Dade district.

1 I went on vacation around the 26th or 27th of
2 August of 1990. When I came back, I ran the standardization
3 package from August 16th to 31st. And the reason why I was
4 -- I ran it as soon as I came off vacation is because our
5 review team was coming through to do an operational review
6 in August of 1990. And I knew what the first portion looked
7 like. I wanted to see what the second portion looked like.

8 I found an Employee Code 054, who was a lady by
9 the name of and that's had
10 stasured quite a few troubles that were test okay as
11 out-of-service. I went over and interviewed
12 and she had told me that she had done this at the direction
13 of And this was done on the 30th and 31st
14 of August.

15 I asked Nancy D'Alessio about this, and she had
16 told me this was done at the direction of her boss,

17 I knew the review team was coming through within the
18 next week to ten days. I made the decision at that time to
19 discuss my findings with the review team when they came in.
20 And I did. I did discuss it with Bob Fecht, F-E-C-H-T. And
21 Bob wrote it up in the review and stated that it was done.
22 And I am trying -- I can't quote exactly, but I will
23 paraphrase, that it was done as an attempt to meet an index
24 that was in jeopardy of being missed. And he wrote it up in
25 there. And from there, an investigation was held and you

1 know the results of the investigation.

2 Q Okay. Were those customers whose trouble reports
3 were improperly coded, do you know if they were rebated,
4 received rebates for those reports?

5 A No, they did not.

6 MR. ANTHONY: Wait a second. I'm going to --
7 that's -- you're basing that question on a false
8 assumption these were test okays that showed
9 out-of-service, so they were never entitled to rebates
10 initially, isn't that correct?

11 THE WITNESS: That's correct.

12 BY MS. RICHARDSON:

13 Q What was the error?

14 A Well, the error was that the troubles were closed
15 out, the test okays were closed as out-of-services, and they
16 were closed within the 24-hour period. And the attempt was
17 to build the base to make the index appear that Southern
18 Bell was making it, when in actuality we weren't.

19 Q Okay. Do you know --

20 A In the North Dade district.

21 Q Thank you. Do you know of any other instances of
22 attempting to build the base?

23 A No, I do not.

24 Q Have you yourself personally ever attempted to
25 build the base?

1 A No, I have not.

2 Q Would you have the knowledge about how to do so if
3 you chose to do something incorrect? If you chose to do so,
4 which would be an incorrect action or against Company
5 policy, do you have that knowledge?

6 MR. KIAR: Do you understand the question?

7 A Yes, I understand the question. I think it's very
8 leading, to be honest with you.

9 Q Well, you're welcome to answer it and clarify it
10 as much as you would like to clarify.

11 A You know, I'm not trying to be funny, but this is
12 like asking somebody when did you stop beating your wife,
13 okay?

14 MR. KIAR: If I understand the question, you're
15 saying would you know how to do it, not necessarily did
16 you do it or would you do it?

17 MS. RICHARDSON: Exactly. And will ask you did
18 you do it or would you do it, and you're welcome to add
19 that on.

20 MR. ANTHONY: Actually you've already asked him if
21 he has done it. You've already asked him if he did it,
22 and he said no.

23 THE WITNESS: Yes, I do have the knowledge to do
24 that.

25 BY MS. RICHARDSON:

1 Q Okay.

2 A Being an analysis foreman, it's my job to catch
3 the errors and to think in negative terms in easy to do.
4 But I take my job very seriously. Just to be perfectly
5 honest with you, we're told that all you have to do is run
6 standardization once a quarter. I choose to run it every
7 two weeks, and I have the reports. And the reason why I
8 want to do it is I want to keep the integrity of the
9 district to where it should be. And I work very hard and I
10 work very closely with our staff in trying to keep up with
11 it. And as far as this one portion of statusing test okays
12 as out-of-service, in July and August of '90, those were the
13 only two times that has ever been done.

14 Q Just the test okay or building the base in
15 general?

16 A Building base and the test okays.

17 Q Mr. Moir, have you ever heard the term "backing up
18 the time"?

19 MR. KIAR: Can you clarify that for the record.

20 BY MS. RICHARDSON:

21 Q In terms of trouble reports, have you ever heard
22 those words, "backing up the time" used in reference to
23 trouble reports?

24 A Yes, I have, but I want to clarify that answer.

25 Q Please, you're welcome to clarify as you want to

1 clarify.

2 A If you're talking about clear versus closed time,
3 yes, and properly doing it, okay? If you're talking about
4 backing up the time as far as improperly doing it, no, I
5 have not.

6 Q You have responded to some of Public Counsel's
7 interrogatory requests in this docket, have you not?

8 A Yes, I have.

9 Q And some of those requests have involved you
10 reading DLETHs on specific customer trouble reports,
11 correct?

12 A Correct.

13 Q Now, this may be a stretch for your memory?

14 A I only answered everyone of them you sent out, and
15 that was over eight months ago.

16 Q So if you don't remember, I know you will tell me
17 that you don't remember. There was one specific DLETH that
18 we sent you that indicated a status, an intermediate status
19 time that was later than the clearing time. Can you tell me
20 how that can occur?

21 MR. KIAR: If you recall.

22 THE WITNESS: I don't remember the specific -- I
23 barely even remember the interrogatory itself. I
24 remember you had some questions on them, and I marked
25 them up and wrote the answers and sent them back, but

1 the answer to that question, I don't have an answer to
2 that.

3 BY MS. RICHARDSON:

4 Q Okay. Do you know whether that's possible within
5 the system the way the system functions?

6 A I can't answer that question.

7 Q Do you know of anyone who has backed up repair
8 times to meet the out-of-service over 24 hours index?

9 A No, I do not.

10 Q Have you ever done so yourself?

11 A No, I have not.

12 Q Have you ever heard of that ever happening within
13 the Company?

14 A No, I have not.

15 Q Do you know of anyone in the Company who has had a
16 procedure of having a maintenance administrator call a
17 manager to receive disposition and cause codes to close out
18 trouble reports that are in danger of going outside of
19 service over 24 hours?

20 A No, I have not.

21 Q Have you ever done so yourself?

22 A No, I have not.

23 Q Have you ever heard of such a thing being done?

24 A No, I have not.

25 Q Do you know of anyone who has used a no access

1 code to stop the clock on an out-of-service repair report?

2 A No, I do not.

3 Q Have you ever done so yourself?

4 A No, I have not.

5 Q Have you ever heard of anyone doing so?

6 A No, I have not.

7 Q Do you know if anyone has ever reported you for
8 doing so?

9 A Yes. I read it in Ms. D'Alessio's deposition.

10 Q Now, you've already told me you have not. Do you
11 know of anyone who has excluded out-of-service reports that
12 are about to miss their commitment repair time and then
13 reopened a new report to clear and close it?

14 A No, I have not.

15 Q Have you ever done so yourself?

16 A No, I have not.

17 Q Have you ever heard of anyone doing so?

18 A No, I have not.

19 Q Do you know of anyone who has recorded an
20 extension of time from the customer without actually --
21 commitment time from the customer -- without actually
22 contacting the customer?

23 A No, I have not.

24 Q Have you ever done so yourself?

25 A No, I have not.

1 Q Have you ever heard of anyone doing so?

2 A No, I have not.

3 Q Do you know if anyone has taken affecting service
4 reports and stasured them out-of-service in order to meet
5 that repair index, other than the time you spoke about
6 earlier?

7 A No, I have not.

8 Q Have you ever done so yourself?

9 MR. ANTHONY: Wait a second. Let me clarify the
10 record. That is not what he testified to earlier. He
11 didn't testify about service affecting to
12 out-of-service, he testified about test okay to
13 out-of-service. I want the record to reflect the
14 correction.

15 MS. RICHARDSON: All right. Then I withdraw that
16 section of question, and I will rephrase it again so
17 that you will be clear.

18 BY MS. RICHARDSON:

19 Q Do you know of anyone who has taken affecting
20 services and stasured them out-of-service to meet the 95
21 percent index?

22 MR. KIAR: Is that other than what he's already
23 testified to?

24 MS. RICHARDSON: Well, Hank said he did not
25 testify earlier.

1 MR. ANTHONY: He testified earlier about test
2 okays --

3 THE WITNESS: Right.

4 MR. ANTHONY: -- being shown as out-of-service.
5 She now is asking you about service affecting being
6 shown out-of-service. Those are two different things,
7 right, test okay and service affecting?

8 THE WITNESS: Well, a test okay trouble comes
9 statused as a service affecting trouble.

10 MR. ANTHONY: Well, why don't you go ahead and
11 answer the question.

12 MR. KIAR: He's already testified as to a specific
13 time frame. Maybe we can do it that way. If you can
14 ask him the question --

15 MS. RICHARDSON: Well, that was my original
16 question, and Mr. Anthony objected to that question
17 because he felt that part of it had been answered. And
18 you're saying that part has not been answered. Let's
19 try this one more time. You want me to just start
20 again?

21 MR. KIAR: Right.

22 BY MS. RICHARDSON:

23 Q All right. In your entire experience with
24 Southern Bell --

25 A Uh-huh.

1 Q -- other than what you have already testified to
2 here today --

3 A Uh-huh.

4 Q -- do you know of anyone who has taken affecting
5 service troubles and stasured them as out-of-service to meet
6 the 95 percent index?

7 A No, I have not, other than what I have testified
8 to, just on those two time frames that I spoke of earlier.

9 Q All right. Have you, yourself?

10 A No, I have not.

11 Q Have you ever heard of anyone doing so?

12 A No, I have not.

13 Q Do you know of anyone who has used the carryover
14 no or the CON code, the C-O-N code to stop the commitment
15 time on the clock?

16 A No, I have not.

17 Q Have you ever done so yourself?

18 A No, I have not.

19 Q Have you ever heard of anyone doing so?

20 A No, I have not.

21 Q Other than the specific incident that you spoke
22 about with the out-of-service being -- the test okays being
23 closed to out-of-service, do you know of anyone who has done
24 that outside of those incidents you spoke of?

25 A No, I have not.

1 Q And have you ever done so?

2 A No, I have not.

3 Q Have you ever heard of anyone doing so?

4 A No, I have not.

5 Q Do you know of anyone who has violated Company
6 procedures within your time frame of working with Southern
7 Bell?

8 MR. ANTHONY: What kind of Company procedures are
9 you talking about?

10 MR. RICHARDSON: To handle customer trouble
11 reports?

12 A No, I do not.

13 Q Have you ever done so yourself?

14 A No, I have not.

15 Q Have you ever heard of anyone doing so?

16 A No, I have not.

17 Q From any source whatsoever, newspaper, depositions
18 you may have read, from other sources -- let's expand this
19 -- have you heard business further beyond just oral hearing
20 to any type of information from any source?

21 MR. KIAR: Do you understand the question? He
22 indicated earlier that he read Ms. D'Alessio's
23 deposition.

24 MS. RICHARDSON: Uh-huh.

25 THE WITNESS: And I also read Mr. Falsetti's.

1 BY MS. RICHARDSON:

2 Q Okay. And --

3 A And I have read the Miami Herald once or twice.

4 Q Okay. And general conversation within the Company
5 as an employee, then, have you ever heard of anyone who has
6 violated Company procedures in handling customer trouble
7 reports?

8 MR. ANTHONY: It has been asked and answered.

9 BY MS. RICHARDSON:

10 Q Okay. Have you, or do you know of any individual
11 who has used a dummy employee code for statusing a customer
12 trouble report?

13 A No, I have not.

14 Q Have you ever done so yourself?

15 A No, I have not. I do want to state that's other
16 than what I found in the original finding in July when I
17 said the code, I couldn't find out who it was.

18 Q So, the 099 was a dummy code?

19 A Right. It actually belonged -- it was the
20 employee code for ICC, but -- and that was to assign for
21 them to use over there when they had to do statusing as far
22 as service orders into the mechanized portion of the
23 maintenance part of it. And that is why I couldn't find out
24 who 099 was.

25 Q Okay. Do you know of anyone who has used an

1 unassigned employee code, other than that particular
2 incident?

3 A No, I do not.

4 Q Have you ever done so yourself?

5 A No, I have not.

6 Q Have you ever heard of anyone doing so?

7 A No, I have not.

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

11 A No, I have not, and I haven't heard of any on
12 that, either.

13 Q And have you done so yourself?

14 A No, I have not.

15 Q Okay. Do you know of anyone who has used the
16 exclude disposition and cause codes that would exclude a
17 report from the out-of-service base in order to exclude the
18 report from the out-of-service base?

19 A No, I have not.

20 Q Have you done so yourself?

21 A No, I have not.

22 Q Have you ever heard of anyone doing so?

23 A No, I have not.

24 Q Have you ever heard of anyone excluding an
25 out-of-service report improperly?

1 A No, I have not.

2 Q One of the MTAS reports that you look at checks
3 that?

4 A Uh-huh.

5 Q And they have always been accurate?

6 A Well, when you said "improperly," okay, I note
7 that to be in a way that would be an attempt to either
8 falsify or adjust records. Now, if you're talking about
9 done on an error or a mistraining or misunderstanding type
10 input, okay, yes, I find those all the time. Okay. And
11 there is not a lot of them in there, but I do find them.
12 But improperly indicates to me that they were trying to
13 manipulate the records. And that is what I took that word
14 to mean. I wasn't, you know -- there is a difference
15 between an error and --

16 Q There's a big difference between falsification and
17 fraud and doing something improperly?

18 A Right.

19 Q Definitional --

20 A But improperly, if you are just talking in normal
21 everyday business somebody makes an error, yes, we do have
22 that. But if you're talking about bald-face, you know,
23 falsification and fraud, no, I don't.

24 MR. ANTHONY: I think you're looking for intent,
25 and he is saying that he has no knowledge of anybody

1 intentionally doing that.

2 MS. RICHARDSON: Okay.

3 MR. ANTHONY: Is that basically --

4 THE WITNESS: Right. I was --

5 (Simultaneous conversation.)

6 BY MS. RICHARDSON:

7 Q Let's remove intent from improper and I will ask
8 falsify or fraud next. Okay?

9 A Okay.

10 Q Just improperly, have you ever done so yourself?

11 MR. ANTHONY: Wait a minute. I'm going to qualify
12 your question. I don't know how you are defining
13 "improperly." If you're saying by mistake, that's one
14 thing, but improperly --

15 (Simultaneous conversation.)

16 MR. KIAR: Falsification would be a point of
17 improper, I would presume?

18 THE WITNESS: If you're asking me do I ever make a
19 mistake, yes, okay. I make decisions, and we make key
20 punch errors. And sometimes you read a report and you
21 misread it, and you do things wrong. You know, I make
22 mistakes every day. You know, going to work is -- if
23 you don't do anything, you're not making mistakes. But
24 as far as the intent or attempt to do anything
25 improper, no, I have not. No.

1 BY MS. RICHARDSON:

2 Q Have you ever heard of anyone excluding
3 out-of-service trouble reports to prevent them from going
4 into the out-of-service base for fraudulent reasons?

5 A No, I have not.

6 Q Have you ever done so yourself?

7 A No, I have not.

8 Q Do you know of anyone who has done so?

9 A No, I have not.

10 Q Do you know of anyone who has falsified a customer
11 repair record at any time that you have been with this
12 Company?

13 A No, I do not.

14 MR. KIAR: You're talking about other than what he
15 has already testified to, I assume. He testified to a
16 time frame in 1990, does that include that, or other
17 than that?

18 BY MS. RICHARDSON:

19 Q We'll make it other than what you have already
20 previously testified to here today.

21 A No. No, I do not.

22 Q Okay. Have you ever done so?

23 A No, I have not.

24 Q Have you ever heard of anyone doing so?

25 A No, I have not.

1 Q Mr. Moir, are you eligible for bonus pay,
2 incentive awards?

3 A Yes, incentive award, yes.

4 Q Relative to that, do you know on what basis your
5 eligibility rests? What you have to meet, objectives,
6 criteria, commitments?

7 A There is a -- we just got a packet out on it,
8 okay? And we were trained on it, but I'm -- it's hard to,
9 you know -- there's a lot of criteria on a lot of things
10 that go into it. To sit here and try to name them all, I
11 can't do that.

12 Q Would meeting that 95 index base be one of them?

13 A It would be a portion of it, yes.

14 Q Okay. Do you personally record that in your
15 evaluation form, on your commitment form, what the index was
16 for those months, or does someone else report it based upon
17 the results reported to the Commission? How do those
18 objectives get reported on your evaluation, your commitment
19 objective evaluation form? Do you know what I'm talking
20 about? Let me show you one.

21 A If you're talking about the 5100 --

22 Q Yes.

23 A And are you asking is the out-of-service index one
24 of the objective that we have to meet?

25 Q Uh-huh.

1 A Yes, it is.

2 Q Okay. And how is that information recorded, from
3 what data base does that information come from, or where is
4 the source of information for meeting that data base?

5 A Off of the Schedule 11-A that prints officially at
6 the end of each month.

7 Q Okay. So, if I looked at a Schedule 11-A, and
8 looked at your individual, compared the months, the
9 percentages ought to be the same?

10 A They should be.

11 Q Okay. Let me ask you to look at this one.

12 A Okay.

13 Q We are not making this an exhibit. I just want to
14 see if you recognize it and can identify it as yours?

15 A Okay. Yes, that's mine. You're correct.

16 Q And for what time period does that cover?

17 A If covers 1991, from January 1st to December 31st.

18 Q And what was the out-of-service index for October
19 of that year? The objective, what was met?

20 A We had a 76.94 percent.

21 Q Okay. Then if you would look at this. Do you
22 recognize this form?

23 A Uh-huh.

24 Q And what is that?

25 A That is the Schedule 11-A.

1 MR. KIAR: Put it over here so we can look at it
2 also.

3 BY MS. RICHARDSON:

4 Q That is the Schedule 11, and for what time period?

5 A Right. It's for the same. It's for the month of
6 October. I do want to qualify something on this -- on this
7 11-A, and the reason for the discrepancy of the figures.

8 Q Well, tell me what the discrepancy is for the --

9 MR. KIAR: Why don't you let her ask the
10 questions.

11 THE WITNESS: Okay.

12 BY MS. RICHARDSON:

13 Q What was October?

14 A 82.83 percent.

15 Q Okay. And that is different from what shows on
16 your form?

17 A Uh-huh.

18 Q Okay. Now, would you please explain the
19 difference?

20 A Okay. This North Dade that this is referring to
21 encompasses four wire centers. Okay. The sheet you're
22 looking at was the complete district, which was 13 wire
23 centers. Okay?

24 Q Okay.

25 A There are two pages on the Schedule A, and the 73

1 percent that I showed there added in the Palm Springs
2 section, and that is where your difference is.

3 Q Is Palm Springs on that sheet as well?

4 A No, it's not. Which that section of it prints on
5 a different sheet of paper, but it does print under Schedule
6 11-A.

7 Q Okay. So, there might be someone in the Palm
8 Springs center that might have a different percentage in
9 their 5100 form than yours?

10 A Well, Palm --

11 Q I know it's difficult, but see if you can explain
12 that for me?

13 A The North Dade district has different exchanges
14 within it.

15 Q Okay.

16 A You have the North Dade exchange and the Palm
17 Springs exchange. And what I did was, on mine, I passed
18 around the information, and I consolidated both the Palm
19 Springs and the North Dade to get the one figure, which is
20 what a true picture of what the district did at that point
21 in time. Instead of just looking at the four wire centers,
22 I looked at all 13.

23 Q Okay. Have you ever had, or have you ever
24 reported any employee for falsification of customer trouble
25 reporting?

1 MR. ANTHONY: You're talking about other than what
2 he's talked about earlier in the testimony. We are
3 already overscheduled. You've talked about all of this
4 stuff --

5 MS. RICHARDSON: Thanks to you guys, we have an
6 extra hour this morning that we can work with.

7 MR. ANTHONY: I'm going to object to that
8 characterization on the record. It's not thanks to me.

9 MS. RICHARDSON: I'm sorry. Thanks to the
10 individual.

11 MR. ANTHONY: It's thanks to the fact that there
12 was a conflict with a lawyer, and I object to that
13 innuendo.

14 MS. RICHARDSON: So taken.

15 THE WITNESS: What was the question?

16 BY MS. RICHARDSON:

17 Q Have you ever reported an individual for
18 falsification of customer trouble reports, other than what
19 you have already testified to here this morning?

20 A No, I have not.

21 Q And do you know whether or not anybody has ever
22 reported you for falsification of trouble reports?

23 A Well, in the two depositions, Mr. Falsetti did and
24 Ms. D'Alessio did, but --

25 Q That's the only --

1 A That's the only time I've been -- I've known of
2 anybody having anything negative or positive to say either
3 way.

4 MS. RICHARDSON: Mr. Moir, I'm through, and I
5 thank you for your time and I thank you for your
6 presence here. There may be one or two questions that
7 the Public Service Commission may wish to ask before we
8 can let you go.

9 THE WITNESS: I have no problem.

10 MS. RICHARDSON: Thank you.

11 CROSS EXAMINATION

12 BY MR. VINSON:

13 Q Mr. Moir, I have a few questions and intend to be
14 very brief.

15 Let me clarify something that you said earlier. I
16 believe you stated that the July and August 1990 problems
17 with the statusing of test okay troubles as out-of-service
18 was the only pattern of that type of problem that you are
19 familiar with during your time at the North Dade IMC, is
20 that correct?

21 A That is correct. And I do have the MTAS reports
22 to back that up.

23 Q Are you familiar with a July 1989 technical
24 performance review that was conducted by the network staff?

25 A Yes, I'm familiar with it. But the results of it

1 and what it was, I don't recall specifically on anything.

2 Q So, you don't recall any problems with test okay
3 to out-of-service that were reported in that review?

4 A Not that I can think of now, no.

5 Q In your role, was it one of your responsibilities
6 to examine the results of these Staff reviews possibly for
7 implementing corrective action?

8 A Yes, it is, but I don't remember anything that
9 stands out at that point in time.

10 Q So you may have reviewed that back at the time it
11 was conducted?

12 A Right.

13 Q Let me move back to the August 1990 review and ask
14 you do you recall the findings related to the CON codes that
15 were reported in that review? Do you recall anything about
16 the nature of the problems?

17 A I don't remember we had a problem with CON. Can I
18 ask are you sure it was with the North Dade district?

19 Q Right. North Dade and errors were detected, but I
20 may be misinterpreting what the reviewer described them to
21 be?

22 A Okay. Because I'm not familiar with that section
23 of it.

24 Q You don't recall?

25 A The no access portion of the review, I do remember

1 the reviewer's recommendations at the end of it. There were
2 none, because we had done everything that we were supposed
3 to do on it. We did very well on that. That is why I don't
4 remember anything about carryover no.

5 Q Let me ask you, in general, after a review of this
6 type, was corrective action generally implemented by the IMC
7 staff, by the IMC manager and the assistant managers?

8 A Okay. As of the review of 1990 that was done in
9 August, I had problems in other areas that I was weak in.
10 Okay. I had been reviewing in it, but I was weak in it, and
11 Mr. Fecht was kind enough to point out where I needed to
12 shore up different areas. And I have been working on that
13 area since then to do better. And as a result of the
14 continued efforts of doing it every two weeks and working on
15 it, I am confident and competent that if anyone comes in and
16 looks at our records today they will be satisfied with
17 anything they find.

18 MR. VINSON: Thank you. That is all the questions
19 I have.

20 MR. ANTHONY: I don't have any questions.

21 MR. KIAR: No questions.

22 MS. RICHARDSON: Thank you very much.

23 (The deposition was concluded at 9:20 a.m.)
24
25

CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:
COUNTY OF LEON:

I, JANE FAUROT, Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 27th day of September, 1993.



JANE FAUROT
MY COMMISSION # CC295576 EXPIRES
July 16, 1997
BONDED THRU TROY FAIN INSURANCE, INC.

Jane Faurot
JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

MY COMMISSION EXPIRES: 7/16/97

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, JANE FAUROT, Court Reporter, do hereby certify that the foregoing proceedings was taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 52 are a true and correct record of the proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 27th day of September, 1993.

Jane Faurot
JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 28th day of September, 1993, IN THE CITY OF TALLAHASSEE, COUNTY OF LEON,

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STATE OF FLORIDA, BY THE ABOVE PERSON WHO IS PERSONALLY KNOWN BY ME.

Melanie Y. Bradford
NOTARY PUBLIC
STATE OF FLORIDA

