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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
~~910163-TL~~
150260-7C

COPY

DEPOSITION OF: EVERETT BRUCE HENSEY
TAKEN AT THE INSTANCE OF: Citizens of the State of
Florida, by and through
Jack Shreve, Office of
Public Counsel
DATE: Thursday, July 30, 1992
TIME: Commenced at 2:30 p.m.
Concluded at 3:00 p.m.
PLACE: 6451 North Federal Highway
Room 1015A
Fort Lauderdale, 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
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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
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301

REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

SUE RICHARDSON, ESQUIRE
Office of Public Counsel
c/o The Florida Legislature
111 West Madison Street
Room 812
Tallahassee, Florida 32399-1400

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

ALSO PRESENT:

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

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I N D E X

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WITNESS:

PAGE NO.

EVERETT BRUCE HENSEY

Direct Examination by Ms. Richardson

6

CERTIFICATE OF REPORTER

25

1 investigation. So, if you get a question that's
2 directed toward your knowledge about the investigation,
3 I may ask you not to answer that question. If I do,
4 please just follow my instructions and not answer it.
5 I just didn't want you to be surprised. And I doubt
6 it's going to come up, but on the off chance it does, I
7 wanted you to know. Unless I otherwise object to the
8 question, answer the questions that Ms. Richardson and
9 anybody else may ask you fully and honestly. Okay?

10 THE WITNESS: Okay.

11 MR. ANTHONY: Thank you.

12 MS. RICHARDSON: And I have two preliminary things
13 to make sure we are communicating on the same wave
14 length.

15 THE WITNESS: All right.

16 MS. RICHARDSON: One of them is if you tell me you
17 don't know something, or I ask you do you know and you
18 say no, that for me includes personal and direct
19 firsthand knowledge you may have, as well as knowledge
20 from any other source, like rumor, or hearsay, or
21 reading the paper or anything else, any other form that
22 the knowledge may come to you by. Is that acceptable
23 for you?

24 THE WITNESS: Yes.

25 MS. RICHARDSON: And then pretty much the same

1 thing with "I can't remember" or "I can't recall."
2 When you tell me you can't remember something, that
3 means an absolute blank. If there is something out
4 here, you know, and you think, "Well, at one time maybe
5 there was a little something that's not clear," then
6 tell me, "I can't remember except for this one little
7 thing." If you just say I can't remember, I'm reading
8 that as being you have absolutely a blank mind as far
9 as the question or whatever we are talking about. Is
10 that acceptable?

11 THE WITNESS: Yes, ma'am.

12 MR. ANTHONY: One other thing, by the same token,
13 if you don't know the answer, don't speculate. Or if
14 you really can't remember, don't guess that you know
15 something when you don't remember. Whatever you
16 remember, you remember. What you don't, you don't.

17 THE WITNESS: Okay. I can handle that.

18 DIRECT EXAMINATION

19 BY MS. RICHARDSON:

20 Q Now that we have got all of that out of the way, I
21 would like for you to state your name and spell it for the
22 court reporter, so that we will have it accurately.

23 A My name is Everett Bruce Hensey, H-E-N-S-E-Y.
24 Everett is E-V-E-R-E-T-T.

25 Q And your address, please?

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I just moved.

Q Oh, did you?

A The zip code is

Q What is your present position with the Company?

A I'm a maintenance administrator.

Q Okay. And how long have you held that position?

A Since November of 1986.

Q Where are you presently located as a maintenance administrator?

A At the Pompano test center or maintenance center at 1230 North Federal Highway, Pompano.

Q All right. And you have been at that particular center since '86?

A Yes, ma'am.

Q And who is your present supervisor?

A Dennis Marshall.

Q And who is his present supervisor?

A Dennis Slattery.

Q And have both Mr. Marshall and Mr. Slattery been in those positions as your supervisor up the line since '86?

A No, ma'am.

Q All right. There has been how many changes in supervisors for you, just your immediate supervisor, since then?

1 A Let's see. When I first got there I worked for a
2 Beth Williams. And then I worked for -- this may not be in
3 exact order, but I can tell you all the names, okay?

4 Q Let's do it that way.

5 A Beth Williams, then it was Phyllis Lickner, Lynn
6 Newmaster, Carol Schmoll, Lynn Schmoll, (phonetic), and then
7 I believe Dennis was the last one. They moved around a lot.

8 Q Is sounds like it. But you didn't, you have been
9 there all of this time?

10 A I changed a seat here and here. And that got me
11 real close to the door now.

12 Q Okay. As maintenance administrator, MA --

13 A Yes, ma'am.

14 Q -- what are your duties? What do you do?

15 A I screen trouble reports that come in from the
16 main centralized bureau into our office. And I check them,
17 retest them, and if they test okay, I call the customer and
18 I ask them if they are having any kind of a problem with
19 their line. And if they say, "No, it's okay," then I tell
20 them that I've retested their line and everything is testing
21 okay. And then I close out the trouble report with their
22 okay in the narrative. If they say they are having any kind
23 of problem whatsoever, I investigate that and find out if
24 there is something that's wrong in the translations of the
25 type of trouble, and then I get it corrected if there is

1 any. And if there isn't, then I get back to the customer
2 and tell them I find everything is fine. And that's about
3 it. If there is a physical trouble on the line, though,
4 then I will dispatch it out-of-service to the field.

5 Q All right. And then what happens after that? How
6 does it get cleared and closed? Is that part of your duty?

7 A Not any more. It used to be a long time ago, but
8 now the guys in the field have computer bricks. And they
9 pick up the trouble on their little computer, they go out,
10 they fix the trouble and they close it out. If their brick
11 does break down or the battery runs dead on it, and they
12 have to call in live to us, then we do close them
13 out-of-service, yes.

14 Q Prior to them using the computer bricks --

15 A Uh-huh.

16 Q How did you process?

17 A They would call in to us and we would close out
18 the trouble.

19 Q Okay.

20 A On our computer screen.

21 Q Okay. Under Company practices, would it be proper
22 to take a test okay and close it out as an out-of-service
23 report?

24 A No, ma'am.

25 Q It would not be?

1 A No.

2 Q Do you know of anybody who has taken test okays
3 and closed them out-of-service?

4 A Not to my knowledge, no.

5 Q Okay. And you have never done that yourself?

6 A No, ma'am.

7 Q Have you ever heard of anybody taking test okays
8 and closing them out as out-of-service in order to meet that
9 out-of-service over 24 hours index?

10 A No.

11 Q Okay. Do you know the rule about getting
12 out-of-service reports closed within 24 hours, at least 95
13 percent of the reports closed within 24 hours?

14 A We try to get all the reports closed as working.
15 I mean, if they are not fixed, they are going to get fixed.

16 Q Okay.

17 A But if they are fixed, and it is within the 24
18 hours, then, yes, we close them out.

19 Q All right. There are some that go out-of-service
20 over that 24-hour period, though, is that right?

21 A Yes, ma'am.

22 Q Do you know if the telephone company has a
23 requirement from the Commission that they have to have at
24 least 95 percent of all troubles closed within 24 hours?

25 A I didn't know that that was a rule or a law, no.

1 Now that you tell me, I know.

2 Q Okay. Have any of your supervisors ever told you
3 or stressed with you that it's a requirement to get these
4 troubles closed within 24 hours?

5 A I don't understand that question.

6 Q I should have told you that to begin with. If you
7 don't understand anything I ask you, please ask me to
8 clarify?

9 A Okay.

10 Q So, that you're comfortable with what you're
11 responding. If you think I'm saying one thing or asking one
12 thing, and you give me a different response, then we aren't
13 communicating.

14 A Correct.

15 Q Okay. So, we want to make things very clear. Any
16 of your managers, Ms. Newmaster, Mr. Slattery, any of the
17 people that you have named that you have worked with who
18 have supervised your work, have any of them told you, either
19 in a group meeting or individually, you personally, that,
20 "We have to meet a 24-hour close time on our
21 out-of-services. That is something we are required to do"?

22 A Yes.

23 Q And can you explain to me what your understanding
24 of their telling you that is?

25 A I don't know. The way I understand it is we have

1 what we call a commitment time on our trouble reports, which
2 is what the Company tells the customer, "We will try to get
3 it fixed by that time." Now, from what I have been told,
4 this commitment time that we tell the customer is within a
5 24-hour period. Like if they call a trouble in at 9:00 last
6 night, we will tell them we will have it fixed by 6:00
7 tomorrow.

8 Q Okay.

9 A And that is the commitment time that I go by.
10 Now, the 24-hour clock that you're talking about, if I'm
11 reading you right, is the time that the customer calls in
12 the report, 24 hours later, if it isn't fixed by then, then
13 they are out-of-service over 24 hours.

14 Q Okay.

15 A I always go by the Company's commitment time and
16 try to make sure that we get our customer back in service by
17 the time that we tell them we will have them back in
18 service. And if I miss that commitment time, then I feel
19 that I have failed my customer. But as far as backing up a
20 time to meet the commitment time that the Company said we
21 would have it fixed, no, I never do that.

22 Q Has anyone ever asked you to do that?

23 A No, ma'am.

24 Q Have you ever heard of anybody directing people to
25 do that?

1 A I can't recall it at all, no.

2 Q Okay. When it's necessary to change a commitment
3 time with a customer, the Company is going to miss it, they
4 just got backed up, there was too much and the Company was
5 just going to miss the commitment time, what do you do?

6 A Well, if the trouble comes up on my screen, and I
7 see that by the Company commitment time we were not going to
8 make it, I will call the customer and I will advise them
9 that, "We said we would have it fixed by 3:00, but with all
10 the trouble we have been having lately, we can't do it. We
11 should be able to get it done by 6:00. Will that be
12 acceptable to you?" And most of the time they say, "Yes,
13 thanks for calling."

14 Q Okay. And then how do you status that on their
15 trouble report?

16 A What do you mean?

17 Q Well, you have called the customer, and you have
18 changed the commitment time and how do you enter all that
19 information, what do you put into the screen?

20 A I can't change any commitment times on the report
21 that comes on my screen.

22 Q Okay. Do you put in the new time?

23 A I will put in a narrative in there that goes out
24 to the field tech, "Missed commitment, advise sub," and put
25 down the trouble description, also, so that the man that

1 picks it up on his brick knows what he has to do. He gets
2 the trouble out there and he starts looking for the trouble
3 that our computer says is on the line. He knows we have
4 missed it, so he just works as hard as he can to get it done
5 as quickly as possible. At least that is my understanding
6 of what they do out there now. When I was outside, I always
7 did everything to get the customer back in service as soon
8 as possible.

9 Q Did you know people who didn't?

10 A No.

11 Q When you got this --

12 A Wait a minute. I take that back. I do know one
13 guy who didn't, and he was fired about seven years ago.

14 Q Okay. When you status this commitment change, do
15 you enter any status codes in that trouble history line,
16 also, on a report?

17 A No.

18 Q Okay. Do you know what an intermediate status
19 code is?

20 A Intermediate?

21 Q Let's try like no access. Have you heard of the
22 no access codes?

23 A When there is what they call a no access file that
24 goes into the office, somebody else handles it. I have no
25 idea what it is.

1 Q All right. Let me try this one. What about
2 carryover no code, the C-O-N code?

3 A I have never heard of that, no, ma'am.

4 Q Okay. Mr. Hensey, have you recently been
5 disciplined by the Company?

6 A Recently? What do you mean by recently?

7 Q Within the last, oh, two years?

8 A No.

9 Q Okay.

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20 Q Okay. Do you know of anybody who has been
21 disciplined?

22 A No.

23 MR. ANTHONY: I'm going to object to that kind of
24 question, if it is related to the investigation.

25 BY MS. RICHARDSON:

1 Q Do you know of anyone who has been disciplined in
2 relation to this investigation by the Commission?

3 A No, ma'am.

4 Q Have you ever reported anyone for improper
5 behavior in terms of handling customer trouble reports?

6 A What do you mean by "improper handling"?

7 Q Things that seemed questionable to you that you
8 thought were maybe not according to Company policy?

9 MR. ANTHONY: I'm going to instruct the witness
10 that if his answer would involve anything that he told
11 the Company as part of the investigation that we
12 discussed earlier, not to answer the question. If he
13 did any such reporting outside of that investigation,
14 he is free to answer the question.

15 THE WITNESS: No, I haven't reported anybody for
16 anything, because I don't know of anybody doing
17 anything wrong in my office. And it has not come to my
18 attention. If it ever did, I would definitely let my
19 supervisor know about it.

20 BY MS. RICHARDSON:

21 Q Okay. Have you heard the term "backing up the
22 time" used in terms of customer trouble reports?

23 A I have read about it in the newspaper, heard it on
24 the news.

25 Q Okay. What was your understanding of backing up

1 the time on a report?

2 MR. ANTHONY: Is the question directed to his
3 understanding from what he read in the newspapers or
4 his understanding, firsthand knowledge?

5 MS. RICHARDSON: We can break it out either way.
6 And you are free to answer and qualify.

7 MR. ANTHONY: What is the relevance of what he
8 read in the newspapers? Let's talk about firsthand
9 knowledge.

10 MS. RICHARDSON: Okay.

11 THE WITNESS: As far as I know of anybody in my
12 office doing that, no.

13 BY MS. RICHARDSON:

14 Q Okay. Have you heard of anybody doing that?

15 A No, ma'am.

16 Q And have you ever backed up the time on a report?

17 A No.

18 Q Do you know of an instance where maintenance
19 administrators were asked or told by their supervisors to
20 call a manager before clearing and closing a trouble report?

21 A Say that again, please.

22 Q Okay. Do you know of an instance where
23 maintenance administrators were told to call a manager
24 before closing a trouble report?

25 A No, ma'am.

1 Q Okay. And you have never heard of that being
2 done?

3 A No.

4 Q Do you know about excluding reports? How a report
5 would be excluded?

6 A There is a memo that we have that says that if we
7 have a memory call problem, that we can handle it through
8 translations. Because it's not a service affecting trouble,
9 we can exclude that, but that is the only thing I know of.

10 Q Okay. Then in handling an out-of-service report,
11 would it be proper and under company procedure to exclude
12 it?

13 A A trouble report?

14 Q An out-of-service report.

15 A No, ma'am.

16 Q Okay. So, your understanding is that it would
17 never be proper to exclude an out-of-service report?

18 A Correct.

19 Q Do you know of anyone who has ever excluded an
20 out-of-service report?

21 A No.

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

23 A No, ma'am.

24 Q And have you ever done that yourself?

25 A No.

1 Q Have you, or do you know of anyone who has taken
2 an out-of-service report and excluded it and then
3 immediately reopened a new report in order to clear and
4 close that report?

5 MR. ANTHONY: He has already testified he doesn't
6 know of anybody that excluded an out-of-service report.

7 THE WITNESS: No.

8 BY MS. RICHARDSON:

9 Q Do you know of anybody who has violated a Company
10 procedure, intentionally violated a company procedure?

11 MR. ANTHONY: Are you talking about in
12 relationship to trouble reporting?

13 BY MS. RICHARDSON:

14 Q In terms of trouble reports, handling customer
15 reports and records?

16 A No.

17 Q Have you ever heard of anyone violating a Company
18 procedures for handling customer reports and records?

19 A No.

20 Q Have you ever done that?

21 A No.

22 Q Have you ever heard of anyone using someone else's
23 employee code when statusing a trouble report?

24 A No.

25 Q Have you ever used anybody else's employee code to

1 status a report?

2 A No, ma'am.

3 Q Are you familiar with disposition and cause codes?
4 I'm not going to ask you for numbers, but just generally
5 familiar with what they are?

6 A Basically, with everything I have to use. And if
7 I have a question, I have a book that I can look into that
8 tells me the codes that I have to use.

9 Q Have you always had that book since 1986 forward?

10 A Yes, ma'am.

11 Q Okay. Are you familiar with disposition and cause
12 codes that would remove an out-of-service report from being
13 counted in that out-of-service-over-24-hours index?

14 A No.

15 Q Do you know of anyone who has taken affecting
16 service reports and statused them as out of service in order
17 to build the base to meet this index, that 95 percent index?

18 A No, ma'am.

19 Q Okay. And have you ever done so yourself?

20 A No.

21 Q And has anyone ever told you to do so?

22 A No.

23 Q Do you know whether affecting service reports get
24 counted in this out-of-service-over-24-hours base?

25 A I have no idea.

1 Q You have no idea.

2 A No.

3 Q Okay. Do you know of anyone who has falsified a
4 customer record?

5 A I don't understand what you want there.

6 Q Okay. "Falsified," is that the word that you're
7 misunderstanding, or "customer," or "record," or --

8 A The entire statement, I mean.

9 Q The entire statement. Okay. Falsified would be
10 putting something down that would be incorrect and
11 intentionally putting something down that would be incorrect
12 on a customer record, something that was false or untrue?

13 A No, I don't know of anybody ever doing that.

14 Q Have you ever heard of anybody doing that?

15 A No, ma'am.

16 Q And have you ever falsified a record yourself?

17 A No, ma'am. My customers are the most important
18 part of my life when I am on my job, and I make sure that
19 they get the best service that I can possibly give them in
20 every way, shape and form. I've had dozens of letters come
21 into our office saying that, you know, "Bruce, he does a
22 good job." But that is not the point. The point is when a
23 customer has a complaint you try to find out what the
24 trouble is and get it fixed. And that is the most important
25 thing that I do in my office. I find out what's wrong with

1 the customer's service and I get it fixed.

2 Q And if you have questions about -- I know you have
3 done this for quite awhile, since 1986. So, there probably
4 isn't anything you don't know about it by now?

5 A Oh, there are a lot of things that come up.

6 Q Okay. Well, should you have a question, what are
7 you directed to do?

8 A Go to a supervisor and ask them.

9 Q Okay. And then if the supervisor told you to do
10 something that you weren't quite sure was right, what would
11 you do?

12 A I would ask them about it.

13 Q The supervisor himself?

14 A Yes, ma'am.

15 Q All right. And if the supervisor said, "Do it
16 anyway," what would you do?

17 MR. ANTHONY: I'm going to object to these
18 questions. There's nothing in the record that
19 indicates it has ever happened. Why don't you ask him
20 that first, and then you can ask him what he would do,
21 or what he did.

22 BY MS. RICHARDSON:

23 Q This is a hypothetical question, Mr. Hensey. What
24 would you do?

25 A Well, if I was dissatisfied with the supervisor's --

1 MR. ANTHONY: Hypothetical -- excuse me.
2 Hypothetical questions are supposed to have some basis
3 on the record before you can ask a hypothetical.

4 BY MS. RICHARDSON:

5 Q Mr. Hensey, as an employee and as someone who is
6 dedicated to giving the customer the best service, and
7 ensuring that everything is absolutely accurate on the
8 record, have you ever had occasion to get a supervisor to
9 direct you on handling a report when you weren't quite sure
10 what to do with it?

11 A Yes.

12 Q Okay. And have you ever had occasion, once they
13 had told you what to do, to go back and check the procedure
14 manual and the record?

15 A That depends on who the supervisor was that told
16 me. There are some supervisors that are brand new up in
17 that office, they really don't know how the office is run.
18 And if I have a question, I go to somebody who has been
19 there a lot longer and say, "I don't think this is correct.
20 What do you think?" And they tell me, "Well, I will have to
21 talk to this person and explain to them, because they are
22 new here." And then they give me the correct procedure and
23 I go ahead. But all those troubles are normally something
24 to do with our fiber-optic cable and what department do I
25 send it to to get it fixed as soon as possible for the

1 customer. And those are the only problems that I have ever
2 had. Now I've got to the point where I have a list of what
3 to check on our fiber-optic cable, and if something in that
4 one department or checklist doesn't check out right, then I
5 send it to the Toll or I send it to the Switching
6 Department, and it gets fixed. Or I send it outside to the
7 cable repair people, who are schooled with the fiber-optic
8 cable.

9 MS. RICHARDSON: Mr. Hensey, I want to thank you,
10 and I want to commend you on your work attitude for
11 helping the customer. I think that is wonderful. You
12 are obviously a model employee. I thank you for being
13 here today. The Service Commission people may have one
14 or two questions for you, though, before we can let you
15 go.

16 THE WITNESS: Okay. Would you mind if I stand for
17 just a few moments?

18 MS. RICHARDSON: No. Help yourself.

19 MS. WILSON: I have no question

20 MR. ANTHONY: We are finished, Mr. Hensey.

21 THE WITNESS: Thank you.

22 (The deposition was concluded at 3:00 p.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 25 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 27th 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.

3 *Melanie Y Bradford*
4 NOTARY PUBLIC
5 STATE OF FLORIDA

