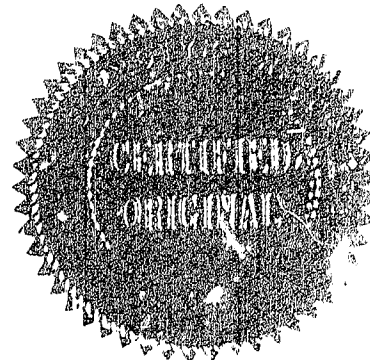


BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

ORIGINAL
FILE COPY

In re: Proposed tariff filings)
by SCUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY clarifying)
when a nonpublished number can)
be disclosed and introducing)
Caller ID to TouchStar Service)

DOCKET NO. 891194-TT



DEPOSITION OF:

MICHAEL E. COX

TAKEN AT THE INSTANCE OF:

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

DATE:

Monday, February 25, 1991

TIME:

Commenced at 10:00 a.m.
Concluded at 10:15 a.m.

PLACE:

Office of the Public Counsel
111 West Madison Street
Room 812
Tallahassee, Florida 32301

REPORTED BY:

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

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

DOCUMENT NUMBER DATE

02312 MAR -7 891

ACCURATE STENOTYPE REPORTERS, INC. RECORDS/REPORTING

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I N D E X

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

1
2 The following deposition of MICHAEL E. COX was taken
3 on oral examination, pursuant to notice, for purposes of
4 discovery, and for use as evidence, and for other uses and
5 purposes as may be permitted by the applicable and governing
6 rules. All objections, except as to the form of the question,
7 are reserved until the final hearing in this cause; and reading
8 and signing is not waived.

9 * * *

10 Thereupon,

11 MICHAEL E. COX

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

DIRECT EXAMINATION

14
15 BY MR. BECK:

16 Q Would you please state your name.

17 A Michael E. Cox.

18 Q By whom are you employed?

19 MR. KEENER: Before we -- Charlie, before we get
20 going, I just want to set forth our regular stipulations
21 or the lack thereof, sometimes, that this deposition is
22 being taken pursuant to the Florida Rules of Civil
23 Procedure for discovery purposes only, and that we won't
24 go off the record unless the witness requests and/or
25 okays it, and that we won't waive reading and signing.

1 MR. BECK: Okay. I'll agree that we are holding
2 this deposition pursuant to the Florida Rules of Civil
3 Procedure as adopted by Commission rule. Obviously, you
4 have the right to --

5 MR. KEENER: For discovery purposes only.

6 MR. BECK: For whatever the rules allow, that is
7 what we are taking it for, keeping your right to have the
8 witness sign it and review it. And I'll agree that we
9 won't go off the record without the permission of the
10 witness.

11 MR. KEENER: All right. That's good.

12 BY MR. BECK:

13 Q Mr. Cox, could you tell me again by whom are you
14 employed?

15 A South Central Bell Telephone Company.

16 Q How long have you been employed by South Central
17 Bell?

18 A Since the inception of South Central Bell in 1968.

19 Q Since the inception of South Central Bell in '68?

20 A That's correct.

21 Q Okay. What is your position right now with South
22 Central Bell?

23 A Assistant Vice President.

24 Q In charge of what area?

25 A Security.

1 Q How long have you held that position?

2 A Since 1981.

3 Q Who would be your parallel assistant vice president
4 in Southern Bell?

5 A J. L. Schmidt.

6 Q Do you have Exhibit 1 before you?

7 MR. KEENER: It's not marked as Exhibit 1, but that
8 is Exhibit 1, and I will mark it 1.

9 THE WITNESS: I do.

10 (Deposition Exhibit Number 1 marked for
11 identification.)

12 BY MR. BECK:

13 Q Do you recognize Deposition Exhibit 1?

14 A I do.

15 Q Could you just briefly describe what it is?

16 A It is a note that I addressed to Patrick Casey on
17 April 25th, 1990.

18 Q Who is Patrick Casey?

19 A He is the Vice President and Comptroller of BellSouth
20 Corporation.

21 Q Would he be the person to whom you report?

22 A That's correct.

23 Q What prompted you to write this note to Mr. Casey?

24 A My concern when I read the accompanying letter that
25 came to my desk was the number of employees that it took to

1 handle this one customer appeal.

2 Q And was your concern also then to do something to
3 mitigate the number of employees who would be required to
4 handle an appeal such as this one?

5 A We had already been doing that, and I wanted him to
6 understand, you know, that this was an action we were taking.

7 Q When you say "an appeal," what do you mean by that?

8 A Well, if you will note, and I think this was directed
9 to higher management, a customer appeal to higher management.

10 Q Yes. Does that mean the customer called the higher
11 management about a problem directly?

12 A That's correct.

13 Q And in this case was the call to Mr. Bailey, the
14 South Central Bell President?

15 A That's correct.

16 Q Could you briefly describe the events that followed
17 after the employee called, or attempted to call Mr. Bailey?

18 A No employee called Mr. Bailey.

19 Q Yes, I said attempted -- I'm sorry, not an employee,
20 the customer. I meant to say the customer calling Mr. Bailey.

21 A Well, the customer called Mr. Bailey because he felt
22 that according to his terminology he had been, I guess, abused
23 by a party who had Caller ID service.

24 Q And what did South Central Bell do for that customer
25 who complained to Mr. Bailey?

1 A We set up line identification equipment.

2 Q For the person who was claiming to be victimized?

3 A That's correct.

4 Q When you say "line identification equipment," what do
5 you mean?

6 A That means -- we will set up the ability for his line
7 to be identified or for other lines calling him to be
8 identified.

9 Q Would that be a traditional trap and trace?

10 A Traditional trap and trace.

11 Q Was that effort successful in identifying the person
12 who was harassing this customer?

13 A I don't know.

14 Q As a result of your memo were any procedures changed
15 at South Central Bell for dealing with these types of
16 complaints?

17 A No.

18 Q Have you continued to get complaints from people
19 about Caller ID, to your knowledge?

20 A No.

21 Q Would you know one way or the other?

22 A Yes.

23 Q Okay. And you don't get any complaints at all from
24 people about Caller ID?

25 A This is the only one I have ever received, to my

1 knowledge.

2 Q Do you have a mechanism -- when I say "you," does
3 South Central Bell have a mechanism to keep track of customer
4 complaints about Caller ID, for example?

5 A I wish you would clarify that question.

6 Q Well, first of all, I guess you get complaints to
7 your Annoyance Call Bureau, is that correct?

8 A Yes.

9 Q Do you have a mechanism that tracks the type of
10 complaints that you are getting?

11 A Are you talking about --

12 MR. KEENER: If you don't understand the question,
13 ask him to rephrase it.

14 THE WITNESS: I don't understand.

15 BY MR. BECK:

16 Q Do you get different types of complaints at the
17 Annoyance Call Centers?

18 A Yes, we do.

19 Q Do you categorize those complaints that you get at
20 the Annoyance Call Center?

21 A No, we don't.

22 Q How would you know, then, if a person had called in
23 about Caller ID if you have no mechanism that would categorize
24 the type of complaints that you get?

25 A Well, I have all appeals to higher management

1 directed to me from all the states.

2 Q Okay. So, you would be familiar with all the appeals
3 to higher management?

4 A Correct.

5 Q Would you be familiar with the type of complaints
6 that come into your Annoyance Call Centers?

7 A Yes.

8 Q And if a person had called into an Annoyance Call
9 Center complaining about Caller ID you would know about that?

10 A Not necessarily.

11 Q Okay. What was the reaction by Mr. Casey to your
12 letter, if you know?

13 A I received no response back from him.

14 Q And you never had any occasion to discuss this or
15 similar types of complaints?

16 A No.

17 MR. KEENER: Just to clarify the record I don't
18 think he said there were similar types of complaints. He
19 already said there were none.

20 MR. BECK: And when you say "none," Barlow, that is,
21 of course, only to higher management?

22 MR. KEENER: I think in response to one of your
23 questions whether there were similar complaints received
24 by South Central Bell regarding this issue, he said there
25 were none.

1 MR. BECK: No, he said there were none to higher
2 management. He said he would not know whether such
3 complaints had been received from Annoyance Call Bureaus,
4 for example.

5 MR. KEENER: Okay.

6 BY MR. BECK:

7 Q Is that correct?

8 A That's correct.

9 MR. BECK: That is all I have.

10 Anybody else have any questions?

11 MR. MATHUES: I have a few.

12 CROSS EXAMINATION

13 BY MR. MATHUES:

14 Q Mr. Cox, my name is Steve Mathues, I represent the
15 Florida Department of General Services. Could you tell me what
16 -- if there is a procedure characterized as an appeal to higher
17 management? Could you tell me what that entails?

18 A Well, I think if you have Exhibit 1, you can see that
19 the customer in this case did not feel like he got appropriate
20 treatment, and he felt it was necessary for him to appeal to
21 higher management, which he did.

22 Q If a disgruntled customer simply calls up the
23 President of your Company is that characterized as an appeal to
24 higher management?

25 A Yes, sir.

Q Is there any formal internal procedure in place
and with that type situation where you have instructions
your employees have instructions to do certain things?

A Yes, sir.

Q Could you tell me what that is, please?

A Well, I think you have before you had the
to within it, and that is pretty much what happened.

Q I understand from this what happened here. What
though, is what are the instructions. If you had
instructions on what to do in a situation like that?

A To handle the customer's problem.

Q Are there any follow-up procedures to see if
if you whether or not the problem was really handled,
either the person simply went away?

A No, sir, there are follow-up procedures.

Q Do you know if they were used in this instance?

A Yes, sir. I think you have that case in
in Exhibit A.

Q Well, I believe you recalled that the person
the person's name, didn't you recall that in the

last case?

A Yes, sir, I recall that. I recall that the
was the person's name, and I recall that the

last case?

Q Yes, sir, I recall that. I recall that the

1 party that made the complaint.

2 Q Well, then, what was the purpose of putting the
3 identifying equipment on this line?

4 A Because he said that he was being harassed by the
5 party who had Caller ID.

6 Q Did he request that you put that equipment on his
7 line?

8 A Yes, sir, he did.

9 Q Do you know whether that satisfied him?

10 A I couldn't say absolutely. According to the
11 memorandum it says he was satisfied.

12 Q Did you testify earlier that you had, prior to the
13 time that this appeal was placed, instituted procedures to cut
14 down on the number of people, your people, involved in a
15 situation like this?

16 A One of the goals of South Central Bell has, for
17 sometime, to move service to a higher level. It has been one
18 of our goals, and we have consistently been empowering our
19 people to handle customer concerns at the lowest level possible
20 and to handle the customers' problems. And that is my concern
21 in this particular memorandum.

22 Q Would you look, if you would, at the first actual
23 page of this exhibit, after the cover page? You just passed
24 it.

25 MR. KEENER: After the cover page of -- Mr. Beck's

1 cover page?

2 MR. MATHUES: Right.

3 BY MR. MATHUES:

4 Q The April 25, 1990 note, if you will. Does your copy
5 have some handwriting at the top?

6 A Yes, it does.

7 Q Can you read that handwriting?

8 A Yes, sir.

9 Q Would you, please?

10 A "Bill Schultz: Information for your file. Thanks
11 Jim."

12 Q Do you know who Bill Schultz is?

13 A Yes, sir.

14 Q Who is he?

15 A He works in BellSouth Corp's Security.

16 Q Do you know who the Jim who signed this might be?

17 A Yes, I do.

18 Q Who is that?

19 A Jim Monk.

20 Q And what is his position?

21 A He is Operations Manager in BellSouth Corp's
22 Security.

23 MR. MATHUES: Thank you, sir. That is all I have.

24 MR. KEENER: Any other questions?

25 MR. GREEN: No.

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MR. KEENER: Okay. No redirect. Thank you very
much. No cross.

(The deposition was concluded at 10:15 a.m.)

CERTIFICATE OF REPORTER

STATE OF FLORIDA)

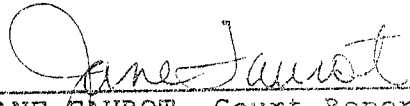
COUNTY OF LEON)

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

DO HEREBY CERTIFY that the foregoing proceedings was taken before me at the time and place therein designated; that before testimony was taken the witness/witnesses were duly sworn; that my shorthand notes were thereafter reduced to typewriting; and the foregoing pages numbered 1 through 15 are a true and correct record of the proceedings.

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

WITNESS MY HAND AND SEAL this 5th day of March, 1991, in the City of Tallahassee, County of Leon, State of Florida.


 JANE FAUROT, Court Reporter
 Notary Public in and for the
 State of Florida at Large

My Commission Expires: July 16, 1993

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Proposed tariff filings by) Docket No. 891194-TI
SOUTHERN BELL TELEPHONE AND TELEGRAPH)
COMPANY clarifying when a nonpublished)
number can be disclosed and introducing)
Caller ID to TouchStar Service)
_____)

Deposition Exhibit No. 1

Bill Shultz
Info *& your files* *W. J. M.*



South Central Bell
AT&T Bell Company

April 25, 1990

Pat,

This case and the accompanying red border letter is a prime example of how we may expect a number of customers to react in the future to Caller ID when wrong numbers, misdials, etc. occur.

Observe the number of people involved in handling this one misdial.

W. J. M.

cc: J. R. Monk
J. L. Schmidt

M. E. Cox
205 321-6533

CUSTOMER APPEALS
File: 195.0200

*J.P.
See Mr. P. H.*

DATE: April 16, 1990
TO: Assistant Vice President - Public Affairs
FROM: Operations Manager - RSSC
SUBJECT: Call to Higher Management
Jim Selin - Nashville Exchange
313 Peachtree Street
Nashville, Tennessee 37210
Telephone Number 615-331-2737

Mr. Selin dialed a wrong number and was identified by Caller ID service. He said the customer receiving his call had threatened him.

Ms. Ann Wooten, Customer Appeal Administrator, spoke with Mr. Selin on April 11, 1990. He was upset because of the threats. He said he had not told the caller that he had dialed a wrong number. Mr. Scott Autry, (3) Supervisor - Annoyance Call Center, had talked with him earlier. Mr. Selin was satisfied with the action being taken by that department. Ms. Wooten left her name and number with Mr. Selin. He agreed to call if he needed further assistance.

Ms. Wooten called Scott Autry, Annoyance Call Center, and he confirmed that he had talked with Mr. Selin. He had placed trace equipment on the line. Follow up will be made by the Annoyance Call Center.

If you need more information, please let me know.

Mary Jo Franklin

Operations Manager - RSSC

 0 District Responsibility Code

 N CARE prior to Appeal

 N Refer to Management Prior to Appeal

S.C.B. Security Management	
- 11 -	

AYC

CUSTOMER APPEAL TO HIGHER MANAGEMENT
Referred To -> Virginia Bass (11-Apr-1990)

SCB HQ Case #: T90-29
Suspense Date: 4/23/90

Call to: Mr. Bailey, SCB Pres
Handled by: Mark Carroll

Account: Jim Selin
Address:
City,ST: Nashville, TN

Calling Party: (same)
Telephone #: 615/331-2737
Date/Time: 11-Apr-1990 10:00

Nature of problem: Claims his family is being "victimized" by our caller-ID. He misdialed a number yesterday; it rang, but never an answer. He dialed, again, and got the party he wanted first ring.

Several hours later he got an abrupt call from a woman who said, "Well, why did you call me?". He explained that he didn't even know who she was, much less call her. She became hostile, argumentative, etc.

At 6:00pm last night, he got another call from her. More harsh words. This time a man came on and was "threatening ... and obscene". Mr. says he does not want his 4 yr old or his 7 yr old to be in a position to ever hear such language. The man said, "Look. We've got caller ID. We know who you are. We know where you live. And we know that you called us!"

Mr. Selin called our annoyance call bureau (557-6222); spoke to our Ms. Drake. She explained our normal procedures; will mail info to him; asked he keep a log; after review will decide whether or not to place call trace equipment on line. Mr. says that "don't get it!" Said he was told (I don't know by who) that another option was that he call our business office and order our new Call Trace feature (\$4/month). Then, he would be able to ID callers to us and we would get involved.

Mr. called our business office (557-6500). Would not talk to manager. Demanded President's number.

I apologized for problem. Promised a call back within two hours. While all this was going on, our ACB was already trying to call him back to say that we had, in fact, placed call trace equipment on his line.

Sent by: Mark Carroll, Manager-Customer Appeals (205/321-8262)
SCB HQ, P.O. Box 771, 12th Floor, Birmingham, AL 35201

Filed to
A. W. ...
4/11/90
MA