

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

920260 -R

COPY

DEPOSITION OF:

RODOLSO E. LEON

TAKEN AT THE INSTANCE OF:

Citizens of the State of  
Florida, by and through  
Jack Shreve, Office of  
Public Counsel

DATE:

Monday, July 27, 1992

TIME:

Commenced at 8:00 a.m.  
Concluded at 8:58 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.  
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(904) 878-2221

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## 1 APPEARANCES:

2 REPRESENTING THE SOUTHERN BELL TELEPHONE AND  
3 TELEGRAPH COMPANY:4 HARRIS R. ANTHONY, ESQUIRE  
5 BellSouth Telecommunications, Inc.  
6 d/b/a Southern Bell Telephone &  
7 Telegraph Company  
8 c/o Marshall M. Criser, III  
9 150 South Monroe Street, Suite 400  
10 Tallahassee, Florida 32301

11 REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

12 SUE RICHARDSON, ESQUIRE  
13 Office of Public Counsel  
14 c/o The Florida Legislature  
15 111 West Madison Street  
16 Room 812  
17 Tallahassee, Florida 32399-140018 REPRESENTING THE FLORIDA PUBLIC SERVICE  
19 COMMISSION:20 JEAN WILSON, ESQUIRE and  
21 STAN GREER, Class B Practitioner  
22 FPSC Division of Legal Services  
23 Florida Public Service Commission  
24 101 East Gaines Street  
25 Tallahassee, Florida 32399-0863

26 REPRESENTING MR. RODOLSO C. LEON:

27 ARTURO ALVAREZ, ESQUIRE  
28 Alvarez & Gamba, P. A.  
29 2121 Southwest 3rd Avenue  
30 Suite 400  
31 Miami, Florida 33129

32 ALSO PRESENT:

33 WALTER BAER, Office of Public Counsel.

34 CARL VINSON, FPSC Division of Communications.

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\* \* \* \* \*

I N D E X

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

The following deposition of RODOLSO E. LEON 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.

\* \* \* \* \*

MS. RICHARDSON: Today is Monday July 27, 1992. it's eight o'clock in the morning, and we are at Southern Bell's Miami office. The deposition will be for Mr. Rudy Leon this morning. And if we could, I think will start by taking appearances first.

I'm Sue Richardson. I represent the Office of Public Counsel, and with me is Walt Baer, our staff analyst.

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

MR. ALVAREZ: Arturo Alvarez on behalf of

1 Mr. Leon.

2 MR. ANTHONY: Hank Anthony on behalf of Southern  
3 Bell Telephone and Telegraph Company.

4 MS. RICHARDSON: And, if you would?

5 MR. LEON: Rodolso Leon, called Rudy, easier.

6 MS. RICHARDSON: Okay.

7 MR. LEON: District Engineer in South Dade,  
8 Southern Bell Telephone and Telegraph Company.

9 Thereupon,

10 RODOLSO E. LEON

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

13 MS. RICHARDSON: And, Hank, you wanted to make  
14 some stipulations and statements?

15 MR. ANTHONY: Yes. There is the possibility, like  
16 some of the other depositions that have been taken in  
17 this particular matter, that we may get into questions  
18 that ask for matters that the witness would know only  
19 from Southern Bell's privileged investigation. To the  
20 extent that that may happen, then I'm going to instruct  
21 the witness not to respond to those questions. If the  
22 witness can answer the questions from information that  
23 was derived other than from the privileged  
24 investigation, he is, of course, free and will answer  
25 the questions, as far as I am concerned. I believe

1 that, Sue, you wanted to make sure that if the witness  
2 does get an instruction not to answer the question that  
3 he provide you with the information whether he has  
4 knowledge or not. But, of course, I would request that  
5 the witness not provide the specifics, is that  
6 agreeable?

7 MS. RICHARDSON: That's acceptable.

8 MR. ANTHONY: And we also have the normal  
9 stipulations, and I'm not sure I can remember them at  
10 eight o'clock on a Monday morning, but foremost among  
11 them, at least for these purposes, is that we will  
12 reserve objections until the time that the deposition  
13 is used at hearing or whatever, except as to the form  
14 of the question and as far as privileged information  
15 may be concerned.

16 MS. RICHARDSON: Okay. And that this hearing is  
17 subject to proper notice.

18 MR. ANTHONY: Subject to proper notice, and we  
19 won't go off the record without the witness' consent.  
20 And there is one other that escapes me at the moment.

21 MS. RICHARDSON: No waiver of reading and signing.

22 MR. ANTHONY: No waiver, thank you. And if that's  
23 agreeable, since we have got these stacked up for the  
24 next five days, if we can, at least to the last four  
25 just stipulate for each of those, so that we don't have

1 to waste time at ~~the~~ beginning of each of those  
2 depositions.

3 MS. RICHARDSON: That's great. So, you want to do  
4 those particular ones for all five days, then, instead  
5 of starting over in Lauderdale. You're going to also  
6 be in Lauderdale?

7 MR. ANTHONY: I'll be here for three of the days.  
8 And I think a fellow named Robert Beatty will take my  
9 place tomorrow and Friday.

10 MS. RICHARDSON: Okay.

11 MR. ANTHONY: Because I have some conflicts. But  
12 I will discuss with him the nature of the things that  
13 we have agreed to in the stipulations.

14 DIRECT EXAMINATION

15 BY MS. RICHARDSON:

16 Q Mr. Leon, I just want to clarify a couple of  
17 things before we get started. I don't know, of course, is a  
18 perfectly acceptable answer if you don't know, of course.  
19 But what we'd like to make clear on the front end is that  
20 you have absolutely no knowledge whether it's personally,  
21 firsthand, direct, secondhand, hearsay, just general  
22 knowledge that you may pick up by being in the building or  
23 through the operations or things that you have done. You  
24 have gained a great deal of knowledge of some sort where you  
25 were not necessarily directly involved. If you have

1 knowledge of that sort, "I don't know," is not, for me, a  
2 proper answer. You may say, "I don't have firsthand  
3 knowledge. I have some other kinds of knowledge," and then  
4 I will want to question you about the source, or where you  
5 got it from. I want to make sure that we are clear on what  
6 "I don't know" means for definition purposes for this  
7 particular deposition. Do you have any questions about  
8 that?

9 A Yes, ma'am. I would like to try to clarify what  
10 you just told me.

11 Q Please.

12 A To summarize what I think you said was if I don't  
13 know anything myself for sure, to say, "I don't know."

14 Q Right.

15 A No problem.

16 Q Okay. And that pretty much goes for "I can't  
17 remember." I know that some of these instances that I'm  
18 going to be asking about go back to the early '80s, and I  
19 don't know how long you have been with the Company, but we  
20 are going to find that out to begin with. But if you can't  
21 remember, that is a perfectly acceptable response. If you  
22 have any little niggling (phonetic) memories, you don't  
23 remember the full-blown picture, but you remember little  
24 things that are out here, I want to know about the little  
25 things. If you don't have any memory recall of it at all,



1 fine, "I don't remember." Is that clear?

2 A Right.

3 Q Do you have any questions?

4 A No.

5 Q Okay. And then the last thing is if you would be  
6 sure to speak loudly for our court reporter. I know you are  
7 sitting next to her, but clearly, so that she can catch it.  
8 And I have to always remind myself to try to speak a little  
9 slowly. I get excited. I tend to talk too quickly. So, if  
10 you can help us with that. I may sometimes ask you to slow  
11 down a little bit or, with Southern Bell, I find even myself  
12 now slipping into talking about acronyms, like LMOS, instead  
13 of spacing in out about what it is. So, if we get to -- and  
14 that is L-M-O-S. If we get to an acronym like that, and you  
15 are using a lot of them, I may ask you -- interrupt you and  
16 say, would you please spell that or tell me what it means so  
17 that the record is clear, and that we all understand what we  
18 are talking about.

19 A No problem.

20 Q Okay. Great.

21 A No problem.

22 Q No problem. Okay. What is your present position,  
23 please, at BellSouth?

24 A District engineer, South Dade.

25 Q District engineer.

1 A Right.

2 Q South Dade. And what exactly are your present  
3 duties?

4 A Engineering, supervise the group of people that  
5 engineer or design the plant that have to be used in the  
6 field, based on service requirements.

7 Q So, is that laying cable, for instance, for new  
8 phones?

9 A We design it. The construction group goes ahead  
10 and lays it, which they do not report to me.

11 Q Okay.

12 A I am in charge only on the people of the  
13 designing, the design of the particular job and issue the  
14 drawings to the field, so the field does the work.

15 Q Who is your immediate supervisor?

16 A Mr. Taft Rubin.

17 Q And would you spell his last name?

18 A R-U-B-I-N.

19 Q Thank you. And who is the next level supervisor  
20 above Mr. Rubin?

21 A Ms. L. C. Isenhour.

22 Q Okay. And that's I-S --

23 A E-N-H-O-U-R.

24 Q All right. And Mr. Rubin's title would be  
25 operations manager, general manager?

- 1 A That is ~~correct~~, operations manager.
- 2 Q Operations ~~manager~~. And Ms. Isenhour would be?
- 3 A General manager.
- 4 Q General manager.
- 5 What was your position with the Company before
- 6 your present position as district engineer?
- 7 A Operations manager, Miami Metro.
- 8 Q Miami Metro. And what period of time were you an
- 9 operations manager down in the Metro area?
- 10 A May 1st of 1991 through October 31st, 1991.
- 11 Q Okay. So, a period of about five or six months?
- 12 A That's right. Six months.
- 13 Q Okay. Why were you placed in that position? Was
- 14 that a promotion or ~~was~~ there a need, a vacancy or a need
- 15 for you to be immediately moved? Why do you think?
- 16 A The previous operations manager, Mr. John
- 17 Benedict, had left the area to go to a different position.
- 18 Q With the Company?
- 19 A Yes, up north.
- 20 Q Okay. B-E-N-E-D-I-C-T?
- 21 A Benedict? B-E-N-E-D-I-C-T, that's correct.
- 22 Q Okay. And before May of '91, than, take me back a
- 23 further step. What did you do prior to becoming operations
- 24 manager at Metro?
- 25 A I was an operations manager for Central Dade.

1 Excuse me. Central Dade and that is it.

2 Q From about when to when?

3 A Sometime in August of '89. It might have been in  
4 July or August of '89 through --

5 Q May of '91?

6 A -- the end of April, May 1st, or April 31st of  
7 '91.

8 Q All right. And your duties as operations manager  
9 for Central and then again for the Metro area, those were  
10 the same level of duties, correct, in Central and Metro,  
11 operations manager? Did you handle the same type of things?

12 A That is correct.

13 Q And would you elaborate on what your duties were  
14 as operations manager?

15 A I had the responsibilities of construction.  
16 Excuse me, of the engineering. Let me go in order,  
17 designing the plant construction and maintaining the plant  
18 test center. So, I had construction, maintenance, test  
19 center, and engineering.

20 Q All right. And test center is an installation  
21 maintenance center, an IMC?

22 A That's correct.

23 Q And as related, that is the area I would like for  
24 you to elaborate and expand a little bit further for me.  
25 Would you tell me what your duties were in those terms of

1 supervising the IMC?

2 A I had a second level manager that was in charge of  
3 the whole test center. And I had a second level manager in  
4 charge of the STs in the field.

5 Q Service technicians?

6 A Service technicians that are more or less related  
7 with the same things, that the center controls the dispatch  
8 and the STs do the work, and I was above them.

9 Q Okay. And the second level manager reported  
10 directly to you?

11 A That is correct.

12 Q And the second level manager's duties were what,  
13 what did you lay out for him to do?

14 A He had a number of first level managers reporting  
15 to him, and each of these first level managers had a number  
16 of craft people reporting to them. And their duties were to  
17 dispatch the people -- excuse me -- to screen the troubles  
18 as they were given to them by the CRSAB, dispatch the STs to  
19 correct the troubles in the field, close service orders,  
20 dispatch all the service orders and close the service  
21 orders.

22 Q For new service?

23 A For new services, yes. The others were troubles  
24 that were where the customers call in, that was -- those  
25 were the main responsibilities of the test center.

1 Q Is it fair to say, then, that as supervisor for  
2 these activities, that you were thoroughly versed in all the  
3 phases of customer trouble reporting that are handled by an  
4 IMC?

5 A I believe so.

6 Q So, for example, you are familiar with the use of  
7 disposition codes to close out a customer trouble report?

8 A Yes.

9 Q You're familiar, for example, with cable repair?

10 A Uh-huh.

11 Q You're familiar with the Tracker and the Mapper  
12 programs?

13 A Yes.

14 Q You're also familiar, then, with the cause codes  
15 that are used on closing out a trouble report?

16 A That's right.

17 Q And you said screening positions?

18 A Yes.

19 Q Okay.

20 A When you say that I am familiar --

21 Q All right.

22 A -- I know what the cause code and the closing  
23 code, I know what they mean, but I'm not familiar to the  
24 point that I can recite them to you. As a matter of fact, I  
25 would need help in deciding in some cases what this

1 particular case should be closed at. I would be looking  
2 at --

3 Q Job aid.

4 A -- at a sheet of paper; a job aid, if you will.  
5 And I will try to decide, but not like the STs in the field  
6 do or anything like that.

7 Q Okay. In the screening, you mentioned, I believe,  
8 screening. Does that mean that you are familiar with the  
9 auto-screener process, as well as the mechanized screener  
10 process for handling trouble reports?

11 A I am familiar with the meaning of what is done,  
12 but I am, again, not familiar with -- I don't get that deep  
13 into the coding or anything like that.

14 Q All right. Prior to your operations manager  
15 experience in your position there, did you have any  
16 firsthand experience with handling, sort of hands-on trouble  
17 reports at a lower level?

18 A No.

19 Q No. Okay. So, you were named an operations  
20 manager. From what position did you move into that?

21 A District engineer.

22 Q District engineer.

23 A Right.

24 Q So, I guess it's fair to say that most of your  
25 experience, really, has been in the engineering area rather

1 than in the trouble reporting, customer reporting area?

2 A Yes, ma'am.

3 Q All right. I'm going to ask you, Mr. Leon, a  
4 series of questions about different activities that have or  
5 may not have occurred in your test center. And let me make  
6 that plural, Central and Metro, while you were operations  
7 manager over both of those for the period of time that you  
8 have indicated.

9 A Uh-huh.

10 Q I would like for you to indicate to me whether or  
11 not you have any firsthand personal knowledge of the type of  
12 activities I'm explaining or asking about. And I would also  
13 appreciate you're telling me that, if you don't have any  
14 direct and personal knowledge, whether you have any  
15 secondhand knowledge, whether you have heard about it from  
16 another source, hearsay, or just sort of generally in your  
17 experience, okay?

18 A Okay.

19 Q For instance, on the first example, do you have  
20 any experience or any knowledge with backing up repair times  
21 to meet the out-of-service-over-24-hours PSC index?

22 A No.

23 Q Okay. And that means no secondhand knowledge, as  
24 well as no firsthand knowledge?

25 A That is correct.



1 Q Do you have any experience with maintenance  
2 administrators or service technicians backing up a clearing  
3 time to the actual time the trouble was cleared, rather than  
4 the given time when it was reported to the MA to close the  
5 problem out?

6 A Can you repeat that again?

7 Q Yes, sir. On close-out, in the close-out  
8 procedure, my understanding is that a service technician or  
9 a maintenance administrator, when preparing to close the  
10 trouble out, that there is a clearing time and a close time,  
11 two different times?

12 A That's right.

13 Q And the actual time that the clearing and closing  
14 is performed is given by the computer screen. A clearing  
15 time may be earlier, the actual clearing time may be  
16 earlier.

17 A That is correct.

18 Q Do you have any experience with service  
19 technicians calling in and then giving the actual clearing  
20 time, which would be earlier than the time shown on the  
21 screen or the actual computer time at the point that it was  
22 called in?

23 A You mean calling in? No.

24 Q Okay. What about actually clearing it on their  
25 hand-held computer terminals, the service technicians? It's

1 noon. They cleared it at 11:00, and they are just now  
2 getting ready to clear it out on the terminal, so it shows  
3 up on the computer.

4 A Let me try to clarify that. Are you saying do I  
5 know anybody that has done it?

6 Q Yes.

7 A No.

8 Q Okay. Can you tell me what procedures were in  
9 place while you were operations manager for clearing and  
10 closing reports?

11 A Okay. There are cases, the person should go ahead  
12 and report the completion of the work when the service was  
13 provided, exactly the time when it was done. There were  
14 cases when the STs finished a job in the afternoon, and they  
15 called in the computer the following morning to pick up  
16 their trouble, and at that time they closed the completion  
17 the previous day at 5:00, or 4:45, or ten minutes to 5:00,  
18 or whenever. And those -- that is the practice.

19 Q Okay.

20 A Now did I see anybody doing it, that's what I'm  
21 saying.

22 Q Yes.

23 A And I don't know of anybody calling in to close a  
24 trouble, because they have their computer. Now, if, for any  
25 reason, they didn't have the computer, they could have done

1 that.

2 Q Okay. So, are you familiar, then, with a  
3 maintenance administrator or a service technician -- let me  
4 change that. Are you familiar with a practice where a  
5 service technician is directed by a first or second level  
6 manager to always call in reports that are in danger of  
7 going out-of-service over a 24-hour period or commitment  
8 time, to call those in to a manager to close rather than  
9 closing them out on a hand-held computer?

10 A No.

11 Q Okay. At any point while you were operations  
12 manager, did any of your first or second level managers  
13 establish a procedure for their employees requesting or  
14 red-flagging out-of-service reports that were about to  
15 exceed or had exceeded 24 hours?

16 A The reason I'm thinking is because I don't  
17 understand your question very well. We have a jeopardy  
18 report -- let me see if this answers what you are saying --  
19 and the jeopardy report lets us know the orders that have X  
20 amount of hours left for being over 24 hours, so we can go  
21 ahead and dispatch those prior to troubles that we have that  
22 have been with us for only one hour.

23 Q Okay. In your IMCs, was there in use by any of  
24 your managers or yourself at their direction, reports that  
25 would indicate on a daily basis, then, the number of

1 out-of-service troubles that had been received; how close  
2 you were to meeting the 95 percent level; and if you drop  
3 below that level, how many more out-of-service reports you  
4 would need in order to get back to the 95 percent level?

5 A Did you say how many more reports?

6 Q Uh-huh. Any additional reports required to meet  
7 the 95 percent, to build that base up?

8 A No.

9 Q You're not familiar with any of those reports?

10 A No. I had a report that every day we checked how  
11 many out-of-services there have been over the 24 hours. And  
12 based on the out-of-services that we had, we were able to  
13 know where we stood on the 95 percent.

14 A Okay.

15 Q Do you have any knowledge about using the no  
16 access code to stop the commitment clock?

17 A No.

18 Q Can you explain to me any directions that  
19 maintenance administrators or service technicians may have  
20 received from you or from first and second level managers  
21 working under you about the use of the no access codes?

22 A My maintenance administrator?

23 Q Uh-huh.

24 A The STs are the ones that are out in the field,  
25 and they are the ones that know. No, I don't know.

1 Q Okay. Are you familiar with using, or have any  
2 experience with anyone using the no access code improperly?

3 A No.

4 Q Are you familiar with any internal review  
5 processes that would disclose whether or not a maintenance  
6 administrator had been using a no access code improperly?

7 A Yes.

8 Q Would you explain?

9 A We had reviews. We had a staff, personnel, that  
10 came to review us for all of those -- checking on all of  
11 those matters that you were talking about. Not only that,  
12 but everything at the test center.

13 Q Everything?

14 A Yes. All of the responsibilities that we had.

15 Q Okay. Were these individuals that did the review,  
16 were they within your department? Were they outside of your  
17 department, from another area in BellSouth?

18 A They were from my department, meaning network.  
19 But you have to understand that network is -- when you say  
20 "department," I'm referring to the network department, and  
21 it could be from Atlanta. It could be from South Central  
22 Bell. That is the definition that I give to the department  
23 at this time. I want to clarify that just in case that you  
24 feel that the department means reporting to me. No, these  
25 people were not reporting to us. That is practice. We have

1 the staff people and continuously they come and review all  
2 of us, whether it's in engineering or in the test center or  
3 in construction, or something like that to see whether we  
4 follow the practices, to ensure that we do that.

5 Q Okay. And are you --

6 A And I had people from the staff in Jacksonville, I  
7 had people from Atlanta, and I even had people from South  
8 Central Bell coming and reviewing my district.

9 Q Okay. Had any of those reports, in your  
10 experience, from '89 through '91, or even present, did any  
11 of those reports indicate a problem?

12 A No.

13 Q So, everything was always clear, hunky-dory, fine;  
14 no problems with any of the MAs or STs under your  
15 supervision?

16 A No, not everything was 100 percent correct. I  
17 remember a case where they came and they found a training  
18 problem. We assumed that it was a training problem because  
19 they review, like, I think it was -- the trouble was less  
20 than 1 percent. And it was that there were ten  
21 service-affecting -- or ten out-of-services that should have  
22 coded service-affecting. And they found 12  
23 service-affectings that should have been coded  
24 out-of-services.

25 Q In what time frame?

1           A     So, that to me is -- that was -- I believe that  
2 was probably the end of '89, this particular one, because it  
3 was the South Central people, the ones that came to review.

4           Q     Okay. Are you familiar or have any knowledge --

5           A     But that was not considered a problem. Let me  
6 clarify with that. As a matter of fact, if anything, we had  
7 service-affecting -- excuse me, 12 out-of-services that they  
8 should have been affecting service, so it was two more.

9           Q     Are you familiar with statusing affecting service  
10 troubles as out-of-service to build the out-of-service base?

11          A     No.

12          Q     Other than this one particular point in time where  
13 it may have been done improperly, but not intentionally, is  
14 the way I read it.

15          A     Exactly.

16          Q     Okay. Are you familiar with excluding  
17 out-of-service reports that are about to miss a commitment  
18 repair time and then reopening or restarting the report as a  
19 new trouble report?

20          A     No.

21          Q     Are you familiar with using the carryover no codes  
22 to stop the commitment clock?

23          A     Carry over?

24          Q     CON.

25          A     No.

1 Q Okay. And you sound a little doubtful about the  
2 CON codes. You warned me that you didn't know every single  
3 one of them?

4 A That's what I say, no, I don't know what CON  
5 means.

6 Q Okay. Does "carryover no" help with your  
7 understanding?

8 A No.

9 Q It doesn't. Okay. Are you familiar with any  
10 maintenance administrators or service technicians using a  
11 dummy employee code on trouble reports for either opening or  
12 closing or clearing?

13 A No.

14 Q Okay. Are you familiar with using -- well, let me  
15 ask you this first. You are familiar with the, generally  
16 familiar, with your four -- '89 to '91 -- three or four  
17 years as operations manager for test centers with the Public  
18 Service Commission rules dealing with out-of-service  
19 reports?

20 A Yes.

21 Q All right. And the rule requires 95 percent?

22 A 95 percent.

23 Q Cleared within 24 hours?

24 A 24 hours.

25 Q All right. And then you're familiar with the



1 rebate requirement on customer trouble reports?

2 A No. And let me explain to you. I know that we  
3 have to give them a rebate --

4 Q All right. Just tell me that.

5 A -- if it is over 24 hours. How we figure it out,  
6 or what type of rebate, is my assumption.

7 Q Okay. Are you familiar with the use of certain  
8 codes, properly or improperly, okay, that are excluded from  
9 the out-of-service index on Public Service Commission  
10 reports, which is flood, lightning, customer action as a  
11 cause code?

12 A Yes.

13 Q You're familiar with using those inside wire  
14 codes?

15 A Right.

16 Q CPE codes, and that is customer-provided  
17 equipment?

18 A Right.

19 MR. ANTHONY: Customer premises equipment.

20 THE WITNESS: Customer premises equipment.

21 MS. RICHARDSON: Thank you.

22 BY MS. RICHARDSON:

23 Q Okay. I'm going to learn them all one of these  
24 days. But you are familiar with those?

25 A Yes, ma'am.

1 Q All right. Are you familiar with any maintenance  
2 administrator or service technician improperly using those  
3 codes or using those codes to falsify customer repair  
4 reports?

5 A No.

6 Q Are you familiar with any means that may be used  
7 by a maintenance administrator or a service technician to  
8 build the out-of-service base in order to meet that 95  
9 percent requirement?

10 A No.

11 Q Do you have any knowledge of any Bell employee  
12 falsifying a customer trouble report?

13 A No.

14 Q Are you familiar with the special study fields on  
15 a DLETH, D-L-E-T-H? Do you know what a DLETH is?

16 A I know what a DLETH is. I get them confused, and  
17 I haven't been there for -- but I think I know what a  
18 D-L-E-T-H is. When you said a special coding field, I  
19 didn't know what that means.

20 Q Okay. Are you familiar with the use of any  
21 special codes for internal company tracking of certain types  
22 of reports on the customer trouble report? The Company may  
23 be running a special study, and they want to keep track of  
24 the number of customers with a certain type of troubles, for  
25 instance, as opposed to -- maybe the CPE code troubles; they

1 may run a special report on those. And so they have a field  
2 that shows up, and they use this to tell them how many of  
3 these types of troubles they are having in the Metro Center  
4 as opposed to the Central Dade Center. Is that anything  
5 that rings any bells for you?

6 A I don't know of any special field besides the ones  
7 that are in that chart that every ST has.

8 Q Okay. The final status chart, the FSC?

9 A Yes.

10 Q That's what I'm talking about, the FL-1, 2, 3  
11 fields. Are you familiar with those?

12 A F-1 --

13 Q FL-1 and FL-2 and FL-3?

14 A No.

15 Q No. Okay.

16 A FL?

17 Q I believe that's the way it is.

18 A No.

19 Q Okay. Does 222 codes ring any bells with you?

20 A No. 222?

21 Q Uh-huh.

22 A (Witness indicates no.)

23 Q Okay. Is there any --

24 A No. I'm --

25 Q I'm sorry. If you've got anything to add, please,

1 I don't want to cut you off.

2 A No, what I am saying is I'm hearing things for the  
3 first time, and I thought I knew everything.

4 Q That's fine. Do you know of anyone who has  
5 excluded a customer trouble report to keep it from going  
6 out-of-service over 24 hours?

7 A No.

8 Q Do you know of anyone who has closed out an  
9 out-of-service customer trouble report that was in danger of  
10 going out-of-service over 24 hours and then reopening it as  
11 an employee originated report?

12 A No.

13 Q Do you know if using an exclusion code for closing  
14 out an out-of-service report would prevent a rebate to a  
15 customer?

16 A No.

17 Q You don't know whether it would, or you're saying  
18 that it would not?

19 A I don't know of any -- your question first --

20 Q Okay. What is an exclusion code? Are you  
21 familiar with the exclusion, when a report is excluded on  
22 final status?

23 A CPE is excluded. If we have a lot of rain, then  
24 we have flooding, that is excluded.

25 Q Okay. Do you know of anyone using those types of

1 exclusion codes, then, to prevent a customer from receiving  
2 a rebate?

3 A No. No.

4 Q Okay.

5 A I know people use them because that is the case.  
6 In other words, I went to visit this, and it was  
7 customer-provided equipment, and they go ahead and put  
8 customer-provided equipment.

9 Q Are you familiar with the operation or review that  
10 was done in August 1990 in the Dade area?

11 A No. I mean, we had -- what do you mean operation  
12 or review?

13 Q To review, operation review, in terms of -- we had  
14 talked earlier about your managers, first and second level  
15 managers, and there would be people from the department or  
16 network would come in and do a review.

17 A We have those continuously. So, when you say,  
18 "Are you familiar with the," I don't know which one is the  
19 one you're relating to.

20 Q August of 1990?

21 A There is no way -- I know we had operational  
22 reviews, as I mentioned before, but I can't say where and  
23 when they took place, exactly, except for the one from South  
24 Central, because it was the first time that a different  
25 company than Southern Bell had come and done a review. But

1 the others that I had during the year, no, I don't remember  
2 the dates.

3 Q Okay. But there was one in 1990 where a different  
4 company came in and did a review, an outside --

5 A A different company?

6 Q I'm sorry. I misheard you, then.

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A Can you repeat that again?

Q Yes. In your opinion -- you're a manager, you supervise a lot of people for this Company. You were told

Q -- what those were?

A Right.

Q Does that make sense to you?

A No, ma'am.

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A Well --

Q Or at least watch for the signs?

MR. ANTHONY: Assuming that any falsifications were occurring.

MS. RICHARDSON: Mr. Leon, thank you. I think Ms. Wilson may or may not have one or two questions for you. But I appreciate your time, and I appreciate your candor. Thank you for being here.



1 THE WITNESS: Well, I'm glad I can help.

2 MS. RICHARDSON: Well, I won't say help, but thank  
3 you.

4 CROSS EXAMINATION

5 BY MR. GREER:

6

7

8 A District engineer for South Dade, engineering.

9 Q South Dade?

10 A Yes, sir.

11 Q What time were you in Central Dade? You said '89  
12 to '91?

13 A I came into Central Dade -- I want to say August.  
14 It might have been in July of '89. And I know the time that  
15 I left, I know for a fact, because it just happened not too  
16 long ago, which was at the end of April of '91. May 1st was  
17 the day that it was made effective.

18 Q Are you aware of a technical performance review  
19 done down in Central Dade, dated July '89?

20 A No.

21 Q You wouldn't have any knowledge of any of that  
22 type of information, dealing with that technical review?

23 A You see, you're specifying dates, okay?

24 Q Okay.

25 A Any review that was done under my organization,

1 whether it was in Central Dade, or in Metro, or in anyplace,  
2 I would take the findings and correct them. And take steps  
3 so that won't happen again, like she said. Now, you're  
4 saying July, I can't --

5 Q In Central Dade, were you aware of any problem  
6 with statusing test okay to build up the base?

7 A No, sir.

8 MR. GREER: That's it.

9 MS. RICHARDSON: Okay.

10 THE WITNESS: I would like to ask one thing.

11 MS. RICHARDSON: Please.

12 THE WITNESS: Operations manager for Central and  
13 Metro, due to the size of the district, is the same  
14 level as district engineer. It's not the level -- it's  
15 not the same level as the operation managers in North  
16 Dade or South Dade at that time.

17 REDIRECT EXAMINATION

18 BY MS. RICHARDSON:

19 Q Higher or lower?

20 A Those at the North Dade and the South Dade were  
21 one level higher.

22 Q Is that like a pay grade level?

23 A Pay grade higher. Pay grade higher, same title,  
24 different pay grade.

25 Q Seven, eight, above that?

1           A     North Dade, South Dade, at that time, were Pay  
2     Grade 7. They are today Pay Grade 7. Metro and Central was  
3     a Pay Grade 6, which is what a district engineer is. They  
4     took part of Central when my previous -- the person I  
5     replaced left. They took part of that wire center and gave  
6     it to South Dade. So, they made Central Dade a smaller  
7     district. And they put me in charge as a training, and also  
8     because of the potential that I have for mobility. But it  
9     was the same level, the same pay grade as district engineer.  
10    When I went to Metro, because of the size, the same thing  
11    was done. When they combined Central and Metro, which is  
12    the way it is today, they made a larger district.

13           Q     How many maintenance administrators are there in  
14    this particular one, Central and Metro combined?

15           A     Now, today?

16           Q     Uh-huh.

17           A     I don't know.

18           Q     How many second level managers, do you have any  
19    idea?

20           A     Today?

21           Q     Uh-huh.

22           A     I don't know.

23           Q     How many were there under you? You said there  
24    were two second level managers or one second level and two  
25    first level?

1           A     Reporting to me, I had five.

2           Q     Five. Okay.

3           A     On the test center there was one second level  
4 manager. On the STs, the people in the field, there was  
5 one.

6                     The reason for this clarification is I want to be  
7 sure that I was never demoted. I was always in the same pay  
8 grade level, different titles.

9           Q     And your present position is also --

10          A     Pay Grade 6, exactly the same, not changed than  
11 when I was an operation manager or when I was a district  
12 engineer prior to going there.

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

14                     MR. ALVAREZ: I don't have any.

15                     MS. RICHARDSON: Thank you very much.

16                     (The deposition was concluded at 8:58 a.m.)

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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 36 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 28 day of September, 1993, IN THE CITY OF TALLAHASSEE, COUNTY OF LEON,

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

*Melanie Bradford*  
NOTARY PUBLIC  
STATE OF FLORIDA



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