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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

| | | |
|----------------------------|---|---------------------------------|
| In The Matter of | : | DOCKET NO. 891194-TL |
| Proposed Tariff Filings | : | |
| by SOUTHERN BELL TELEPHONE | : | |
| AND TELEGRAPH COMPANY | : | <u>MIAMI</u> |
| Clarifying When a Nonpub- | : | |
| lished Number Can Be | : | <u>CUSTOMER SERVICE HEARING</u> |
| Disclosed, and Introducing | : | |
| Caller ID to TouchStar | : | <u>VOLUME - I</u> |
| Service. | : | |

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OCT 22 1990

Florida Public Service Commission

Radisson Mart Plaza
North Ballroom
711 Northwest 72nd Avenue
Miami, Florida 33126

Thursday, September 27, 1990

Met pursuant to notice at 10:00 a.m.

BEFORE: COMMISSIONER MICHAEL MCK. WILSON, Chairman
COMMISSIONER THOMAS M. BEARD
COMMISSIONER BETTY EASLEY
COMMISSIONER GERALD L. GUNTER
COMMISSIONER FRANK MESSERSMITH

APPEARANCES:

E. BARLOW KEENER, Southern Bell Legal
Department, 150 West Flagler Street, Suite 1910, Miami,
Florida 33130, Telephone No. (305) 530-5558, appearing
on behalf of Southern Bell Telephone and Telegraph
Company.

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|--------------------------------------|
| DOCUMENT NO. 09375-90 10/22/90 |
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1 APPEARANCES CONTINUED:

2 DAVID M. FALGOUST, Southern Bell Legal
3 Department, 4300 Southern Bell Center, 675 West Peachtree
4 Street, N.E., Atlanta, Georgia 30375, Telephone No. (404)
5 529-3865, appearing on behalf of Southern Bell Telephone
6 and Telegraph Company.

7 JACK SHREVE, Office of the Public Counsel, 111
8 West Madison Street, Claude Pepper Building, Room 812,
9 Tallahassee, Florida 32399-1400, Telephone No. (904)
10 488-9330, appearing on behalf of the Citizens of the State
11 of Florida.

12 ANGELA GREEN, Florida Public Service Commission,
13 Division of Legal Services, 101 East Gaines Street,
14 Tallahassee, Florida 32399-0861, Telephone No. (904)
15 487-2740, appearing on behalf of the Commission Staff.

16 DAVID SMITH, Florida Public Service Commission,
17 Division of Appeals, 101 East Gaines Street, Tallahassee,
18 Florida 32399-0851, Telephone No. (904) 488-7464, Counsel
19 to the Commissioners.

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ALSO PRESENT:

MARSHALL M. CRISER III, Operations Manager-
Regulatory Relations, Southern Bell Telephone & Telegraph
Company.

EMMY WILL, Office of the Public Counsel

REPORTED BY:

CAROL C. CAUSSEAU, CSR, RPR
JOY KELLY, CSR, RPR
Official Commission Reporters

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P R O C E E D I N G S

(Hearing convened at 10:10 a.m.)

CHAIRMAN WILSON: We'll call the hearing to order. Would you read the notice, please? (Pause)

David, are we missing someone?

MR. SMITH: Angela.

CHAIRMAN WILSON: Well, it's 10:00. Let's read the notice. Would you do that, please?

MR. SMITH: Pursuant to notice this time and place have been set for a hearing in Docket No. 891194-TL concerning the tariff filing of Southern Bell Telephone and Telegraph Company to offer Caller ID service. The hearing is being held Thursday, September 27th, 1990, at 10:00 a.m. in the Radisson Mart Plaza Hotel.

That concludes the notice.

CHAIRMAN WILSON: Let's take appearances of counsel.

MR. KEENER: David Falgoust and Barlow Keener, representing Southern Bell Telephone and Telegraph Company, Suite 1910, 150 West Flagler Street, Miami, Florida 33130, and with us is Marshall Criser.

MR. SMITH: I am David Smith, of the Commission's Division of Appeals, appearing as Counsel to the Commissioners. Also here today is Angela Green, who is representing the Staff of the Florida Public

1 Service Commission.

2 MR. SHREVE: Jack Shreve, Public Counsel,
3 Claude Pepper Building, Tallahassee, Florida,
4 representing the Citizens of the State of Florida.

5 CHAIRMAN WILSON: Good morning. My name is
6 Michael Wilson. I am the Chairman of the Public
7 Service Commission. Here with me today, to my far
8 right is Commissioner Easley, Betty Easley. To my
9 immediate right is Commissioner Gerald Gunter, and my
10 far left is Commissioner Frank Messersmith, and to my
11 immediate left is Commissioner Tom Beard.

12 We are here today to hear from the public on
13 an issue that has certainly generated some controversy
14 and interest around the state, Caller ID, where the
15 Company has proposed a service that displays the number
16 of the calling party. It's a matter of interest to
17 customer; it's a matter of interest to public agencies.
18 There are some issues that have been raised that should
19 be fully aired before this Commissioner makes a
20 decision on this service which Southern Bell has
21 proposed to offer.

22 The PSC wants to hear the testimony of
23 customers of Southern Bell about the desirability of
24 the service, about objections to the service, or
25 concerns that you may have about this service. After

1 hearing this testimony -- there have been two other
 2 public hearings held around the state, one in
 3 Jacksonville and one in Orlando last night. We will
 4 have this hearing today and this evening, and there
 5 will be an additional hearing in Tallahassee later this
 6 year.

7 After hearing the testimony, the Public
 8 Service Commission, hopefully, will be able to fashion
 9 a solution to some of the concerns that have been
 10 expressed that will appropriately accommodate both
 11 public and private interests that we have before us
 12 here.

13 Mr. Shreve, who is the Public Counsel, has
 14 been signing up witnesses to testify in the public
 15 hearing this morning. If you have not signed up with
 16 Mr. Shreve, if you would do so, as we proceed today he
 17 will call you in the order in which you have signed up
 18 to testify before the Commission.

19 It is not necessary for you to either appear
 20 in favor of or against this service. If you have
 21 concerns that you would like to express, however, we
 22 would like to hear what those are.

23 We have a number of parties who are
 24 interveners in this case, and will be filing formal
 25 testimony with the Commission for the hearing that will

1 be held in Tallahassee. It is unnecessary for those
2 parties to testify here today, although there may be
3 some who would like to give brief statements of their
4 positions. If parties have already testified in either
5 of the two preceding public hearings, in Jacksonville
6 or Orlando, those remarks are already a part of the
7 record and it is not necessary to testify here today.
8 If you are part of a group with the same position, it
9 is not necessary for each member of the group to
10 testify, but for a member to express your position
11 would be sufficient.

12 We are going to, because we are uncertain as
13 to the number of people who will be appearing here
14 today, and so that we don't allow anyone to monopolize
15 too much of the time, I'm going to ask you to limit
16 your remarks to very brief remarks, five minutes, so
17 that everyone has an opportunity to speak to the
18 Commissioner here today.

19 Mr. Shreve, are you prepared to call your
20 first witness?

21 MR SHREVE: Yes, sir. Commissioner Kitty
22 Thibault.

23 CHAIRMAN WILSON: Let me do one thing before
24 you begin that I neglected to do. If all those who
25 intend to testify here today, or give remarks, would

1 please stand and I am going to swear everybody in at
2 once to save us a little bit of time. Please don't be
3 intimidated by this. This is a very informal hearing
4 and we simply want to hear what you have to say. But
5 in order for us to be able to consider this testimony
6 in the hearing, we need to have it as sworn testimony.
7 So if you would raise your right hands, please.

8 (Witnesses collectively sworn.)

9

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10 COMMISSIONER KITTY THIBAUT

11 appeared as a witness on behalf of the Citizens of the
12 State of Florida and, having been first duly sworn,
13 testified as follows:

14 WITNESS THIBAUT: I am Kitty Thibault from
15 Pembroke Pines.

16 It was very difficult for me to make the
17 decision to come here today because it basically means
18 having to unravel a number of things that have happened
19 to me since I moved to Florida.

20 Five years ago I decided that it was time to
21 retire and to enjoy the sunny south, and that was my
22 expected plan. And, of course, my ailing husband and I
23 moved down. After arriving, it became very difficult
24 to just sit and hibernate, so I became active in
25 community, local civic activities. And just about a

FLORIDA PUBLIC SERVICE COMMISSION

(11)

1 year and a half ago I decided that there was still a
2 lot of good years left and that I could provide some
3 resources to the city that I lived in, and so I ran for
4 public office; fortunately, I wasn't elected.

5 But let me go back to a year and a half back.
6 Harassing phone calls can be very, very damaging not
7 only to your ego, to your personal well-being and to
8 your health, but to those that are very, very close and
9 dear to you. My husband is still with me, but he is
10 ill. He has been in and out of hospitals many times.

11 About a year and a half ago we received a
12 very difficult letter from one of the local banks
13 indicating that they were attaching our account and,
14 therefore, I would have take and make restitution for
15 monies that I had illegally put into the account by
16 signing his Medicare or Social Security check. It
17 seemed as though the callers that had been calling
18 saying things like, "I'm going to get you. You will be
19 elected over my dead body," and other things like that,
20 finally proved themselves out to a letter identifying
21 that, "Since your husband is dead, you had no right to
22 sign his checks." Well, my husband never had died, but
23 that was one of the beginning of a long list of things
24 that have happened.

25 We still do not who had initiated this, but

1 that started it. The phone calls, the harassment,
2 those continued on to a point where my tires were
3 slashed. We couldn't find out who did that. But
4 verification, of course, on the phone calls at 2 or
5 3:00 in the morning waking me up on a frequent basis.

6 After a while it got so bad that the
7 individual who appeared at the office threatening me
8 was there with another witness who, from my office, was
9 able to corroborate that this had happened and the
10 police, of course, were called in. It was then,
11 fortunately, that we were able to have a trace on the
12 line. The calls then stopped.

13 The consequences of all of this that has
14 taken place are still with us, to just two days ago
15 when we still are receiving letters from Medicare that,
16 "Since your husband is not with you, we can't make
17 payments on the bills that are being incurred." So I
18 need not tell you that it has been an ongoing problem.

19 Caller ID perhaps, to me, would be a
20 reasonable way to at least know who is making the
21 calls. Whether they would be a prohibitive action to
22 have the individuals stop, I really don't know, but I
23 would certainly grasp at anything possible to allow me
24 the freedom to be able to do what it is that I have to
25 do. Realizing, of course, that in public office I have

1 to be available to the people who have to call me. My
2 number can't be unlisted. I took an oath of office to
3 help those people and I'm doing it each and every day.
4 But someplace along the line, I, too, should be able to
5 have that freedom of privacy. I should not have to go
6 through this type of harassment. Because whether I
7 came down here as a retiree or as a worker is not the
8 critical point; the point is I came down here as a
9 human being. I'm asking to have that opportunity, as a
10 human being, to be able to have my right of privacy at
11 those hours that I feel are my own time.

12 I would hope that you would give due
13 consideration to not just my opinions, my problems, but
14 I'm sure many other people who can't come up and speak
15 because perhaps they are fearful to get up in front of a
16 microphone. There are many such people. We all have a
17 little bit of timidity when it comes to expressing those
18 problems that have occurred to one.

19 I would hope that you would give this due
20 consideration, and I thank you very much for allowing
21 me, and many of those here today, the opportunity to
22 speak on this particular issue. Thank you very much.

23 CHAIRMAN WILSON: Thank you very much. We
24 appreciate you coming forward and giving your
25 testimony. Are there any questions?

1 MR. KEENER: No questions.

2 MR. SHREVE: No questions.

3 CHAIRMAN WILSON: All right. Would you call
4 your next witness please?

5 (Witness Thibault excused.)

6

- - - - -

7

MR. SHREVE: Commissioner Gassner.

8

COUNCILWOMAN SHELLY GASSNER

9 appeared as a witness on behalf of the Citizens of the
10 State of Florida and, having been first duly sworn,
11 testified as follows:

12 WITNESS GASSNER: Good morning. Thank you
13 very much for hearing my testimony.

14 My name is Shelly Gassner, I am a
15 Councilwoman in the City of North Miami, and have been
16 one for the last eight years. I also serve as
17 President of the Dade County League of Cities, which is
18 the League of the 26 municipalities in Dade County.

19 I am really concerned on two levels. I have
20 a rather large constituency of elderly in my area who
21 are extremely concerned with the kinds of phone calls
22 that they receive. These are not only harassing phone
23 calls perhaps, which makes them fearful of strangers
24 and fearful of going out, and that type of thing, but
25 also the harassing phone calls from people who are

1 trying to sell them all sorts of things. They are
2 really being used in that process on the telephone, and
3 once someone gets them on the telephone, they have
4 difficulty dealing with them because of the approaches
5 that are used in the sales approaches. And that was
6 one of the points that was brought to me by elderly
7 groups in my city; that they really have no control
8 over their own privacy.

9 I read in the Pennsylvania decision that the
10 concern was protecting the privacy rights of those
11 making the phone call. But I think the privacy rights
12 of those making the phone call have to be weighed and
13 shared with the privacy rights of those receiving the
14 phone call. And that must be part of any decision we
15 make; that that balance must be attained.

16 In addition, I appreciate the concern of
17 the police departments and the groups which are
18 concerned, for example, with protecting battered women,
19 and so on; the physicians' groups that are concerned
20 about personal phone calls and receiving the personal
21 numbers. Technology moves rapidly. I believe that
22 Southern Bell has, or can develop, the necessary
23 technology, and if you do approve it that you could
24 approve it conditioned upon that kind of technology
25 being in place to protect these groups.

1 We need a balance of rights, and as a private
2 citizen, I want that balance of rights. I do not wish
3 to see either side harmed, and I'm sure that it could
4 be worked out so that that would be achieved and Caller
5 ID would be available to not only my constituency and
6 myself, but that the police and any other interest
7 groups would be protected in the process.

8 I am personally strongly in favor on
9 implementing Caller ID. Thank you.

10 CHAIRMAN WILSON: Thank you very much. Any
11 questions?

12 MR. SHREVE: Thank you. No questions.

13 MR. KEENER: No questions.

14 CHAIRMAN WILSON: All right.

15 (Witness Gassner excused.)

16

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17 CHAIRMAN WILSON: Mr. Shreve, would you call
18 your next witness?

19 MR. SHREVE: Mr. Cowsert?

20

GREGORY COWSERT

21 appeared as a witness on behalf of the Citizens of the
22 State of Florida and, having been first duly sworn,
23 testified as follows:

24 WITNESS COWSERT: Hello. Gregory Cowsert, I
25 am the Regional Legal Advisor for the Florida

FLORIDA PUBLIC SERVICE COMMISSION

1 Department of Law Enforcement, which is an intervener
2 in this action. I just wanted to briefly restate our
3 position for those in the audience here.

4 On behalf of the Florida Department of Law
5 Enforcement, I would like to say that we are presently
6 opposed to Caller ID as it is constituted at the
7 moment. There is, we believe, a real danger to law
8 enforcement undercover operatives, and none of the
9 proposals that Southern Bell has put forward has
10 adequately addressed this problem from either a
11 security standpoint, a monetary standpoint, or a
12 logistics standpoint. Perhaps some sort of compromise
13 could be reached, but as it is presently constituted,
14 we believe it should not be implemented. Thank you.

15 CHAIRMAN WILSON: Thank you, Mr. Cowsert.

16 COMMISSIONER GUNTER: Let me, if I can.

17 CHAIRMAN WILSON: You may have a question
18 here, Mr. Cowsert, if you would come back to the
19 microphone.

20 COMMISSIONER GUNTER: Yes, because I just
21 have one question, if I may. Bear with me just for a
22 second. (Pause)

23 In Jacksonville the FDLE had two witnesses,
24 one was Mr. Bragg and another Ron Tutor.

25 WITNESS COWSERT: Yes, sir.

1 COMMISSIONER GUNTER: And the position was
2 that they would support Caller ID with blocking, with
3 the blocking capability.

4 WITNESS COWSERT: If we had a system which
5 offered universal call blocking.

6 COMMISSIONER GUNTER: That's what I'm talking
7 about, universal call blocking.

8 WITNESS COWSERT: Then that would be correct,
9 that would be an acceptable compromise. The individual
10 blocking or blocking offered to a small segment, would
11 not be acceptable since it would tend to identify that
12 segment as the only people using it.

13 COMMISSIONER GUNTER: I understand. But if
14 you had universal call blocking, your testimony would
15 be the same as the FDLE witnesses had provided to us in
16 Jacksonville, is that correct?

17 WITNESS COWSERT: Yes, sir.

18 COMMISSIONER GUNTER: All right, fine.

19 CHAIRMAN WILSON: And your interest in having
20 universal call blocking would be with respect to your
21 undercover operations, that those engaged in those
22 operations could basically disappear into the populous
23 and not be identifiable as being associated with a
24 particular group?

25 WITNESS COWSERT: That's correct. If they

1 could blend with the general public, it wouldn't point
2 to them as being a unique group.

3 COMMISSIONER GUNTER: Sure. Okay. Thank you.

4 I just wanted to make sure that you all's
5 position was the same.

6 WITNESS COWSERT: Thank you.

7 CHAIRMAN WILSON: Thank you, sir.

8 (Witness Cowsert excused.)

9

- - - - -

10 CHAIRMAN WILSON: Mr. Shreve, would you call
11 your next witness, please?

12 MR. SHREVE: Mr. Hunt.

13

RON HUNT

14 appeared as a witness on behalf of the Citizens of the
15 State of Florida and, having been first duly sworn,
16 testified as follows:

17 WITNESS HUNT: Good morning. I am a private
18 citizen appearing in favor of the Caller ID. I am
19 probably like the majority of the people --

20 COMMISSIONER MESSERSMITH: Excuse me, but
21 could you identify yourself, please?

22 WITNESS HUNT: Excuse me. My name is Ron
23 Hunt, a resident of Miami.

24 I am here in favor of the Caller ID this
25 morning. I believe I represent a large cross-section

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1 of the community who, at one time or another in their
2 life, has experienced the harassment of either sexual
3 or other telephone calls to themselves or to their
4 families. This is a very traumatic experience, it
5 tends to separate families and alters lifestyles to a
6 great extent.

7 I am primarily in favor of this Caller ID
8 because I believe it provides a strong deterrent to the
9 people who would perceive themselves as being able to
10 intimidate families and individuals.

11 I perceive the concerns of the law
12 enforcement community as being very real and something
13 that needs to be undertaken and resolved. I believe
14 either through the blocking, or because of the way the
15 technologies, as the previous lady has spoken, the
16 technologies available to us today that some means of
17 compromise can be identified and allow them to be
18 satisfied on one hand. However, allow me the
19 opportunity to view who is calling me, and if someone
20 is calling me then the opportunity exists to me to
21 identify that person and, either through personal
22 intervention or what, to resolve the problem. I think
23 that is a great benefit not only to me but to the
24 community in general.

25 I later found out through some of the telephone

1 calls that I received, the way they were presented to me
2 led me to believe that it was some particular individual
3 that would either cause sexual harassment to a member of
4 my family or bodily harm to a member of my family. In
5 reality, at some later point in time, I found out that it
6 was, in fact, someone of which I was acquainted. By being
7 able to understand or to identify that individual, I think
8 a personal either confrontation or personal conversation
9 with that individual could have resolved the problem that
10 befell me.

11 Things got to be so bad that at times when
12 you go to bed at night, you would take the telephone
13 off the hook because you didn't want to be disturbed
14 because of the telephone calls. I think that is
15 extremely unfortunate for an individual, for you may
16 receive calls either in emergencies from the family or
17 for some other reason through the night and you need
18 the telephone to be connected.

19 I guess my last point would be that I don't
20 know the actual legalities of it, but I would imagine
21 on the free market it would be possible for another
22 entity to develop a similar technology to this and make
23 that available over the counter, so to speak. If that
24 happened, it seems to me like that would be a
25 completely unregulated situation in which the police

1 community, I think, would be very much more a peril
2 than they would be under some control of the telephone
3 company. If Radio Shack, for example, were to sell
4 these across-the-board, and there is no way to either
5 block out or doing anything, then I would see this as
6 being much more of a distressing situation for the
7 police community.

8 So, in general, I would like to thank you
9 again for the time to appear before you and tell you my
10 experiences, and state that I am very much in favor of
11 Caller ID.

12 COMMISSIONER EASLEY: Thank you, sir.

13 CHAIRMAN WILSON: Thank you very much. Are
14 there any questions?

15 MR. KEENER: No questions.

16 CHAIRMAN WILSON: Thank you.

17 (Witness Hunt excused.)

18 - - - - -

19 CHAIRMAN WILSON: Mr. Shreve, call you next
20 witness, please.

21 MR. SHREVE: Mr. Shiffron.

22 RICHARD SHIFFRON

23 appeared as a witness on behalf of the Citizens of the
24 State of Florida and, having been first duly sworn,
25 testified as follows:

FLORIDA PUBLIC SERVICE COMMISSION

1 WITNESS SHIFFRON: Mr. Chairman, Commissioners, I
2 am Richard Shiffron, I am an Assistant State Attorney
3 in the Office of the State Attorney here in the 11th
4 Judicial Circuit of Dade County.

5 I have worked closely with the law
6 enforcement group that was requested look into this by
7 the Commission and concur in their positions. But as a
8 prosecutor, and the only prosecutor member of that
9 group, I have additional concerns or observations.

10 The majority of the testimony that I have
11 heard at this proceeding so far, at the meeting in
12 Miami that Public Counsel held some months ago, and at
13 the hearing in Tallahassee is, although I am
14 sympathetic with the plight of these people, and what I
15 would consider anecdotal, it is people who have been
16 subjected to, frankly, horribly harassing telephone
17 calls, and see some kind of panacea, some cure-all, in
18 Caller ID that they think is not available now, or
19 could not be available through other means.

20 First of all, we are in favor of the proposal
21 of the Public Counsel that Call Tracing be available on
22 a per-call basis. And it is our belief, or my belief,
23 that this would eliminate most of the, at least,
24 expressed need for Caller ID.

25 Secondly, if the public is going believe that

1 if they have Caller ID that the State of Florida is
2 then going to be able to prosecute individuals who
3 contravene the laws that are presently on the books in
4 making harassing phone calls, I think they are going to
5 be mistaken. Because it is my opinion, and, of course,
6 it hasn't been tested yet, that we're going to have
7 great difficulty proving beyond a reasonable doubt the
8 location and identity of the caller based on a device
9 that one buys from Radio Shack for \$35 or \$55. It just
10 doesn't work that way in criminal prosecution.

11 We have been successful in prosecuting people
12 under the harassment statute based upon expert
13 testimony from Southern Bell Security on how their call
14 tracing works when we have had traps and traces done.
15 But I can almost -- I don't want to guarantee this
16 Commission, but I don't want this Commission to be
17 misled to think that we are going to be able to
18 prosecute people because they bring in their little box
19 and they say, "Here's the number." Or maybe, "I took a
20 photograph of the digital display and here it is; now,
21 prosecute."

22 If we can't prosecute, what are we left with?
23 We are left with what Mr. Hunt just alluded to:
24 self-help. He could have taken care of it. Well, I
25 don't know how they take care of things north of Dade

1 County but, unfortunately, we have been a witness to
2 too many uses of self-help in Dade County in the last
3 few years. And I'm talking about even traffic fender
4 benders where people get upset and, of course, they are
5 carrying their .38. And our concern is that this will
6 lead to the use of self-help.

7 As far as its deterrent effect, it may have
8 some and I can't deny that. I think it would be
9 unquantifiable. However, Call Tracing would,
10 theoretically, have the same deterrent effect. If the
11 public knew that anyone could get a call traced by
12 paying a \$1.00, 50 cents, \$1.50, whatever this
13 Commission would determine to be a reasonable fee, then
14 it would probably have the same deterrent effect.

15 Insofar as the concerns that have been expressed
16 on law enforcement, I concur in them. I think that we
17 have -- frankly, don't know that I am differing with
18 Mr. Cowser on what was represented in Jacksonville, but I
19 think we have compromised our view with universal call
20 blocking because it didn't satisfy all our concerns. But
21 we were in the position of perhaps having Caller ID over
22 our objection initiated, and if it was going to be, then
23 let's at least have universal call blocking.

24 The other thing that we needed to do, and
25 apparently Southern Bell has been unwilling to

1 compromise or provide us with, is the ability to
2 deliver a false number. And especially here in south
3 Florida where, L.A.'s protestations to the contrary, we
4 are still a major source of cocaine importation in this
5 country. It's a different ballgame down here than it
6 is in other parts of the state, and we need the ability
7 to deliver false numbers. Thank you.

8 CHAIRMAN WILSON: There may be some
9 questions.

10 COMMISSIONER BEARD: Yes, I have one. Let me
11 ask you, I guess, to react to a position that was
12 expressed to me.

13 This particular individual didn't perceive
14 Caller ID as a panacea. Their concern was that Call
15 Trace was a painstaking, and often in their personal
16 opinion ineffective, because of the simple workload of
17 law enforcement officers and the state's attorneys
18 offices, they felt, and having been through the
19 process, that they were at the bottom of the pecking
20 order of the priority. And that not as a panacea but
21 perhaps as, in many cases, an alternative that could
22 have quick results and not force them to go through the
23 parts and pieces that are associated with Call Trace;
24 for example, kids that are calling and harassing, that
25 if they know they were identified, it stops. A lot of

1 the less dangerous, I guess, I don't know how to
2 describe it. What's your reaction to that?

3 WITNESS SHIFFRON: A number of reactions.
4 Number one, you've described a sort of discrete set of
5 circumstances, the prank caller as opposed to the
6 serious harassing phone call. Let me distinguish
7 between them that way. And although there may be some
8 validity to this person's reluctance to go through the
9 mechanism of call tracing -- although I think that with
10 per-call tracing and Southern Bell gearing up for that,
11 if Southern Bell is going to get the tariff for that,
12 then they are going to have to have personnel to
13 implement it.

14 And the police department is aware of it. If
15 you have a problem with your local police department,
16 then I think that's something that should be brought to
17 the police department's attention or the State
18 Attorney's office's attention. I know that, at least
19 in my office, we have vigorously pursued every instance
20 that has been brought to our attention where the
21 telephone harassment statute has been violated.

22 My overall observation is that for this
23 discrete set of circumstances do we really need Caller
24 ID? I've used here the term "panacea," you've just
25 used it. We can't cure all inconveniences in our

1 lives, and I don't think Caller ID is going to do that
2 or was intended to do that. It may eliminate a small
3 percentage of discrete circumstances. I'm not sure. I
4 think, as I said, it's probably unquantifiable. I
5 would be hard-pressed to accept any statistics from
6 jurisdictions which had it as being concrete evidence
7 that it works or doesn't work, because you really can't
8 compare it to what might have happened or what another
9 system might have done.

10 CHAIRMAN WILSON: Commissioner Messersmith?

11 COMMISSIONER MESSERSMITH: Mr. Shiffron, are
12 you familiar enough with the -- you endorsed the Call
13 Trace process. Are you familiar enough with how that
14 process works to answer a few questions on that?

15 MR. SHIFFRON: I am not familiar with all the
16 technology of it, Mr. Commissioner. I can try the
17 first question. If I feel -- there may be some tech
18 people from law enforcement in the audience, I'm not
19 sure.

20 COMMISSIONER MESSERSMITH: Well, I have been
21 following up since the meeting in Jacksonville and I
22 asked for some information, some procedural information
23 of how the Call Trace system worked because I wasn't
24 that familiar with it, either. The first question I
25 had was that the system -- let me just read it: "When

1 an offending call is received, the customer activates
2 the Call Trace feature and an announcement is received
3 confirming successful activation or announcing that the
4 call cannot be traced." And I thought that you may
5 have been familiar enough you endorsed it that you knew
6 whether or not how much success rate there was in those
7 trace calls, what was necessary timewise or whatever
8 for that would be activated.

9 MR. SHIFFRON: Timewise doesn't matter as far
10 as I know. The information is stored, theoretically,
11 until someone seeks to access it or cancels it somehow.
12 We have had instances where we have gone back over at
13 least a hour or so where, without getting to too much
14 of what has been done with law enforcement, we have
15 been able to retrieve it even when the person didn't
16 have call tracing.

17 But with regard to numbers that can't be
18 traced, my guess is that they are numbers from outside
19 that area code, for example, or outside that switching
20 area. I mean, there are limitations now we know with
21 call tracing as it exists where we can't retrieve long
22 distance numbers, for example, you have to wait until
23 toll records are retrieved.

24 COMMISSIONER MESSERSMITH: Do you know
25 whether or not Caller ID would display long distance

1 numbers?

2 MR. SHIFFRON: It was my understanding it
3 would not, at least from the testimony that was
4 presented at previous hearings. It was my
5 understanding also that there was software to expand
6 Caller ID; but as presently I think before the
7 Commission, it would not deliver a long distance
8 telephone number.

9 COMMISSIONER MESSERSMITH: If I may, in
10 particular I have a law enforcement background and am
11 particularly sensitive to the probable cause part of
12 your argument that we talked about in Jacksonville,
13 also. But I'm also interested in your experience in
14 prosecution. How much harassment, how many harassment
15 calls do people have to take before they get that? And
16 the reason I say that is because, according to what I'm
17 reading here, a person who gets an offending call, they
18 get an offending call but really nothing happens from
19 the position of the telephone company. They have to
20 get a second telephone call revealing the same, the
21 same number -- it can't be a different number -- before
22 some process is activated.

23 And secondly, the telephone company itself
24 does not involve law enforcement agencies unless the
25 citizen pursues that remedy. Knowing the confusion and

1 the lack of knowledge of the greater citizenry out
2 there in law enforcement areas, I wonder just how much
3 the average citizen is going to go through before they
4 get to your office finally?

5 MR. SHIFFRON: Part of it is education. If
6 the general public knew what was available and would
7 know what would become available, that might solve part
8 of your concerns.

9 Secondly, listen, we see people come in who
10 have been battered 30 times before they make a
11 complaint, or have had their place broken into three
12 times before they do something about it, or had their
13 tires slashed three times before they did something
14 about it.

15 The people who have been subjected to the
16 most serious harassment will be the most likely -- I'm
17 sure there is a direct correlation -- the most likely
18 to pursue it with Southern Bell first and the law
19 enforcement second. There are also particularly
20 sensitive people who, I suppose, at the first serious
21 harassment might want to do something about it.

22 I don't know why Southern Bell has set
23 certain guidelines. Theoretically, under the statute,
24 one call would, if it contravenes the statute, would be
25 prosecutable. However, I mean, there are different

1 types of violations under the statute; one is just
2 repeat calling and hanging up, but an actual obscene
3 phone call or threatening phone call would be
4 prosecutable in and of itself. Whether that person
5 choses to pursue it or not, perhaps education within
6 the police departments, too, would be more sensitive to
7 this.

8 I understand that, at least in large
9 metropolitan areas, police departments are busy with
10 serious crimes -- not to minimize the impact of this
11 crime. But if they were assured that, for example,
12 that my office would prosecute and assured that
13 Southern Bell would have the personnel to at least
14 trace the call, then I think that we can allay most of
15 the concerns of the citizenry that there will be no
16 response to call tracing.

17 CHAIRMAN WILSON: Let me ask you a question.
18 This issue of harassing phone calls, of course, is only
19 one element of the discussion on Caller ID. But to
20 give me some perspective, what is the volume of
21 harassing phone calls that your office dealt with, say
22 in 1989?

23 MR. SHIFFRON: Not many. I can think of two
24 cases that I have handled in eight years.

25 CHAIRMAN WILSON: Two cases?

1 MR. SHIFFRON: Yes.

2 CHAIRMAN WILSON: Were you successful in
3 prosecuting those?

4 MR. SHIFFRON: I think both of them worked
5 out to pleas. When you get the person -- when Southern
6 Bell gets the person dead to rights, you know. See,
7 once the police agency is notified, we can then
8 authorize that person to tape record the call
9 surreptitiously under Chapter 934 and we can have a
10 call trapped and traced and we've pretty much got the
11 person dead to rights.

12 There may have been, I know of two personally
13 and my guess is that there haven't been too many more,
14 maybe a couple more in our community.

15 COMMISSIONER GUNTER: I don't, I've got --
16 excuse me, Commissioner.

17 CHAIRMAN WILSON: Are you through with yours?
18 I'm sorry, I believe I interrupted you. You've got a
19 couple more questions?

20 COMMISSIONER MESSERSMITH: Well, you
21 completed mine but I have a follow-up on yours. I'll
22 wait until Mr. Gunter finishes.

23 COMMISSIONER GUNTER: In Jacksonville, on the
24 first of our hearings, we had a representative from DEA
25 that came in and he voiced generally the same kinds of

1 comment that you did as they embraced with universal
2 calling; with that, they wouldn't oppose it.

3 But he said there were other concerns of the
4 in the law enforcement community. Do you know if
5 someone is going to articulate that at our November
6 hearings to the point that we will understand what
7 those other concerns are? Like, it's sort of a vague
8 thing; but when we're trying to make decisions, I don't
9 want to make them with the fog out there. That there
10 is that fog that we know about that folks tell us about
11 the fog, but they don't step forward and say, hey, this
12 is a concern, this is a concern, this is a concern, in
13 addition to the universal blocking. Do you know if
14 that's going to be done?

15 MR. SHIFFRON: I don't know, Mr.
16 Commissioner. There are countervailing considerations
17 here. We want to be not only candid with the
18 Commissioner and to express legitimate concerns we
19 have, we also have a problem in a public forum in going
20 into detail --

21 COMMISSIONER GUNTER: I understand.

22 MR. SHIFFRON: -- as to -- but we would have
23 no problem going into some kind of in camera proceeding
24 and explaining in detail what we need to do under
25 certain circumstances. There are other circumstances,

1 one of which I alluded to, that universal call blocking
2 will not alleviate; but to go into detail how that
3 would be used under certain circumstances would
4 compromise --

5 CHAIRMAN WILSON: Mr. Shiffron, we don't want
6 to do that. I think from the beginning of these
7 considerations of Caller ID I think the Commission has
8 made it very clear that we haven't the slightest
9 intention of compromising law enforcement or its
10 ability to investigate and pursue criminal activity.
11 There are things, quite frankly, that ought not be
12 spoken here or in a public hearing that concern methods
13 that you use and we don't really want to hear them.
14 However, there is going to be a point where we need to
15 hear something more than the generalizations that
16 Commissioner Gunter alluded to or there is a certain
17 amount of rhetoric obviously involved in each side of
18 this issue that we need to have enough detail to be
19 convinced of what those concerns are and how they can
20 be met without compromising the ability of law
21 enforcement to pursue its job.

22 A If that's an invitation by you, Mr. Chairman,
23 or you, Mr. Gunter, to appear at a subsequent
24 proceeding and try to inform this Commission --

25 CHAIRMAN WILSON: We have a hearing scheduled

1 for November 28th and 29th. I believe we have a number
2 of intervenors who are with law enforcement who will,
3 I'm sure, be presenting us with those kinds of
4 concerns.

5 MR. SHIFFRON: Has that been decided to have
6 some portion of it in a closed proceeding?

7 CHAIRMAN WILSON: That has not been decided.

8 MR. SHIFFRON: That would be our request,
9 obviously.

10 CHAIRMAN WILSON: That has not been
11 discussed. If that's necessary, then we'll do it.

12 MR. SHIFFRON: We would be prepared to
13 present whatever the Commission desired in some kind of
14 closed proceeding.

15 CHAIRMAN WILSON: Well, I prefer to avoid
16 that.

17 COMMISSIONER GUNTER: Mine is a plea for the
18 purpose of these proceedings that a lot of folks lose
19 sight of, that you're certainly aware of, is to educate
20 the Commissioners so that we can understand. And as I
21 said, I don't want to -- I understand the fog is a low
22 cloud, little bit of wind, and what have you, but
23 that's just about all I know about fog. And I don't
24 want to make a decision based upon incomplete
25 information, so we need to find that kind of balance.

1 And it's sort of sending a message, because all of the
2 agencies are certainly, I think, represented in this
3 room is to -- they've got a little responsibility in
4 educating us.

5 MR. SHIFFRON: We are ready, willing and able
6 to educate both the general public and the Commission
7 under the appropriate circumstances.

8 CHAIRMAN WILSON: Commissioner Messersmith
9 had a couple more questions.

10 COMMISSIONER MESSERSMITH: Actually, Mr.
11 Shiffron, I'm not going to ask any questions, but the
12 question you posed a while ago just kind of piqued my
13 curiosity. It would be interesting if we could collect
14 from the various circuits the number of cases filed
15 and/or prosecuted of these harassment calls and see if
16 there is a comparable figure from the Southern Bell
17 system of how many complaints have been logged with
18 them to get an idea of the public satisfaction of the
19 process in place right now.

20 CHAIRMAN WILSON: You're talking about
21 collecting information from the circuits, from the
22 States Attorneys?

23 COMMISSIONER MESSERSMITH: Yes.

24 CHAIRMAN WILSON: I think it would be also,
25 to have a complete picture, that you probably want the

1 number of complaints filed with law enforcement. Some
2 of those, I suspect, don't get in the State Attorney's
3 office; so to get a true picture of statistics that
4 we're talking about, you would need to know ones that
5 were filed with the telephone company, filed with the
6 different law enforcement agencies, and eventually
7 taken to the State Attorney's office.

8 COMMISSIONER MESSERSMITH: I wonder if the
9 annual FDLE compendium would have it? Is that a
10 category, the FDLE --

11 CHAIRMAN WILSON: That's something we can
12 have Staff go into.

13 MR. SHIFFRON: The only response I would have
14 to that comment, that question, is that we've only had
15 call tracing available on a subscription basis for a
16 fairly short period of time. At least the general
17 public I didn't think was aware of call tracing, most
18 of the people that I've talked to. I saw some figure,
19 I think, in the paper or perhaps it was in Public
20 Counsel's comments recently, on the number of people
21 who had subscribed to call tracing. But prior to call
22 tracing, we had to use a much more complicated system.
23 And that's not to say also that cases weren't diverted,
24 for example, between the police and prosecution. It
25 may have been a prank that could have been handled by

1 the local police department without bringing us in.

2 CHAIRMAN WILSON: Mr. Keener, Southern Bell
3 currently offers call trace as a tariffed item, is that
4 correct?

5 MR. KEENER: That's correct.

6 CHAIRMAN WILSON: And what is the cost of
7 that? Are you aware of that?

8 MR. KEENER: We're not sure. We'll have to
9 get back with you.

10 CHAIRMAN WILSON: Okay. If you would find
11 that out.

12 MR. SHIFFRON: Thank you very much.

13 CHAIRMAN WILSON: Thank you.

14 MR. SHREVE: Commissioner, could I follow up
15 on this, I have a question I think is very interesting.

16 Mr. Shiffron, you may not have the answer to
17 this. But I think the information that Commissioner
18 Messersmith brought out is very valuable and the type
19 of thing we need to know. But I think we also need to
20 know if the type trace that could not be -- the type
21 call that could not be traced, would Caller ID show up
22 those same calls that could not be traced and how would
23 that all happen? Do you have any idea?

24 MR. SHIFFRON: It wouldn't -- as it's
25 presently constituted, it would not deliver long

1 distance phone calls. But, frankly, I venture to guess
2 that very few harassing phone calls are delivered long
3 distance, but I suppose that's possible.

4 CHAIRMAN WILSON: I think that kind of detail
5 will certainly be available and the opportunity to go
6 into it at the formal hearing in Tallahassee when we
7 have technical witnesses for Southern Bell who are
8 available to answer that kind of question.

9 MR. SHREVE: Commissioner Messersmith has
10 some information. I wonder if Bell had -- I feel that
11 a lot of the audience, a lot of the public needs as
12 much information on what's available across the board
13 as they can, and I think that's what Commissioner
14 Messersmith was trying to bring that. If we have
15 somebody that can make this information available when
16 we're in the meetings, as long as it's something that
17 won't interfere with law enforcement, I think we should
18 have that available.

19 MR. SHIFFRON: Well, I mean, I've seen
20 published the standards for the software through Bell
21 CORE that Southern Bell plans to use. And it's printed
22 it would not be delivered, would not be able to deliver
23 long distance calls now but they would be able to --

24 CHAIRMAN WILSON: Are you aware if there are
25 calls other than long distance calls that would not be

1 delivered?

2 MR. SHIFFRON: I believe there are. However,
3 I do not recall under what circumstances.

4 COMMISSIONER MESSERSMITH: Mr. Chairman and
5 Mr. Shreve, remember when I asked for this the other
6 night in Jacksonville? They handed this to me when I
7 walked in today. I'm going to get a copy for you.

8 It is still not the detailed, technical level
9 I'd like to get to, but we're going to get to that
10 level before all these hearings are done, the answers,
11 the responses we're asking. Mr. Shiffron, I don't
12 really expect him to know the technical side of that,
13 but I definitely want to get to that part of it.

14 MR. SHREVE: I think that's good. A lot of
15 people have been asking me the questions that I may or
16 may not have the answer to that Commissioner Wilson
17 just raised: What will not be delivered to call
18 blocking, and what cannot be traced, and that type of
19 thing. And I think we need that information.

20 MR. FALGOUST: Mr. Chairman, Southern Bell
21 testimony which was prefiled yesterday, I believe, in
22 contemplation of the hearing in Tallahassee in
23 November, will address the Signaling System 7
24 technology and what its capabilities and shortcomings
25 are.

1 COMMISSIONER EASLEY: Just one caveat, Mr.
2 Shiffron. In your comments that there were only two
3 harassment prosecutions that you could remember in your
4 office, and in the caveat in getting caught up in the
5 statistics of the numbers of phone calls. One of the
6 most common pieces of testimony that we heard last
7 night in Orlando, and have heard in other hearings, is
8 that people who receive these harassing phone calls and
9 report them either to the telephone company or to the
10 -- not just Southern Bell, but other telephone
11 companies or the local police department -- are told
12 to, "Change your number or move." And I suspect that
13 there is an awful lot of these calls out there that we
14 never hear about, you all never hear about, nobody else
15 hears about because they don't think anything is going
16 to happen.

17 And I just don't want us to get caught up in
18 statistics. I'm not saying Caller ID is going to solve
19 that problem. I just don't want us to get caught up in
20 statistics that may or may not mean anything.

21 MR. SHIFFRON: Well, as I said before, I
22 think education would go a long way to alleviating that
23 concern.

24 COMMISSIONER EASLEY: I agree.

25 CHAIRMAN WILSON: Thank you, Mr. Shiffron.

1 MR. KEENER: Chairman Wilson, we have an
2 answer on that Call Trace. It's \$4 per month for a
3 residential customer. If a customer purchases more
4 than one TouchStar feature, it's \$3.00 per.

5 CHAIRMAN WILSON: All right. Thank you very
6 much.

7 MR. SHREVE: I'm not sure, that's for the
8 subscription?

9 MR. KEENER: That's correct.

10 MR. SHREVE: I think the question was --
11 maybe not -- about the individual Call Trace. Because
12 it was offered in New Jersey, was it not?

13 CHAIRMAN WILSON: I asked about what they had
14 tariffed in Florida. As I understand, it's \$4 a month
15 or \$3 in association with another service.

16 MR. KEENER: That's right.

17 MR. SHREVE: Then that doesn't refer to the
18 cost of the petition that we asked for. Major Ford?

19 MR. FORD: I haven't been sworn in yet, I was
20 out of the room.

21

22

23

24

25

1 JOHN HENRY FORD

2 appeared as a witness on behalf of the Citizens of the
3 State of Florida and, having been first duly sworn,
4 testified as follows:

5 MR. FORD: My name is John Henry Ford. I'm a
6 Major with the Metro Dade Police Department. I've also
7 been a member of the committee that was formed in
8 February that had sat down on a number of occasions
9 with Southern Bell and BellSouth to discuss some of the
10 problems of law enforcement and some of what we felt
11 were the solutions.

12 The only reason why I'm here today is to
13 explain that we feel that our solutions were not
14 accepted; that the solutions that were given to us by
15 Southern Bell were not acceptable to us, it would not
16 relieve the jeopardy that would be placed against our
17 undercover officers. And I would be more than happy to
18 be in November in Tallahassee to discuss the concerns
19 that we have, the problems that we face and some of the
20 solutions that we feel that are necessary, and some of
21 the reasons why the solutions proposed by Southern Bell
22 are not acceptable -- and probably would not only be
23 not acceptable but would place our officers in deeper
24 jeopardy.

25 And I'd also at that time discussed what the

1 administrative controls that our department, as well
2 as, I'm sure, any other police agency would be more
3 than willing to take to ensure that the sending of a
4 number other than the number being called from would be
5 handled with care. The same as we do when we entrust
6 our police officers with weapons and the powers to
7 arrest, we make sure they handle these powers and the
8 weapons with care, and we would do the same thing with
9 anything else that we do.

10 CHAIRMAN WILSON: Are there questions,
11 Commissioners?

12 MR. SHREVE: No questions. Thank you.
13 Mr. Friedman.

14 COMMISSIONER MESSERSMITH: Mr. Chairman,
15 while Mr. Friedman is coming, let me say this. I've
16 spent a lot of years in public hearings in the
17 legislature. Those of you who come up and speak, if
18 you don't get asked any questions, don't get sensitive
19 about it. We have been in hearings all over the state
20 and you may be saying something we appreciate but have
21 heard before. So it's not because we're not
22 sympathetic or not listening to you, it may be
23 something duplicative of what we have already heard.

24 COMMISSIONER GUNTER: One thing, Major, just
25 for your edification, the Commissioners, individually

1 and collectively, have gone on record beginning, Lord,
2 back before the first of the year and on through two or
3 three proceedings have sort of said -- and I have said
4 rather specifically -- before I would ever vote for
5 this service I would have to have guarantees that not
6 the first law enforcement individual in the state of
7 Florida would be put in any jeopardy.

8 MR. FORD: We appreciate that.

9

10 RICHARD N. FRIEDMAN

11 appeared as a witness on behalf of the Citizens of the
12 State of Florida and, having been first duly sworn,
13 testified as follows:

14 MR. FREIDMAN: Mr. Chairman, members of the
15 Public Service Commission, my name is Richard N.
16 Friedman. I'm an attorney but I'm here as, hopefully,
17 a representative of the 500,000 persons in Florida who
18 have unlisted telephone phones who want to keep such
19 telephone numbers unlisted. This proposal, which I
20 think reflects an authoritarian mindset, necessarily
21 invades the privacy of all 500,000 persons who wish
22 their privacy to be protected when they use their
23 telephone. If you institute call blocking in order to
24 make Southern Bell richer, then you will deny the
25 wealth of the privacy that we now enjoy by not having

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1 our telephone number invaded by those who may be part
2 of an elitist cadre who are able to afford \$80
3 installation fee and \$90 a year to add as another
4 service to their telephone. You are not offering a
5 universal service to the people of Florida to protect
6 them. That is a canard, that is a smoke screen and
7 it's a falsehood. And it's been perpetrated by
8 Southern Bell.

9 Now, what are we talking about? We're
10 talking about when greed matches technology. We
11 recognize that we live in a society where, with the
12 fertile minds of technicians and with computers, it is
13 possible to invent all sorts of magical devices for us
14 to use to make our lives more comfortable and, let's
15 say, facilitate various things in our lives. But,
16 indeed, this is one in my opinion that -- strong,
17 strong opinion in this decision invades our privacy, as
18 has been held by the Pennsylvania courts and I believe
19 will be held by other courts throughout the land.

20 The reality is that the problem itself in
21 relation to the billions, billions of telephone calls
22 that are made every year in the state of Florida,
23 according to Southern Bell's spokesperson, it was
24 reported in the media is that's 100,000 harassing or
25 obscene calls in Florida in a year out of billions of

1 calls.

2 Now, you've heard the largest State
3 Attorney's office in the state of Florida that
4 comprises almost one-sixth of the population of this
5 state, they state they had two prosecutions in eight
6 years. So how big is the problem? That's the first
7 question.

8 We don't need apocryphal tales. Southern
9 Bell's spokesperson has said there's 100,000 calls that
10 have been reported probably to Southern Bell. It may
11 also be fairly assumed that, when a person gets a
12 harassing or obscene telephone call, they first report
13 it to the telephone company before they go to the
14 police; so that if you went to all 67 counties and
15 asked the Sheriffs' Departments and went to all the
16 various municipal police departments and State
17 Attorneys' offices throughout the state, you probably
18 would not have more than 100,000. And if you do, then
19 you had better get a statistical expert to see why.

20 Indeed, this kind of system is unnecessary.
21 It's simply unnecessary. Because you do have Call
22 Trace. There is no question that, like other states,
23 you could have a per-call trace system set up without a
24 subscription so a person could simply press three
25 digits on a touch telephone and that call could be

1 recorded at Southern Bell and then Southern Bell could
2 act on it as they do now. They do a fine job in
3 helping to protect the public from obscene and
4 harassing telephone calls, as, I think, do the police
5 departments. I think they are doing a good job and
6 they should continue to do that job. But they should
7 not do it now at the expense of the public by saying
8 you have to have a major subscription, a piece of
9 equipment, et cetera, for your telephone in order to do
10 that job.

11 If they are a monopoly, and we know they are,
12 and if they are regulated by the State, and you ladies
13 and gentlemen, then they should be doing something for
14 the public, in other words, public service, in order to
15 retain what is known as a monopoly, a franchise from
16 the government to say that "Only you can perform that
17 telephone service." And if they can't, then let's have
18 another company perform this service or let there be
19 competition on local telephones which, based on
20 technology five or ten years from now, will probably be
21 in the offing.

22 Now, I would also like to bring to your
23 attention that the reason why people don't want this
24 Caller ID system is that at the present time there is
25 not selective Call Blocking being offered for the

1 system; not just universal but selective Call Blocking.

2 Number two, the problem with the system is
3 that it exposes all persons to being put on mailing
4 lists, to have them being harassed by commercial
5 companies who will have the greatest use for the
6 information that would be derived from this Caller ID
7 system. Not so much private persons but commercial
8 companies. It means that every time you call up for a
9 price to a department store, they now have your
10 telephone number; they then can have salesmen solicit
11 you. It's great for boiler rooms, it's wonderful for
12 boiler rooms. They get your telephone numbers and they
13 will come after you night and day, night and day, just
14 to solicit you for products. So you have opened up all
15 the people in Florida, including all the half a million
16 that say, "Hey, I'm willing to pay a premium to
17 Southern Bell not to have my phone number put in the
18 telephone book and to protect my family's privacy."
19 You're opening up all of us to that kind of harassment,
20 and that's serious harassment.

21 How about doctors who don't want their phones
22 called? How about psychiatrists who have pathological
23 patients; teachers, who don't want students finding out
24 their telephone numbers and calling them; hotlines
25 where people may call, or suicide hotlines, and other

1 forms of hotlines that may not want their telephone
2 number known. And it's the anonymity which is the
3 presage for the person to call that hotline. So by
4 having your number known, I don't want to call the
5 hotline because they will know my telephone number,
6 they will be able to trace who I am. So they don't
7 call and, therefore, the benefits that society has
8 created for various people to help them, are
9 eliminated.

10 Indeed, what we are doing is we are doing
11 what is contrary to law and custom here -- contrary to
12 law and custom. Right now if a police officer wants to
13 know my telephone number, how can he get it? How can
14 he get it? He has to go to a court. He has to say
15 there is probable cause to get a subpoena and subpoena
16 the records of Southern Bell. That's how he can get my
17 telephone number, not with Caller ID. So you have
18 changed the law around. You have tried to eliminate
19 subpoenas, you have tried to circumvent the entire
20 judicial system as to how police departments can get
21 telephone numbers that are not in the telephone book.
22 And I don't think that that's right, and I think it is
23 illegal. Maybe the courts will decide, if it ever
24 comes to an issue someday. But I still think it is
25 unfair.

1 Custom Calling, I have always thought that my
2 phone was my phone. By this proposal you are saying
3 something that is 180 degrees reverse.

4 CHAIRMAN WILSON: Let me get you to say
5 something. "We" are not saying anything. This is an
6 issue that is under active consideration by the
7 Commission.

8 WITNESS FRIEDMAN: I appreciate that, Mr.
9 Chairman. I am going by --

10 CHAIRMAN WILSON: Now, when you say, "you,"
11 you might want to look down at that end of the table,
12 the far end down there. (Laughter)

13 MR. FRIEDMAN: Mr. Wilson, let me say that I
14 most appreciate that remark, considering the fact that
15 in correspondence that I have had with you, and with
16 statements made by members of the Staff that I have
17 heard at other hearings, they have indicated that there
18 has been a prior philosophy enunciated that would
19 indicate that all telephone numbers should be public
20 except with certain exceptions.

21 I suggest that the public has a right to have
22 their numbers not made public unless they want it to be
23 made public. I also suggest that it, philosophically,
24 has always been, and I think should continue, that our
25 telephones in our homes are sanctified. We don't want

1 people to know our numbers unless we give it out. But
2 the proposal of Southern Bell is the entire opposite.
3 They're saying, "Forget controlling your telephone in
4 your home. We want you to give your number out to
5 anybody that wants to pay \$80 for a piece of equipment
6 and \$7.50 a month." I think that's wrong.

7 CHAIRMAN WILSON: Maybe I'm misunderstanding,
8 but wouldn't you have to call that person yourself in
9 order for them to get that phone number?

10 WITNESS FRIEDMAN: Yes, of course, I call
11 people all the time but they don't know my home number.
12 I'm a lawyer, I call people --

13 CHAIRMAN WILSON: Yeah, so it's not --

14 WITNESS FRIEDMAN: -- from home but I don't
15 let them know my number.

16 CHAIRMAN WILSON: Just a moment; just a
17 moment. Let me ask you a question.

18 Your point is not that Southern Bell is
19 giving out your number but you don't want to give out
20 your number when you make a call on the phone?

21 WITNESS FRIEDMAN: That's right.

22 CHAIRMAN WILSON: That's the way somebody on
23 the other end would get your number. And the police
24 department has no more power to get it -- if you don't
25 call the police department, then they can't get your

1 number.

2 WITNESS FRIEDMAN: The point is that the
3 number is being disclosed to a third party, to
4 strangers even. Let's assume you are at someone's home
5 for a party and you're calling someone from a third
6 party's home. They now have that number. Say you are
7 a physician and you are at some third party's home and
8 you call from there to answer a patient's call. The
9 patient now thinks he has your home number and starts
10 harassing your relative or your friend, thinking that
11 is the doctor's home. They say, "The doctor called me
12 just an hour ago at this number and he's supposed to be
13 here and I know this is his home and where is he? I
14 want to speak to him right away."

15 Right now people use answering services. To
16 move on to another point, Call Blocking also does not
17 take care of it. Cellular phones doesn't take care of
18 it. Pay phones doesn't take care of it.
19 Operator-assisted calls. There's ways to circumvent
20 it, at least based on current technology. So it is not
21 a panacea and, as I said before, it is not something
22 that is going to be universal. What is it? It's an
23 elitist revenue producer because it's only for those
24 who are willing to pay \$80 for the mechanism and \$7.50
25 a month to Southern Bell.

1 Now, if Southern Bell is really concerned
2 about the public, I suggest you offer Call Blocking for
3 free, or for a selective Call Blocking where a person
4 could press a three-digit code and handle it that way.
5 Or, frankly, Call Tracing, as we presently have it,
6 with a three-digit, per-call trace is more than
7 sufficient because the next day Southern Bell has it,
8 the police can find out, and they don't even tell you
9 the number until there is something that goes on.
10 Because just because you get one phone call does not
11 mean that you have violated a Florida statute.

12 I get phone calls all the time I may not like
13 but I don't go to the police because I got one phone
14 call that I don't like. Nor can we put people in jail
15 every time that they make a phone call that some other
16 person doesn't like, one call. Harassing calls, by
17 statute, means repetitive calls. Obscene calls, you
18 get into a whole question of First Amendment; what is
19 obscene and what is not obscene. So you are getting
20 into an advanced judicial area.

21 CHAIRMAN WILSON: I'm going to have to ask
22 you to recap here.

23 WITNESS FRIEDMAN: In sum, I would recommend
24 strongly that the Commission require Southern Bell to
25 institute per-call, Call Tracing for a nominal fee,

1 such as 50 or 75 cents maximum, or for free on a
2 test-pilot basis, a three-digit pressing on a TouchTone
3 phone to trace for those persons who feel that they
4 have a legitimate grievance, and to at this time defer
5 any future action on approval of Caller ID.

6 Thank you very much.

7 CHAIRMAN WILSON: Thank you, Mr. Friedman.

8 MR. SHREVE: Thank you, sir.

9 (Witness Friedman excused.)

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11 CHAIRMAN WILSON: Call your next witness.

12 MR. SHREVE: Mr. Dellerson, Dr. Dellerson.

13

RICHARD DELLERSON

14 appeared as a witness on behalf of the Citizens of the
15 State of Florida and, having been first duly sworn,
16 testified as follows:

17 WITNESS DELLERSON: My name is Richard
18 Dellerson, I am a physician.

19 I have had mixed feelings about Caller ID
20 from a professional standpoint, as a doctor, having my
21 phone number disclosed to patients who I prefer to
22 contact an answering service. On the other hand, as a
23 father, husband, a father of two daughters and a
24 husband, and having heard a wide variety of harassing,
25 obscene, threatening phone calls, my feelings have

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1 turned to where I think I would put myself as a father
2 and citizen first, and as a physician second.

3 There are ways around having your phone
4 number revealed at your option. If you don't want to
5 call a mail order house or Burdines, or what have you,
6 that's your option. To me, the biggest invasion of an
7 individual's privacy is to be on the receiving end of
8 these calls, and sometimes they're 2 o'clock in the
9 morning, sometimes they're during the dinner hour, or
10 what have you. The bottom line is that since the
11 individual would be aware that Caller ID exists, the
12 option is his when he places the call.

13 Also, the option is his when the phone rings,
14 if it is an unfamiliar number, or perhaps one that he
15 has had a salesperson or a boiler room or somebody
16 trying to sell him something, he is going to get to
17 identify that number and he has the option not to pick
18 up the receiver.

19 Bottom line is, again, in summary, I feel
20 strongly that Caller ID is a valuable concept, and I
21 think it's one that many people will be given a lot of
22 relief from in terms of harassment and obscene phone
23 calls.

24 The police enforcement issue, journalists and
25 physicians not wishing to divulge their phone number

1 have an option, but we don't have an option the way it
2 exists now when that phone rings to put up with an
3 incredible amount of abuse.

4 Thank you.

5 CHAIRMAN WILSON: Dr. Dellerson, I think what
6 I hear you and Mr. Friedman saying is not terribly
7 different. What you want is the ability to control
8 your own telephone, either who calls you or who you
9 call and reveal your number. I think that probably
10 illustrates the conflict, real conflict, that this
11 Commission is in, in trying to faction some sort of
12 remedy that addresses your concerns as well as his.

13 WITNESS DELLERSON: Right. A man's home is
14 his castle, and I totally agree with that concept. And
15 I don't want anybody entering my castle unless I, you
16 know, lay down the drawbridge so that they can come in.
17 And that's the way I look at that phone. I have an
18 option, and if I don't want to divulge my phone number,
19 I have an option. The other way, you don't have the
20 options. You only have one. The Caller ID affords you
21 two options.

22 COMMISSIONER GUNTER: I understand.

23 CHAIRMAN WILSON: Thank you. We appreciate
24 it.

25 (Witness Dellerson excused.)

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CHAIRMAN WILSON: Call your next witness,
please.

MR. SHREVE: Mr. Cohen.

PETER COHEN

appeared as a witness on behalf of the Citizens of the
State of Florida and, having been first duly sworn,
testified as follows:

WITNESS COHEN: Good morning. I am Peter
Cohen, the President of the Florida Gold Coast Chamber
of Commerce. We represent over 200 members and 43,000
constituents.

We have studied this issue for over a year
and we have a Communications Committee who has
recommended wholeheartedly that we accept Caller ID.
We did present it to our entire Chamber, and we all
wholeheartedly endorse the concept.

It's interesting to note that two of the
people that you have up here were commissioners because
we represent six municipalities. And several of the
commissioners who we represent have expressed the same
fears, with crank calls and the threatening phone
calls. And since we represent these municipalities and
do business with them, we can understand their
concerns.

1 Our stores also reflect the same concerns.
2 Among the stores that we represent are a Neiman-Marcus,
3 Saks Fifth Avenue, all the Bal Harbour shops, as well
4 as mama-and-papa, little individual stores. And there,
5 again, with the crank phone calls, the bad business
6 phone calls, there are thousands and thousands of
7 dollars that are lost through that particular endeavor,
8 that we feel can be cleared up with Caller ID.

9 So, simply, our Chamber of Commerce
10 wholeheartedly endorses this concept.

11 Thank you very much.

12 CHAIRMAN WILSON: Thank you, sir. Are there
13 any questions?

14 MR. KEENER: No questions.

15 CHAIRMAN WILSON: Thank you.

16 (Witness Cohen excused.)

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18 CHAIRMAN WILSON: Call your next witness.

19 MR. SHREVE: Mr. Valardi.

20 SAL VALARDI

21 appeared as a witness on behalf of the Citizens of the
22 State of Florida and, having been first duly sworn,
23 testified as follows:

24 WITNESS VALARDI: Good morning. Good
25 morning, ladies and gentlemen of this august body. My

1 name is Sal Valardi. I live at 3800 South Ocean Drive
2 in Hollywood.

3 I'm here because I am a subscriber to Call
4 Tracing, which I have discovered was not what I really
5 wanted. About a year and a half ago I received a phone
6 call at night threatening to shoot me, and if he
7 couldn't do it, he would have some friends, that they
8 could do it, and if he couldn't get his friends and saw
9 me walking in the street -- it was like a Rube Goldberg
10 invention -- he would then run me over. So I advised
11 him that I would call the police if I received another
12 call of that nature and hung up. Two seconds later the
13 phone rang again and it was him. I recognized him by
14 his voice. Some of the other following calls I
15 couldn't recognize because the callers were disguising
16 their voice.

17 I called the police, the police came up, they
18 checked this fellow out. And, since, he has totally
19 and completely disappeared from the face of the earth.
20 He also lost his apartment to a foreclosure because he
21 just disappeared. Evidently, he must have been a bad
22 guy.

23 A few days later, about a week or so, I get a
24 circular in the mail and that circular was Call Tracing
25 by Southern Bell. Well, I thought that this might help

1 me out in the future, but I discovered that it wasn't
2 good enough.

3 Of course, I received some more nasty calls,
4 and one call in particular that really upset me the
5 most of all was that this individual, whoever he was,
6 invaded the sanctity of my home. My wife picked up the
7 telephone and the language that came from this fellow
8 was just terrible -- just terrible.

9 I feel that we have to have some sort of
10 protection against these.

11 I immediately called the telephone company
12 and asked them, "Were you able to trace that call? Do
13 you have that call?" They said, "Yes." I said, "Well,
14 give it to me. Who is he?"

15 "We can't do that."

16 Well, it may be a step in the right direction
17 but it's not enough. I think if we get this Trace
18 Call, or whatever it is called, I would be one of the
19 very first subscribers to it because at least I will
20 know who is making that call. And if it's someone --
21 in the building where I live we have 375 units in that
22 building -- I could expose him to the rest of the
23 people in the building so that he could be justifiably
24 criticized.

25 Now, I'm all for that. If we can get that, I

1 will be the very first subscriber, or attempt to be
2 that.

3 Thank you very much.

4 CHAIRMAN WILSON: Thank you very much, sir.

5 There's a question by Commissioner Messersmith.

6 COMMISSIONER MESSERSMITH: I'm sorry, I
7 didn't get your last name.

8 WITNESS VALARDI: Valardi.

9 COMMISSIONER MESSERSMITH: Mr. Valardi, I'm
10 glad to get a live user of Call Trace.

11 WITNESS VALARDI: Well, excuse me. I have
12 since stopped that because I felt it wasn't for me. It
13 didn't help me, it didn't serve me at all. If you, as
14 a telephone company, know about these calls, I'm the
15 one who has been maligned, so why don't you tell me?
16 Tell me who it is and I will take that gentleman, or
17 whoever he may be, into court and expose him to the
18 general public.

19 COMMISSIONER MESSERSMITH: I would just like
20 to walk through this process because we are trying to
21 learn how this works. Given the understanding that
22 Southern Bell will not give out that number to a
23 citizen but only to law enforcement --

24 WITNESS VALARDI: That's right.

25 COMMISSIONER MESSERSMITH: -- what happened

1 after you called and asked something to happen on that
2 call, the obscene call? Who got involved then? Did
3 the telephone company call law enforcement?

4 WITNESS VALARDI: If my memory serves me
5 right, they said to me that they would have to receive,
6 I think, three more calls.

7 COMMISSIONER MESSERSMITH: Three?

8 WITNESS VALARDI: Three more calls from the
9 same number, three more calls before they would move on
10 this thing. I said, "Will I then be notified," and
11 they said no. Now, who are they notifying? How do I
12 know whether they are notifying?

13 COMMISSIONER MESSERSMITH: Did you receive
14 three more calls after that?

15 WITNESS VALARDI: I received, I think, a
16 total of six calls.

17 COMMISSIONER MESSERSMITH: Then what happened
18 from there?

19 WITNESS VALARDI: Nothing.

20 COMMISSIONER MESSERSMITH: Did you follow up
21 with the Company and call again to see if they were --

22 WITNESS VALARDI: No. I think after about
23 the fifth one I didn't bother anymore. I didn't bother
24 because I felt it was no use. There was no point to
25 it.

1 COMMISSIONER MESSERSMITH: Maybe you could
2 give me your telephone number before you leave here so
3 I could talk with the Company and just find out how
4 that process works.

5 WITNESS VALARDI: Sure.

6 CHAIRMAN WILSON: Thank you very much.

7 WITNESS VALARDI: You are very welcome.

8 Thank you.

9 MR. SHREVE: Thank you, sir.

10 (Witness Valardi excused.)

11 CHAIRMAN WILSON: Let's take about a five- or
12 ten-minute break and come back at 11:30.

13 (Brief recess.)

14 - - - - -

15 CHAIRMAN WILSON: Mr. Shreve, I understand
16 that there's been a request from some witnesses who
17 have traveled from out of town to be taken out of
18 order. Ordinarily, we take witnesses first-come,
19 first-serve as they have signed up on the list. I
20 think these witnesses, if nobody has a real objection
21 to this, have agreed to keep their remarks very brief
22 in exchange for being taken out of order. If there is
23 not a really strong objection, I think we can do that,
24 Mr. Shreve.

25 MR. SHREVE: All right, sir.

1 COMMISSIONER BEARD: Go ahead and call them.

2 MR. SHREVE: Mr. Spiegel.

3 - - - - -

4 JACK SPIEGEL

5 appeared as a witness on behalf of the Citizens of the
6 State of Florida and, having been first duly sworn,
7 testified as follows:

8 WITNESS SPIEGEL: My name is Jack Spiegel.
9 I have been a resident of the city of Halland Dale for
10 the past 25 years. I have been active in civic,
11 religious and political affairs in Hallandale. I have
12 served as president of my synagogue and I am currently
13 on the Board of Directors. I was elected to the
14 Hallandale City Commission in 1973 and served as
15 Vice-Mayor and Commissioner, through 1983.

16 I want to go on record as being strongly in
17 favor of the Public Service Commission approving the
18 new service, Caller ID.

19 There is a need for all of us who are active
20 in political and civic affairs to know who is behind
21 the incoming calls received on our telephone service.
22 Caller ID will serve as a deterrent to those people who
23 call and refuse to identify themselves. They know my
24 number and I'd like to know theirs. I believe I have a
25 right to. Many people who are active in the political

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1 and civic arena receive threatening, harassing and
2 obscene calls. The implementation of the Caller ID
3 would be a substantial deterrent of these calls.

4 Thank you for the opportunity to speak on
5 this subject. Ladies and gentlemen, it's a pleasure to
6 meet you. I know some of you. I've met them in the
7 political arena. I think the people of this state need
8 this help. I have complained to police departments as
9 the President of the Hallandale Jewish Center. We have
10 tens of thousands senior citizens that live in
11 Hallandale, and they'd always come to me. And I would
12 send them to my police department and I was Vice-Mayor,
13 a Commissioner. We get no -- we couldn't get any help.
14 The police department ought to be glad that some of
15 this work will be taken off of their shoulders. Let us
16 know who is calling us then we'll know what to do about
17 it. I appeal to you on behalf of the senior citizens
18 of the state of Florida and I speak as one of them to
19 help us work this out somehow so it's approved. I'm
20 sure you will do the best you can. Thank you.

21 CHAIRMAN WILSON: Thank you.

22 MR. SHREVE: Mr. Brown.

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25

1 TED BROWN

2 appeared as a witness on behalf of the Citizens of the
3 State of Florida and, having been first duly sworn,
4 testified as follows:

5 WITNESS BROWN: Good morning. My name is Ted
6 Brown. I come as a private citizen, although I have
7 been active in Dade County politics. I was on the
8 ballot in last month's election, this month's
9 elections, September 4 election. But I come to speak
10 in favor of the Caller ID system.

11 It's very interesting as I listen to the
12 various speakers who come up and talk to you, and it
13 becomes more and more evident that the majority of the
14 public is in the dark ages when it comes to communications,
15 especially telecommunications. I would dare say that
16 the majority -- this is on a different subject, but the
17 majority of the folks behind me probably have the 12:00
18 still flashing on their VCR. That's where we are when
19 it comes to electronics, communications and new
20 technology.

21 When Caller ID comes on line, and if I place
22 a call to someone and if my number shows up on their
23 system, and if they call me back, let me put it this
24 way: They won't be able to call me back. Southern
25 Bell already has the technology to prevent that from

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1 happening and I won't have to worry about that. Why?
2 Because if that call comes back it's going to come into
3 my primary number and I only answer my secondary calls.
4 My primary number either goes into my Voice Mailbox or
5 to my Memory Call. That part is solved.

6 As far as the law enforcement is concerned,
7 I'm aware of their concerns. And there is all types of
8 technology out that would benefit them that they are
9 not presently using. Perhaps Caller ID would force
10 them to investigate and look at some of the other
11 things that are available.

12 The type of things that I'm talking about
13 that would, more or less, counteract Caller ID may cost
14 the subscriber additional money. However, this is a
15 society we live in; it's going to cost me more money to
16 put up security bars, put up an alarm system in my
17 home. Fifteen years ago, five years ago maybe I didn't
18 have to do that but it's going to cost now.

19 In reference to the talking about the folks
20 with the unlisted numbers; don't call me and I won't
21 call you. It's as simple as that. We're in a Golden
22 Rule situation. Go to a pay telephone if you feel you
23 must call me and I can't have your number. There are
24 all sorts of ways around the problems that we're being
25 confronted with.

1 I'm familiar with the thought that the people
2 in social security agencies put forth about someone
3 calling and getting a number and so forth. I see this
4 as an advantage for such agencies. If somebody was
5 beating up on me, and I place a phone call and maybe I
6 couldn't finish talking before they came back and I had
7 to hang up, at least they have a record of where the
8 call came from. They could call back and not
9 necessarily say, "Who's beating up on you?" But they
10 could call back and talk to the person as if they were
11 just making a call and perhaps they can diffuse what
12 has been going on, or somehow send help out to the
13 place where the help is needed.

14 Getting back to equipment, as I said earlier,
15 there is so much equipment that the public is not aware
16 of. We have a system whereby if you call me, you have
17 to also know a three digit code to get into my number.
18 You can't just dial my number, 1234567 and it ring and
19 I answer. You have to know three more numbers. So,
20 consequently, if I want anybody to call me, I give them
21 those three numbers and they could get to me. So as we
22 look at this whole subject, I hope that somehow the
23 public can become more aware of all the things
24 available, and we can see that Caller ID will not hurt
25 us. It will really help us. Thank you very much.

1 MR. SHREVE: Mr. Brown, could you tell me as
2 far as -- you did refer directly -- you've obviously
3 given this a lot of thought and are knowledgeable in
4 the area. As far as call blocking is concerned, what
5 are your thoughts on that? Are you for or against --
6 say, get Caller ID, but what are your thoughts on call
7 blocking and how it is available?

8 WITNESS BROWN: Well, I would be against call
9 blocking for this reason: If I have a Caller ID unit
10 and someone calls me and the number is not coming
11 through, I'm not going to answer. So, I mean, nothing
12 happens. I mean if you have -- if that person would
13 have called someone else who didn't have Caller ID,
14 that person might answer, but Call Block, as I see it,
15 would not help the situation.

16 I would see a better usage in, say, the
17 police department or other departments to have a bank
18 of numbers that they call from that's just, you know,
19 just plain numbers, like a telephone booth number
20 almost, so that if anybody ever calls back to that
21 number, you just say, "Hello". You don't say, "Metro
22 Police Department". You just say, "Hello". And, you
23 know, the caller don't know who they called or where
24 the call came from.

25 MR. SHREVE: Okay. Let's leave the law

1 enforcement and the abuse centers aside. The general
2 public, you would feel that call blocking should not be
3 available, either free or for a fee for paying Bell for
4 call blocking?

5 WITNESS BROWN: In order for the system to
6 work effectively, I feel that the call blocking should
7 not be available.

8 MR. SHREVE: Right, all right. Even if it --
9 if you paid Bell to be able to block, then you would
10 feel that system would not work properly.

11 WITNESS BROWN: That's correct.

12 MR. SHREVE: Thank you, sir.

13 CHAIRMAN WILSON: Thank you, Mr. Brown. Call
14 your next witness.

15 MR. SHREVE: Mr. McCLEAN.

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PORTER McCLEAN

18 appeared as a witness on behalf of the Citizens of the
19 State of Florida and, having been first duly sworn,
20 testified as follows:

21 WITNESS McCLEAN: My name is Porter McClean.
22 I'm the executive Director of Vision Counsel which is
23 an economic development group in deep South Dade. I'm
24 here today to talk for Caller ID.

25 We've spent approximately two hours hearing

1 about the negatives and the problems that Caller ID
2 will bring, and I would like to speak to the positive
3 and the convenience that Caller ID could bring to the
4 general public.

5 Take three examples. When you call a bank to
6 inquire about your account, they want to know your
7 social security number, your account number, things to
8 make sure they are talking to the right person.

9 If you have Caller ID and the bank computer
10 is interfaced with Caller ID, they know who you are,
11 your account could flash up on the scene. Break to the
12 evening, you want to call for a pizza. You call a
13 pizza place. Their software program is interfaced with
14 the phone number and the address. It pops up on a
15 computer, the address prints out; there is no question
16 as to what address that you want the pizza sent to.
17 There is no question that somebody is not calling to
18 set you up.

19 The next day you have a problem with an
20 appliance. You call the appliance store. The
21 appliance store is interfaced. When you call the
22 appliance store, they are looking at a screen and they
23 say, "Good morning, Mr. Gunter, what can we help you
24 with?" "My washing machine is broken." "Yes, sir.
25 That was purchased six months ago; it's under warranty.

1 When would you like for us to come out a service it?"

2 It is a tremendous potential for businesses. It is a
3 convenience for the majority of the public.

4 And I realize there is a problem with the
5 police shielding their informants and their sting
6 operations. I realize there would be an aid for some
7 people for the harassment calls, and it's a problem for
8 the doctors and the lawyers for blocking calls. But
9 all of these problems that we've talked about for
10 nearly two hours are a small percentage of the general
11 population. So let's not overlook the great benefit
12 that can be derived from Caller ID for the great
13 benefit for the majority of the people. Thank you.

14 CHAIRMAN WILSON: Thank you, sir.

15 MR. SHREVE: Mr. McClean, if you're in favor
16 of Caller ID, what are your thoughts on, not police
17 blocking or abuse center blocking, but the general
18 public blocking? Do you feel that should be allowed
19 for a fee to be paid to Bell?

20 WITNESS McCLEAN: I don't have a problem with
21 that. I'm speaking to convenience for the people that
22 want convenience. If somebody wants to be shielded,
23 they should be able to be shielded for a fee just like
24 we have unlisted phone numbers.

25 MR. SHREVE: What about -- all right. So you

1 are not opposed then to an unrestricted blocking plan
2 whether it is free or for a fee.

3 WITNESS McCLEAN: No.

4 MR. SHREVE: All right. Thank you.

5 WITNESS McCLEAN: The big thing is convenience
6 and speed of business information.

7 COMMISSIONER EASLEY: Mr. McClean, on the
8 issue of what Caller ID can do for the businesses and
9 the screen printing out the address, many businesses
10 currently have that capability. If you call a catalog
11 sales, Sears, Penney's or any of those, or if you call
12 a 1-800 number, chances are pretty good you're already
13 hooked into a Caller ID type of system. Is that system
14 not available to all businesses?

15 WITNESS McCLEAN: Some businesses in Miami,
16 and you mentioned Sears, Sears Service is hooked up.
17 Because I have appliances from Sears, and they ask you
18 your phone number and you give it to them and then it's
19 called up, so that is available; but there is a time
20 element involved. Where, I used as an example, the
21 banks are very reticent to discuss things over the
22 phone with you. You might want to call your insurance
23 company to find out what your coverage is by insurance.
24 And again, if you don't know the agent they, might be a
25 little hesitant to tell you the limits of your

1 liability and if this or that were covered not knowing
2 who is calling. But if you have --

3 COMMISSIONER EASLEY: I'm sorry.

4 WITNESS McCLEAN: If you have Caller ID and
5 that interfaces, it automatically pops up and they --
6 the computer tells you that you're calling from that
7 number.

8 COMMISSIONER EASLEY: Other than the time
9 factor and the automatic feature, is the availability
10 of the system that can retrieve the information either
11 because you've given them your phone number voluntarily
12 or in some cases it has shown up on a Caller ID
13 reception device, is that not available to most
14 businesses? Is it simply not available because of cost
15 or technology?

16 WITNESS McCLEAN: I was speaking to the
17 automation. Now, the businesses have the computer
18 capability now. If you call them and you give them
19 your phone number, their files are set up by phone
20 number.

21 COMMISSIONER EASLEY: Okay. I understand.
22 Thank you very much.

23 MR. SHREVE: Thank you.

24 CHAIRMAN WILSON: Mr. Shreve approximately
25 how many more witnesses do you have signed up?

1 MS. WILL: I don't have a count, but I'll
2 give it to you in a minute.

3 MR. SHREVE: About 25, roughly. We'll count
4 them now, but we have quite a few.

5 CHAIRMAN WILSON: All right. As you come
6 forward to testify, if you could please keep your
7 remarks to a reasonable time and as brief as possible,
8 so we're sure to hear all the people who have now
9 signed up and who may come in later, I would really
10 appreciate it. Call your next witness.

11 MR. SHREVE: Mr. Robinson.

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WILLIE ROBINSON

14 appeared as a witness on behalf of the Citizens of the
15 State of Florida and, having been first duly sworn,
16 testified as follows:

17 WITNESS ROBINSON: Mr. Chairman, members of
18 the Commission, I am here to ask your support for
19 Caller ID. And it's not within my privilege or right
20 to offer advice other than what I've just said.

21 CHAIRMAN WILSON: Would you identify yourself?

22 WITNESS ROBINSON: My name is Willie Robinson.
23 I am a resident of Dade County.

24 But I would, however, ask you to look at the
25 data from New Jersey as it relates to this matter. I'd

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1 ask you further to look at the benefits that flow from
2 this technology that will benefit the larger community.
3 And I, especially, ask that you look at this matter in
4 light of what it will do for that community which is
5 not represented here today, the low income population
6 of this great state. Crime is a problem for the state
7 and any intervention designed to identify and assist
8 the police in getting persons who involve themselves in
9 this area ought to be implemented quickly.

10 Again, I support Caller ID and I hope that
11 you will find within your wisdom to support Southern
12 Bell as it seeks to serve this community well. Thank
13 you.

14 MR. SHREVE: One question, sir. As to call
15 blocking, do you have an opinion on that? Not law
16 enforcement or abuse centers but the general calling
17 public.

18 WITNESS ROBINSON: I'm sure within the scheme
19 of the proposal, the issues of the police/law
20 enforcement officers raised will be brought to bear on
21 that and I will leave you saying that I am
22 philosophically against call blocking.

23 MR. SHREVE: All right. For a fee or a free?

24 WITNESS ROBINSON: My statement stands, sir.

25 MR. SHREVE: All right, sir.

1 CHAIRMAN WILSON: Thank you, Mr. Robinson.
2 Please call your next witness.

3 MR. SHREVE: Vito Spendorio.

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5 VITO SPLENDORIO

6 appeared as a witness on behalf of the Citizens of the
7 State of Florida and, having been first duly sworn,
8 testified as follows:

9 WITNESS SPLENDORIO: Good morning, ladies and
10 gentlemen. My name is Vito Splendorio. I'm with the
11 Hollywood Fire Department. I'm Assistant Chief of
12 Staff; I'm speaking as a private citizen.

13 CHAIRMAN WILSON: Could you speak a little
14 louder?

15 WITNESS SPLENDORIO: Is that better?

16 CHAIRMAN WILSON: Yes.

17 WITNESS SPLENDORIO: I'm in favor of the
18 Caller ID. I think it benefits of harassing phone
19 calls and bothersome phone calls from sales people.

20 I would like to associate Caller ID with our
21 Enhanced 911 System. Our Enhanced 911 System, over the
22 period of years, has shown us almost a minimum of false
23 alarms, bomb threats, missed addresses, missed calls;
24 has proved to be a tremendous asset to us. We still
25 receive approximately 15, 20% of all calls through

1 private lines, through business lines, through our
2 regular offices and not through our 911 System. People
3 have our phone numbers, they are listed in the phone
4 book, our offices, and Enhanced 911 is an available
5 method.

6 We feel that Caller ID would identify these
7 people and would eliminate those type of calls through
8 that system.

9 I have a great respect for the law enforcement
10 agency and their ability to stay anonymous in their
11 dealings with the general public and with the crime
12 population. I'm sure there is technology out there that
13 would assist us with the police/law enforcement business.

14 I am against call blocking because if you had
15 call blocking no matter whether you'd paid for it or
16 given free, there would be no reason for Caller ID
17 because those people who want to block out their calls
18 would just have to pay for the service or what not and
19 we wouldn't know who they were. So what would be the
20 reason for Caller ID in that situation?

21 I guess I have covered my points. I want to
22 thank you very much.

23 MR. SHREVE: Thank you. Mr. Mike Hunt.

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1 MICHAEL HUNT

2 appeared as a witness on behalf of the Citizens of the
3 State of Florida and, having been first duly sworn,
4 testified as follows:

5 WITNESS HUNT: Good morning, I'm here as a
6 private citizen. My name is Michael Hunt and I would
7 like to go on record as stating I'm in strong favor of
8 Caller ID.

9 I think at sometime or another we have all
10 received harassing phone calls and, you know, I don't
11 think this is necessarily a situation that we always
12 have to take to the police and take their valuable time
13 away for something that might be involved with your
14 children, you know, getting these calls from other
15 kids.

16 If this Caller ID was to be in my home and I
17 received these calls, I would simply call the people;
18 if I recognized the number, say, "I think the children
19 are playing with the phone. I don't want to go to the
20 police. Please try to resolve the situation." That's
21 all I have to say.

22 CHAIRMAN WILSON: Call your next witness.

23 MR. SHREVE: We will call Chief Bolanos.

24 ROLANDO BOLANOS

25 appeared as a witness on behalf of the Citizens of the

1 State of Florida and, having been first duly sworn,
2 testified as follows:

3 WITNESS BOLANOS: Good morning, lady and
4 gentlemen of the Commission.

5 Mr. Chairman, my name is Rolando Bolanos. I
6 am the Chief of Police from the City of Hialeah. I
7 also represent the Dade County Association of Chiefs of
8 Police as their immediate past President.

9 Ladies and gentlemen, I have just a few brief
10 comments. I know how busy you are and I know there's a
11 list of people who want to speak behind me. First of
12 all, I am very saddened to see that this issue has,
13 over a period of time, turned out to be an issue of
14 pro-law enforcement versus -- or law enforcement versus
15 the telephone company. I think that initially we all
16 had the same ends in mind and had different means of
17 approaching it. And somewhere along the line we have
18 now come apart.

19 What I have heard here in the last two hours
20 is that those that are in favor of Caller ID keep
21 emphasizing Caller ID as a technology that is going to
22 allow them to identify those people who are crank
23 calling them, harassing them. I have not a heard a
24 member of this Commission respond back to the
25 proponents of Caller ID from the standpoint that they

1 are now going to have an alternative tool; that Caller
2 ID will, in fact, not be Caller ID. That is a misnomer
3 at best.

4 From what I understand, and from what I
5 believe that the technology will provide is a screen
6 identification of the telephone number of the person
7 who is placing the phone call. The recipient will have
8 the telephone number of the person who placed a crank
9 call. The recipient will not have the identification
10 or the address of the person who is placing the phone
11 call. Therefore, they will have two options that I see
12 immediately available to them, or perhaps three. One
13 which scares me and I will speak to that at the end.

14 The first options is to contact the phone
15 company have the phone company take some remedial
16 action to correct that problem. I have not heard
17 today, and I'm not familiar with any past testimony,
18 that the phone company is willing to assume the
19 responsibility for the investigation and correction of
20 those crank calls. And if we use a figure of 100,000
21 crank calls a year, which is using their figures, I
22 have not heard or seen any proposal on the table that
23 suggests that they're willing to accept responsibil-
24 ities for correcting those problems.

25 Are they willing to discontinue the service

1 of the person that is placing the crank call? Are they
2 willing to conduct the investigation to determine who
3 in a household placed a phone call? And we can think
4 of a number of investigative scenarios that we know
5 will not ever conclusively determine who the origin of
6 the caller is. We may know through the investigation
7 the location where that telephone number came from, but
8 when you go and investigate a party at 1:00 in the
9 morning, and there are 17 or 20 or 30 in that party, we
10 are not about to charge anybody.

11 The other thing that concerns me, ladies and
12 gentlemen, is that if, in fact, there are 100,000 phone
13 calls that are placed annually that are in the category
14 of harassment, or in the category of crank calls, then
15 I am suggesting to you that we are proposing to
16 increase the demand for public service, the demand for
17 police services, by 100,000 calls this year, or
18 whenever this thing is implemented. And I want to be
19 perfectly candid with you: In today's society, in
20 Florida, given the nature of the criminal activities
21 that we contemplate with, given the demand for services
22 that we have today, and given our ability to deal with
23 that demand for services, it would be irresponsible for
24 me to submit to you, or to the citizens of Florida,
25 that we will entertain investigations for those crank

1 calls.

2 Frankly, we will not. What we will do is to
3 continue to do what we do today, and that is that those
4 that are of serious consequence, those that are
5 significant in terms of the violation, the criminal
6 violation, the danger potential to them, or the
7 continuous menacing of them, we will investigate those.
8 And for those we have a system in place. It is a
9 system that has been in place and has worked well in
10 cooperation with the phone company, with the recipient
11 of the abuse, and with the police departments.

12 The third item that I have heard here today
13 is one which a gentleman stated earlier, and to
14 paraphrase what he said: He said, "Well, at least now
15 I will have the telephone of the person who placed in
16 the phone call in my building and I can have the
17 citizens take care of that, or the residents take care
18 of that."

19 The last thing that you want is you want the
20 citizens to have a direct response to those kinds of
21 problems, because now you are circumventing the police.
22 And now what you are proposing is to have citizens deal
23 with their own problems, and that is certainly neither
24 the intent of the phone company, never has been;
25 certainly not the intent of the law enforcement

1 community. We don't want citizens to take those issues
2 upon themselves. It opens up a series of ramifications
3 that I think we will all be sorry for.

4 So, please, let the public know as they come
5 before you that Caller ID is a misnomer; there is no
6 such thing as Caller ID. What it will provide is the
7 identification of the telephone number. When that
8 victim goes to the phone company and says, "I received
9 a crank call and it came from telephone number such and
10 such, please give me the telephone number -- give me
11 the name and address of that person." The phone
12 company is going to say, "Sorry, we can't do that."
13 That's one scenario where the citizen is going to be
14 very dissatisfied and realize that there is no Caller ID.

15 The other scenario is that when they come to
16 the police department with that telephone number and
17 say, "I have the evidence that someone placed a crank
18 call at my home at 3:00 in the morning; here's the
19 number, I want that person arrested," we will be
20 obliged to take a report but we will, candidly, report
21 to that person that there will not be an arrest
22 forthcoming.

23 In today's scenario where we do have serious
24 phone calls that are of a harassing nature, that are
25 serious enough to be investigated, what we do is,

1 working with the phone company and working with the
2 consumer, we investigate, we determine through Trap and
3 Trace who the caller is; we go and we interview. And
4 what we try to do is get some sort of an understanding
5 that that has to stop and that if it continues it will
6 be prosecuted.

7 Do you know why we do that? Because,
8 frankly, ladies and gentlemen, if we can't put a
9 burglar after four burglaries in jail, we not putting
10 somebody in jail for placing harassing phone calls.
11 And if someone tells you otherwise, they are lying to
12 you.

13 Something that I would hope that this
14 Commission would see in their wisdom at the end of all
15 the testimony is that there needs to continue to be
16 candid, up-front negotiations between the law
17 enforcement community and the phone company and
18 mediated by this Commission before we arrive at some
19 decision.

20 In addition to all the factors that have been
21 presented to you that have to deal with the integrity
22 of criminal investigations and the safety of officers
23 conducting those criminal investigations, I want it to
24 be perfectly understood, as a Chief of Police, as a
25 Chief Administrator and as the one responsible in my

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1 community for making the kinds of decisions that I
2 foresee will come about here, because I believe that
3 the public has been led to understand that they now
4 have a way of identifying the perpetrator of a
5 harassing phone call or a crank phone call. And I want
6 them to know that we are not going anywhere with those,
7 and I want them to know that the phone company is not
8 going to give them any information. Thank you very
9 much.

10 COMMISSIONER GUNTER: Chief, let me ask you
11 one question, if I can.

12 In most circumstances, even with churn, an
13 individual could get that telephone number and go to
14 the library, and there is a document in the library
15 that more often than not would give them the name and
16 address of that telephone number, is there not?

17 WITNESS BOLANOS: It is very serious and very
18 dangerous, Mr. Gunter, and let me explain.

19 COMMISSIONER GUNTER: I understand, but that
20 information is available in the library?

21 WITNESS BOLANOS: No, sir, it is not.

22 COMMISSIONER GUNTER: In the back of the city
23 directories?

24 CHAIRMAN WILSON: The city directories?

25 COMMISSIONER MESSERSMITH: Sure, it is.

1 WITNESS BOLANOS: No, sir, it's not, and let
2 me tell you why not. That information is only as good
3 as the day it was printed.

4 COMMISSIONER GUNTER: Oh, I understand, and
5 that's the reason I said "churn." I said in most
6 circumstances.

7 WITNESS BOLANOS: Well, in most circumstances
8 you can go to the library, you can go to a Bressers
9 directory, you can go to your telephone directory, but
10 you need to understand something; that in the mobile
11 society that we live in, and picture this scenario,
12 Mr. Gunter.

13 COMMISSIONER GUNTER: Oh, I understand.

14 WITNESS BOLANOS: I am the recipient --

15 COMMISSIONER GUNTER: And somebody else's
16 number would be changed, and the people there, and one
17 thing and another.

18 WITNESS BOLANOS: But look at it from my
19 perspective, as a law enforcement officer. A person is
20 the recipient of a crank phone call. He goes to some
21 means of identifying it, it could either be the
22 Bresser, perhaps he even has access to some sort of a
23 business directory, or goes to the telephone directory
24 or to the library, or wherever the means are. Now you
25 have identified the address and the name of the person

1 who placed that phone call. Then you are going to take
2 it upon yourself to go deal with that problem. Number
3 one, we discourage that, for obvious reasons.

4 COMMISSIONER GUNTER: Sure.

5 WITNESS BOLANOS: And, number two, there is a
6 tremendous potential that the person that placed that
7 phone call and the person whose phone number that is
8 registered to are two different people because he just
9 moved the day before yesterday.

10 COMMISSIONER GUNTER: Sure, I understand.

11 WITNESS BOLANOS: That is very dangerous.

12 Any other questions?

13 CHAIRMAN WILSON: No. Thank you. Do you
14 have a question?

15 COMMISSIONER MESSERSMITH: Just from other
16 testimony that we are receiving around the state, there
17 are still situations, Chief, where there are some
18 civilized folks around who may be getting harassing
19 calls from neighbors' kids, the parents don't know
20 about it, and a situation could exist in which those
21 parents are getting the call, or the house getting the
22 call, just call over and talk to the parents of the kid
23 for them not do that, and that would solve that
24 problem. So it is not all a one-way street in this
25 type of situation.

1 WITNESS BOLANOS: Mr. Messersmith, I know
2 that there are still civilized citizens in our state
3 and our great nation, and I would hope, certainly, that
4 the majority of us are. I am concerned for those few
5 who are not, and there are a sufficient enough of those
6 around to suggest to me that we don't want that problem.

7 COMMISSIONER MESSERSMITH: I can identify to
8 that, too, but there is two sides of that. There are
9 always two sides to things.

10 WITNESS BOLANOS: Yeah, but the down side of
11 it is very serious and very dangerous.

12 CHAIRMAN WILSON: Mr. Keener, does not
13 Southern Bell, and I think most telephone companies,
14 have a tariff offering that allows you to block the
15 receipt of certain telephone numbers? Is that not an
16 available service?

17 MR. KEENER: To block the receipt of certain
18 telephone numbers?

19 CHAIRMAN WILSON: Yes.

20 MR. KEENER: I'm sorry, I don't understand.
21 Call Blocking? That's correct.

22 CHAIRMAN WILSON: So, that if I receive an
23 harassing phone call and I were to have Caller ID, and
24 I find out what that number is, I can then program my
25 telephone not to receive any further calls from that

1 number?

2 MR. KEENER: You could.

3 MS. GREEN: Mr. Chairman, you could do that
4 now with the technology without seeing the number as
5 well. Southern Bell also offers that in its TouchStar.

6 CHAIRMAN WILSON: I see. All right.

7 COMMISSIONER MESSERSMITH: What is that
8 called?

9 MS. GREEN: Call Block.

10 MR. KEENER: Right, Call Block.

11 COMMISSIONER MESSERSMITH: Oh, that's under
12 the same thing.

13 CHAIRMAN WILSON: Thank you, Chief. Next
14 witness

15 MR. KEENER: Just one comment.

16 CHAIRMAN WILSON: All right, sir.

17 MR. CRISER: If I could just make one brief
18 comment for the record, to make sure that it is
19 understood. Southern Bell's intent, with any complaint
20 that is received of harassing phone calls that may be
21 accompanied by a Caller ID number, would be to still
22 pursue investigation of that harassing phone call, the
23 same as we do today.

24 CHAIRMAN WILSON: Thank you.

25 (Witness Bolanos excused.)

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CHAIRMAN WILSON: Would you call your next witness, please?

MR. SHREVE: Brian Perantoni.

BRIAN PERANTONI

appeared as a witness on behalf of the Citizens of the State of Florida and, having been first duly sworn, testified as follows:

WITNESS PERANTONI: My name is Brian Perantoni and I am here to represent, hopefully, the general public. I have been a resident of Dade County for the past 30 years.

I, also, have been subjected to harassment phone calls approximately five and three years ago, and they were at the point that they were disturbing my sleep. I get up very early in the morning. They were disturbing my wife. Five or three years ago, we approached the police department and the phone company, and at that time, the tools that were available were very cumbersome and time consuming so we chose not to continue that. Basically, what we did is we let the phone calls run their course, which took approximately four to six months. At that time, again, it was very disturbing.

Now, when I look at the Caller ID, it is the

1 fact that it is a deterrent; not necessarily something
2 that is going to cause me to go out and fight the
3 person on the other end, but to deter these phone
4 calls.

5 I have five children. I think that -- and
6 the good majority of the phone calls that I receive
7 that are bothersome are related to either associations
8 of mine or my wife, or most likely my five children.
9 My children range in age from 14 to four years old, and
10 I think these phone calls are going to continue.
11 Again, if I have a deterrent, such as Caller ID, I
12 think it's going to stop those types of phone calls
13 which I have been subject to.

14 I listened to a lawyer here, I believe his
15 name was Mr. Friedman. He has a right to have an
16 unlisted phone number, but that lawyer will still hire
17 a private investigator and he will find my phone number
18 and he will call me. Now, he can call me from his
19 office. I don't think he's going to call me from his
20 home. So what does he have to fear?

21 Recently I was served a summons from a law
22 firm. I am being sued for approximately \$10,000 for an
23 accident that happened four years ago. I have no
24 knowledge of the accident or what happened other than
25 the fact that I was the superintendent of the project.

1 And that law firm served me a summons at my house at
2 9:30 Monday night. They didn't respect my privacy, did
3 they? I know nothing of the incident, but yet right
4 now they came into my house and are looking to receive
5 \$10,000. Certainly, if that lawyer chooses to call me
6 from his home, I should have the right to know.

7 When I first came here to the meeting, I
8 thought that the lawyers and doctors and the police
9 department should certainly have the right to have Call
10 Blocking. But after thinking about it, I think right
11 now I'm inclined to say police departments, FBI, those
12 types of departments should have call blocking. The
13 lawyer who doesn't have any respect for my rights, I
14 don't think he should have it.

15 Now, recently I had a heart condition that
16 put me in the hospital for eight days. My doctor was
17 the head of cardiology at the University of Miami. And
18 I was amazed to see his home phone number on the ward
19 at the Jackson Hospital. It was in letters three-foot
20 wide. That's the kind of doctor I want. I can call
21 his home phone at any time. I don't want a doctor that
22 is worried that if I get in trouble in the middle of
23 the night, I can't call his home phone. And here,
24 again, it's possible for that doctor to call me from
25 his office. He's not going to call me from his home

1 and ask me how I'm doing. I'm going to be calling him.

2 So I think at this point that the police
3 department and the FBI, those types of departments
4 should have the right for blocking. The doctor, I want
5 to know his home phone. If he's not willing to give me
6 his home phone number, then I don't think he should be
7 my doctor. The lawyer who has no respect for me or my
8 rights, he shouldn't call me from his home. That's his
9 choice. That's all I have to say.

10 CHAIRMAN WILSON: Thank you very much.

11 DIRECT EXAMINATION

12 BY MR. SHREVE:

13 Q You feel that -- I understand your feeling
14 about the police department that that could be taken
15 care of. Your feeling is that there should not be
16 blocking available to the general public even with a
17 fee?

18 A Yeah, I agree. Again, that person who is
19 going to make that phone call has a right to go
20 elsewhere or call from his office. So his home is not
21 being invaded; my home is being invaded.

22 Q So you wouldn't think that blocking should be
23 available whether it's free or for a fee?

24 A Yes.

25 MR. SHREVE: Good. Thank you.

1 CHAIRMAN WILSON: Thank you.

2 (Witness Perantoni excused.)

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4 CHAIRMAN WILSON: Call you next witness.

5 MR. SHREVE: Edward M. Ghezzi.

6 EDWARD M. GHEZZI

7 appeared as a witness on behalf of the Citizens of the
8 State of Florida and, having been first duly sworn,
9 testified as follows:

10 WITNESS GHEZZI: Lady and gentlemen of the
11 Commission, my name is Edward Ghezzi. I have been an
12 architect in Dade County for about 25 years.

13 I have three daughters. They are all rather
14 grown now, but one is still living with us. Over the
15 period of years, we have had these obscene calls and I
16 have been thoroughly frustrated. My daughters have
17 been traumatically bothered by them. They come to the
18 father and I'm supposed to do something about it with
19 the great wisdom that fathers are supposed to have.

20 What do I think about it? "Well, let's call
21 the police." Well, the police are out there protecting
22 the public. They have many things of much more
23 importance to worry about than Edward Ghezzi and his
24 family. I can't do that; I can't call the police for
25 help.

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1 The telephone company, they say to change the
2 phone or something that's totally uncompassionate for
3 my particular traumatic experience. Are we going to
4 call an attorney to sue somebody? Who can I sue? Why
5 should I spend \$500 for a simple retainer for an
6 attorney who's going to tell me, as they did here
7 today, that you haven't got a chance; you have got to
8 find this, you've got to do that. So I am frustrated.

9 Finally, there has come this Caller ID that
10 puts a phone number in my eyes that says this person
11 who is disturbing my privacy should be talked to; not
12 by the police, not by the attorneys, certainly by me as
13 the father or someone to tell their parents, because
14 certainly the obscene caller has to be sick. We are
15 looking to put him in jail, we are not looking to go
16 into court and have a great battle. We are looking to
17 help him as much as I'm trying to help my family.

18 For this personal reason, and only for this
19 personal reason, I think that the technical thing that
20 the telephone company has done to me as a family, and
21 I'm sure to other members of families like me, would
22 certainly say to please support it. I thank you.

23 CHAIRMAN WILSON: Thank you.

24 COMMISSIONER MESSERSMITH: Excuse me.

25 CHAIRMAN WILSON: Do you have a question for

1 Mr. Ghezzi?

2 COMMISSIONER MESSERSMITH: Yes, I do. I'm
3 just curious, in the process of when you talked with
4 the law enforcement or to the telephone company, did
5 anyone talk to you about the Call Trace system?

6 WITNESS GHEZZI: No. No, as a matter of
7 fact, I haven't even heard of the Call Tracing. I
8 don't know what the total technical part of that is,
9 and I'm not really interested in that. I am interested
10 in something substantive, something that I can do
11 something personally about my little private world. I
12 think I speak in that way for all the families. We are
13 not looking for high technical things. I would tell
14 you that perhaps there's going to be a television on
15 the phone; someone calls and you're going to have a
16 television there that is going to print out his
17 picture, and what are you gentlemen going to do about
18 it? It's going to be there eventually. So right now
19 we have a high-tech situation, let's use it for our own
20 privacy. Thank you.

21 CHAIRMAN WILSON: Thank you, sir.

22 (Witness Ghezzi excused.)

23

24 CHAIRMAN WILSON: Call you next witness.

25 MR. SHREVE: Mr. Hunt. Ronald Hunt. (No

1 response.)

2 COMMISSIONER BEARD: He has already
3 testified.

4 MR. SHREVE: Oh, okay. Mr. Toledo.

5 JOSE L. TOLEDO

6 appeared as a witness on behalf of the Citizens of the
7 State of Florida and, having been first duly sworn,
8 testified as follows:

9 WITNESS TOLEDO: Good morning -- well, good
10 afternoon. (Laughter)

11 My name is Jose Toledo and I come here as a
12 private citizen, and also representing a family
13 business. I am all for Caller ID for basic reasons,
14 and I have heard everybody here speaking.

15 One thing in our family-owned business, it is
16 a service business and we tend to get calls that have
17 to do with truck drivers, and so forth, and they take
18 money on, and sometimes we just mislead it. We do have
19 the system now, that can trace back the calls for
20 someone but there's nothing that can tell us, you know,
21 more or less we can call back and verify it, we can't.
22 So by having a Caller ID system, it's in favor that we
23 can call back that number and ask, "Did you call here,"
24 and so forth, and verify that the caller did call or
25 made such a call.

1 For one thing, it's to protect -- actually,
2 people are stealing here for \$100, and they are mugging
3 people, so to protect the driver's life.

4 As a private citizen, I'm involved in very
5 active communities within my community, with the
6 childrens, and so forth, and I do feel if I get crank
7 calls, I want to know who's calling. I would use the
8 law enforcement and tell them the numbers and have them
9 follow it up. I don't think I'm the kind of person
10 that would go and try to beat the living daylight out
11 of the person, or whatever, but I will give it to the
12 proper attorneys, or whatever it might be, law
13 enforcements to follow it up.

14 I feel that I should have that right to know
15 who is calling me and bothering me in my domain. And
16 as far as the business is concerned, it is a public
17 business but I think you should have some kind of
18 privacy, too, as far as who is calling you and who is
19 cranking you up. So I am all for Caller ID. That's
20 all I have to say. Thank you very much.

21 CHAIRMAN WILSON: Thank you very much. We
22 appreciate you coming here to testify today.

23 (Witness Toledo excused.)

24

25 CHAIRMAN WILSON: Mr. Shreve, the next

1 witness?

2 MR. SHREVE: Undersheriff McCutcheon.

3 COMMISSIONER MESSERSMITH: Watch this guy,
4 now. (Laughter)

5 UNDERSHERIFF CHARLES McCUTCHEON

6 appeared as a witness on behalf of the Citizens of the
7 State of Florida and, having been first duly sworn,
8 testified as follows:

9 WITNESS McCUTCHEON: My name is Charles
10 McCutcheon, I am Undersheriff of Palm Beach County. I
11 am not a lawyer and my remarks will be brief.

12 (Laughter)

13 I appeared before you in Tallahassee and
14 supported the Caller ID. I would reiterate my support
15 for that. I think all of the arguments that we have
16 heard dovetail into the fact that deterrancy is what we
17 are hoping for here. Whether it's right or wrong, law
18 enforcement doesn't have the time, nor possibly the
19 inclination, to become too overly involved in these
20 types of cases, but I do feel that it would be a
21 deterrent. It has been a deterrent on our 911 calls
22 because people just don't call there when they know
23 their number is going to be coming up on the frame
24 there.

25 I think it would also be a deterrent, as far

1 as bomb threat calls at the airports are concerned.
2 When we do get one of those types of calls, it costs us
3 thousands of dollars, as far as calling people out, the
4 dogs, and so forth. So as far as the public is
5 concerned, I do think it would be a great benefit, I
6 think it would be a deterrent, and I think that's part
7 of our responsibility is to provide some of these
8 benefits to the public.

9 Being a law enforcement officer, and having
10 two sons who are cops, certainly number one in my
11 thought is the safety and security of these officers.
12 I explained to you before that I did check with our
13 organized crime people. We have remote access lines
14 coming into our organized crime area now. We checked
15 with the people in New Jersey with the organized crime
16 people, their counterparts in New Jersey, who don't
17 have Call Blocking at all and they don't have any
18 problem with it as far as the safety and security of
19 the officers are concerned. And I haven't had anything
20 brought to me that would convince me that this is
21 going to infringe upon their safety and security.

22 Thank you very much for your time. I still
23 have Mr. Messersmith's background if you people would
24 like to have it. (Laughter)

25 COMMISSIONER BEARD: Let me ask you a

1 question, if I could. Can we at least hold you
2 personally responsible for him during his formative
3 years? (Laughter)

4 WITNESS McCUTCHEON: No. He is much older
5 than me.

6 CHAIRMAN WILSON: Is this the guy we have
7 been looking for? (Laughter)

8 MR. SHREVE: Sheriff, just one minute,
9 please.

10 WITNESS McCUTCHEON: Sure.

11 CHAIRMAN WILSON: Mr. Shreve has a question.

12 DIRECT EXAMINATION

13 BY MR. SHREVE:

14 Q Good to see you again. I know you have spent
15 a lot of time on this and are very knowledgeable in the
16 area. We appreciate your taking the time to come
17 again, and I know it's not the first time.

18 One of the decisions that's going to have to
19 be made by the Commission is on blocking. Do you have
20 an opinion on how blocking should be set up beyond law
21 enforcement?

22 A I think it would have to be rigidly enforced
23 because it would destroy the whole concept of Caller ID.

24 Q And you feel that if blocking were allowed,
25 even for a fee, it would destroy the concept?

FLORIDA PUBLIC SERVICE COMMISSION

1 A No.

2 Q If anyone could block by paying Bell a fee,
3 that would destroy the concept?

4 A I think that would destroy the concept.

5 MR. SHREVE: Thank you, sir

6 CHAIRMAN WILSON: Thank you.

7 (Witness McCutcheon excused.)

8 - - - - -

9 CHAIRMAN WILSON: Next witness?

10 MR. SHREVE: Lois Losyk.

11 LOIS LOSYK

12 appeared as a witness on behalf of the Citizens of the
13 State of Florida and, having been first duly sworn,
14 testified as follows:

15 WITNESS LOSYK: I'm here this morning for
16 Caller ID, and I'm also here as a private citizen.

17 CHAIRMAN WILSON: Would you identify yourself
18 for the record, please?

19 WITNESS LOSYK: Lois Losyk. And I want to
20 speak for a segment of the population that I don't
21 think has been represented here today, and that's the
22 people that are disabled or otherwise incapacitated. I
23 have a father-in-law who has Parkinson's Disease, and
24 he has it very badly, he's almost an invalid. So every
25 time the phone rings it is a real struggle for him to

1 have to pick that phone up. He shakes very badly and
2 it takes a tremendous amount of energy for him just to
3 pick up the phone. And after that, after the experience
4 is over, he is exhausted because it wears him out.

5 I feel that the Caller ID, if he could see
6 the number of the person who is calling him, he could
7 determine whether it's really worth it for him to pick
8 up the phone and make that effort.

9 I'm sure that there are a lot of other
10 disabled people who are incapacitated that have to go
11 through the same physical strains just to pick up the
12 phone. So I think that would really be a good service for
13 that portion of the population to have it. I think we
14 have to look at their needs, you know, as well as
15 everybody else's needs.

16 I feel personally that I should have a
17 freedom of choice of who I want to talk to. And I know
18 everybody's experience where you have salespeople
19 calling you at all hours, and I want to have the
20 ability to determine whether I want to pick up that
21 phone or not. And I know even with the computers, I
22 have had an unlisted phone number for years and somehow
23 the computer, or however, they still manage to get my
24 phone number. And I feel that it's harassment of me to
25 have my privacy invaded by a computer that is randomly

1 calling my number, or a salesperson that I don't
2 particularly want to speak to.

3 So I think that we should have the freedom of
4 choice and the privacy of being able to determine who
5 we want to speak to and who we don't want to speak to.
6 So I think, in making your decision, you also have to
7 look at the needs of the disabled as well, too, and it
8 will benefit them.

9 I appreciate you listening to me, thank you.

10 CHAIRMAN WILSON: Thank you very much. We
11 appreciate you coming.

12 (Witness Losyk excused.)

13 - - - - -

14 MR. SHREVE: Mr. Frank Brogan.

15 FRANK T. BROGAN

16 appeared as a witness on behalf of the Citizens of the
17 State of Florida and, after being first duly sworn,
18 testified as follow:

19 WITNESS BROGAN: Good afternoon. I'm Frank
20 Brogan. I'm the Superintendent of Schools from Martin
21 County. And I appreciate you giving me this
22 opportunity to come on early. It's a two-hour drive,
23 and I have 12,000 school children eagerly awaiting my
24 arrival. (Laughter)

25 I need to clear the air first of all and

1 indicate to you my technological background. I admit
2 freely that my VCR is flashing "12:00" even as we
3 speak, but I've allowed myself the solace that it is
4 correct once every 12 hours.

5 CHAIRMAN WILSON: I saw an advertisement for
6 a very high-tech piece of equipment that can take care
7 of that; a piece of black tape about this long and you
8 just paste it over that blinking light and it never
9 bothers you again. (Laughter)

10 WITNESS BROGAN: I question whether I even
11 have the technological ability to apply the black tape
12 to the VCR.

13 Just a quick disclaimer and that is that I
14 have appeared before the Commission on two separate
15 occasions. This is my third visit, which certainly
16 indicates my feeling about the capability of Caller ID
17 to assist in the realm of prank or harassing or
18 endangering phone calls to schools within our county.
19 Certainly in deference to our friends -- and they are
20 our friends in law enforcement -- all the questions of
21 individual rights and those rights and safeguards
22 protecting our law enforcement officers need to be
23 taken into consideration by this Commission.

24 But I will make four very brief points as I
25 have in the past:

1 In the past year and a half Martin County has
2 seen some 13 bomb threats at our schools in our
3 district, which have involved the health and welfare
4 and safety of several thousand school children and
5 several hundred of our staff members. Certainly and
6 thankfully all of those calls have turned out in the
7 end to be prank bomb threats, and for that we're very
8 thankful. However, as do most school superintendent's
9 and principals in the state of Florida, every time we
10 receive a bomb threat we take it with all seriousness
11 and go into action as if the caller on the other end of
12 that phone were indeed serious, him or herself. For
13 that very reason each time there is a bomb threat in
14 our school district, we are forcing hundreds of
15 children and adults into an emergency situation that
16 certainly can endanger their very safety by moving
17 these young ladies and gentlemen and their mentors in
18 an emergency situation.

19 Two, that there is, even though unseen, a
20 certain amount of psychological trauma that goes along
21 with being a youngster or an adult involved in a
22 emergency situation where once word of mouth spreads
23 indicates to all of these people involved and to their
24 parents that their children were, indeed, placed in an
25 unsafe situation due to a bomb threat.

1 Three, and I have mentioned this to you
2 before, the thousands of lost student-learning hours
3 that go into these emergency situations are difficult
4 to calculate and, indeed, may never be recaptured by
5 teachers, students or the parent every those students.

6 And, four, the fact that every time there is
7 a bomb threat, we work very closely with our law
8 enforcement officers and they do respond when they are
9 called. And this, of course, ties up very important
10 law enforcement officers for what may be a period of up
11 to several hours during the bomb check.

12 So for those four, and what I feel very
13 important elements, I'd like to point out that Caller
14 ID does have the tremendous effect of providing for us
15 a true deterrent to bomb threats, and that if Caller ID
16 were available to our schools in Martin County, it may
17 not completely eliminate bomb threats from our life.
18 However, it may provide a substantial deterrent to
19 those involved in bomb threats. Call Blocking, on the
20 other hand, certainly diminishes the amount of
21 deterrent that we would see from Caller ID as far as
22 bomb threats in schools are concerned, and for that
23 reason may hamper our efforts to see those bomb threats
24 eliminated and the safety of our children and our staff
25 member maintained.

1 I thank you for allowing me to be here today.
2 I have spoken with other school superintendents
3 throughout the state who also face those same bomb
4 threats. And I feel as though that for each and every
5 day that we're trying to provide not only a quality
6 education but a safe environment for our children in
7 which to learn. If we have the capability of taking
8 one more step in providing a safe environment, then
9 certainly it would behoove us to do so. And I thank
10 you ladies and gentlemen for allowing me to be here one
11 more time before you.

12 COMMISSIONER MESSERSMITH: Mr. Brogan, have
13 you had any involvement up in Martin County or exposure
14 to the Call Trace system?

15 WITNESS BROGAN: No, sir, we have not.

16 COMMISSIONER MESSERSMITH: Is it available
17 up there, Martin County?

18 UNIDENTIFIED SPEAKER: Not yet.

19 COMMISSIONER MESSERSMITH: That's a not yet.

20 CHAIRMAN WILSON: Not yet.

21 COMMISSIONER MESSERSMITH: I'm still trying
22 to track down those occasions when those situations
23 where there are actual threats if they implemented any
24 type of Call Trace system. So anyone else that's
25 going to come up and testify, if they have had that

1 type of environment, I'd be interested in hearing what
2 happened in those situations.

3 WITNESS BROGAN: If I may. Certainly when
4 we're dealing with youngsters and we find, as do most
5 school districts, that the vast majority of those phone
6 calls of a bomb-threat nature are traditionally
7 generated by young people. When we're dealing with
8 young people we find that deterrent certainly has a
9 great effect on what happens or what does not happen.

10 I think in broadcasting the fact that Caller
11 ID is available, the very fact that we are able to
12 broadcast the concept that a student, or at least a
13 phone number from which that youngster is calling is
14 flashed on the screen and gives us immediate feedback
15 as to where that phone call was generated. And I agree
16 with the officers that that certainly does not indicate
17 that the person residing there was the one that made
18 the phone call. But as far the deterrent, that is
19 certainly what we're looking for in a great measure
20 with bomb threats considering the element, I feel as
21 though the Caller ID or the availability of the printed
22 phone number would enhance that deterrent to a great
23 degree.

24 COMMISSIONER MESSERSMITH: Thank you.

25 WITNESS BROGAN: Thank you again, ladies and

1 gentlemen.

2 MR. SHREVE: Thank you, sir.

3 (Witness Brogan excused.)

4 - - - - -

5 MR. SHREVE: Mr. Crowder?

6 ROBERT L. CROWDER

7 appeared as a witness on behalf of the Citizens of the
8 State of Florida and, having been first duly sworn,
9 testified as follows:

10 WITNESS CROWDER: Good afternoon. I thank
11 you for allowing me to come up and speak to you.

12 My name is Robert Crowder. And I'm the Chief
13 Deputy of St. Lucie County Sheriff's Department. We're
14 located approximately 120 miles north of you; includes
15 the cities of Fort Pierce and Port St. Lucie. Our
16 department is approximately 460 personnel and we serve
17 a population of 150,000. We're one of the more rapidly
18 growing areas in the nation today, and we experience
19 all the problems maybe to a lesser degree than you
20 would experience in Miami or some of the more
21 metropolitan areas, but we certainly have our share of
22 problems.

23 I'm here today for the purpose of speaking on
24 behalf of our agency regarding Southern Bell's proposed
25 Caller ID service, and to state that we do not oppose

1 or object to the implementation of this service whether
2 universal blocking is offered or not. In effect, we
3 are in support of Caller ID and we do not feel that
4 call blocking, whether paid for or free, would be of
5 any benefit to the program and would probably detract
6 from the benefits that we could derive from Caller ID.

7 When this service was first proposed, we, as
8 did many law enforcement agencies, became very
9 concerned about the impact that this might have on our
10 investigations, particularly those involving undercover
11 operators. We have in recent years conducted a number
12 of fairly sophisticated investigations, organized
13 crime, gambling and drug trafficking networks, where we
14 utilized court ordered wiretaps and a great deal of
15 technology that we needed the assistance of Southern
16 Bell in using these things.

17 Because of this we have had a close working
18 relationship with Southern Bell, particularly their
19 Security Department. From this longstanding
20 relationship, we feel confident that Southern Bell is
21 aware of and sensitive to our needs and problems in law
22 enforcement.

23 We talked with members of Southern Bell and
24 their security department and voiced to them the
25 concerns that we have with Caller ID and how it would

1 impact our investigation. They've listened. They have
2 devised methods for answering these concerns. Several
3 months ago members of our Special Investigations Unit
4 went to Fort Lauderdale to discuss these problems and
5 to review Southern Bell's proposed remedies. They have
6 advised me that although there may be some
7 inconveniences involved and some changes in the way we
8 do things, they can effectively function and work with
9 these remedies without either jeopardizing nor impeding
10 our investigation.

11 Now, I don't view this issue, as some may, as
12 being a law-enforcement-in-general versus the telephone
13 company. In our area we do not view Southern Bell or
14 any of the telephone providers as adversaries. We have
15 had a very productive working relationship with them,
16 as I said. But I do know that some law enforcement
17 agencies still have concerns and objections to the
18 Caller ID service. I respect their position, and I
19 would not make light of their position and their effort
20 in seeking to have their needs met before Caller ID is
21 implemented. I do not believe that universal blocking
22 is the answer, as it would detract from the benefits of
23 Caller ID as I said before, which appear to be
24 potentially provided to local law enforcement and the
25 public that we serve. We're all aware and there's been

1 great mention this morning of the annoyances and the
2 nuisances and criminal acts which are perpetrated by
3 way of the anonymous telephone call.

4 During the 25 years that I have been
5 associated with law enforcement, I've seen changes and
6 obstacles arise in both technology and the law which
7 have been challenges that have required us in law
8 enforcement to modify or alter the way we do things.
9 Caller ID is one of these things. We can work around
10 it with Southern Bell's help.

11 Personally, to me, the mere fact that this
12 technology exists causes me to have some concern that
13 although this may be very unlikely, the possibility
14 that it could fall into the hands of criminal elements
15 or somehow be influenced by criminal elements, even if
16 it was not a legally authorized service -- were this
17 the case, our investigations could then be jeopardized
18 if we were to be so naive as to continue to conduct our
19 investigations as we have done in the past before the
20 advent of Caller ID; thinking that we were safe simply
21 because Caller ID was not implemented or was
22 implemented with universal blocking.

23 As for the St. Lucie County Sheriffs
24 Department, we can learn to live with Caller ID, and in
25 order to protect our investigators, we will probably

1 conduct ourselves in the future as though Caller ID was
2 a reality, whether you approve it or not.

3 CHAIRMAN WILSON: Are there any questions?

4 Thank you very much.

5 COMMISSIONER EASLEY: Thank you.

6 (Witness Crowder excused.)

7 - - - - -

8 CHAIRMAN WILSON: Next witness.

9 MS. WILL: Larry O'Steen.

10 LARRY C. O'STEEN

11 appeared on behalf of the Citizens of the State of
12 Florida and, having been first duly sworn, testified as
13 follow:

14 WITNESS O'STEEN: I'm Larry O'Steen, Tax
15 Collector in Martin County.

16 And I don't wish to imply that Martin County
17 is a haven for bomb crazies, but some months ago, July
18 1st when impact fees skyrocketed, we had a series of
19 bomb threats that you would not believe and obscene
20 telephone calls to my clerks to the point that after
21 about four days something had to be done. My clerks
22 were lining up at the door to resign.

23 So we had to incur the expense in mid-year of
24 about 35 to \$40,000 for an armed deputy simply to
25 provide a kind of a quieting presence in the office. I

1 don't know how often this happens up and down the state
2 in tax offices, about which I can speak with some
3 considerable degree of expertise, but I suspect in many
4 public buildings this kind of harassment occurs.

5 I know that people don't want me to call them
6 and Caller ID work both ways, they wouldn't have to
7 call me back, they would know it was me calling. But I
8 think it would provide some sort of deterrent where it
9 has been used much, this morning already. And I think
10 if we're honest about it, we know that we've got here a
11 kind of bare-bones piece of technology, as
12 sophisticated as it seems to those of us who are not
13 schooled in these matters, but with the enhancement
14 that no doubt will be forthcoming as the program
15 hopefully is approved by you good people, that
16 virtually all of the considerations, complaints et
17 cetera that are being registered today would be very
18 quickly taken care of.

19 With regard to blocking, it seems to me that
20 that's obviously an undermining of what would otherwise
21 be a good system. And if the blocking is used, it
22 would have to be done, I should think, with great
23 selectivity and great care.

24 Thank you for your time. I promised to be
25 brief and hopefully I have been. Thank you.

1 CHAIRMAN WILSON: Thank you, Mr. O'Steen.

2 MR. SHREVE: Thank you.

3 (Witness O'Steen excused.)

4 - - - - -

5 MR. SHREVE: Mr. Catrambone.

6 JOE CATRAMBONE

7 appeared as a witness on behalf of the Citizens of the
8 State of Florida and, having been first duly sworn,
9 testified as follow:

10 WITNESS CATRAMBONE: Mr. Shreve, Mr. Wilson,
11 ladies and gentleman of the Commission, I appreciate
12 this opportunity to talk to you today.

13 I am Joe Catrambone, and I'm the Executive
14 Vice President of the Martin County Chamber of
15 Commerce. And I assure you that we have never had a
16 bomb threat in our office. There aren't a lot of
17 crazies out there but there are a few.

18 I'm here to speak to you on two view points,
19 if I may, and I'll be as brief as possible. We
20 represent approximately 2,000 businesses in Martin
21 County with a population base in excess of 100,000
22 people and rapidly growing as is the St. Lucie County
23 area.

24 Those business people I have talked to -- and
25 obviously not everyone, not every business person is

1 going to be involved with or be able to use Caller ID.
2 However, those people, like the flower shops I talk to,
3 the take-out restaurants, the pizza places, the
4 delivery service-type organizations are very much in
5 favor of and support of Caller ID.

6 In my talking to people, and I haven't done
7 an extensive search through 2,000 members, but those
8 members that I did talk to, there was no opposition
9 whatsoever to speak of. Most people were really not
10 familiar with it, and once I was able to explain what
11 little I really know about the system except the bear
12 basics, there was really no opposition from the
13 business community whatsoever.

14 I personally have had a personal experience.
15 One of my daughters -- I was called and I was called at
16 my place of business, and my wife was called at home
17 and we were told they had my daughter, and they were
18 demanding \$100,000 ransom. And I can tell you my first
19 immediate reaction was to call the police. And there
20 are people here who have said, "It's just a phone
21 number. There's no name involved." But I can tell you
22 at that point in time I would have and the police would
23 have felt awful good about having a phone number; a
24 starting point, a lead, something.

25 As it turned out my daughter was in school

1 where she belonged. This was some kook that was able
2 to call my wife and myself at my place of business.
3 So, again, if a phone number were provided, police who
4 were brought in immediately and my family certainly
5 would have felt a lot better about her recovery or her
6 safe return to us.

7 I wanted to, if I may, Ms. Easley, you spoke
8 before about the system being available to businesses.
9 We represent -- out of our 2,000 businesses, 85% of
10 them are small mom and pop, under 10 type businesses.
11 And quite frankly, the costs are prohibitive to have a
12 system like Sears would have for a small business owner
13 to have that type of a system in his business to be
14 able to trace back who his customers were.

15 The other thing I'd like to answer is, we
16 realize, I think most people realize that we're not
17 going to take action if we receive a phone call from a
18 threatening -- a threatening phone call from someone.
19 It gives us a starting point and certainly not going to
20 take any action, physical action against it, which
21 seemed to be a fear that some police enforcement
22 agencies have. But more than anything it's a
23 deterrent. And I think that's the most important
24 thing. There's a figure of 100,000 calls per year
25 being bantered around. I don't know how factual that

1 is or what it is. But if we could prevent half of
2 those calls through a deterrent factor, I think we've
3 accomplished something, or any percentage of those
4 calls through a deterrent factor, I think that would be
5 more than we could ask for.

6 So far as caller blocking, I think that would
7 circumvent the purpose of the system. So other than
8 specifics like law enforcement agencies, the things
9 that are deemed important, I would be against the call
10 blocking.

11 Thank you for your time.

12 CHAIRMAN WILSON: Thank you very much.

13 {Witness Catrambene excused.}

14 - - - - -

15 MR. SHREVE: How many more witnesses do we
16 have?

17 MS. WILL: We have about 16.

18 CHAIRMAN WILSON: 16 more witnesses?

19 I think we're going to need -- we're going to
20 need to break for lunch. And then come back. Do you
21 want to take a half hour? We're going to break for
22 lunch now and try to come back at about 1:30.

23 {Thereupon, lunch recess was taken.}

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