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BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

In the Matter of	:	DOCKET NO. 910163-TL
	:	
Investigation into the	:	
integrity of SOUTHERN BELL	:	
TELEPHONE AND TELEGRAPH	:	
COMPANY'S repair service	:	
activities and reports.	:	

DEPOSITION OF: DIANE EDWARDS

TAKEN AT THE INSTANCE OF: Florida Public Service
Commission

PLACE: 666 N.W. 79th Avenue
Room 640
Miami, Florida

TIME: Commenced at 1:45 p.m.
Concluded at 2:35 p.m.

DATE: Monday, April 19, 1993

REPORTED BY: JOY KELLY, CSR, RPR
Bureau Chief
FPSC Bureau of Reporting

DOCUMENT NUMBER-DATE
05522 MAY 20 83

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14 Commission Staff.

15 ERIC L. ANSEL, Ansel & Simon, 10081 Pines
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17 Telephone No. (305) 940-9433, on behalf of the
18 deponent, Diane Edwards.

19 ALSO PRESENT:

20 STAN GREER, FPSC Division of Communications

21 CARL VINSON, FPSC Division of Research &
22 Regulatory Review

23 TERRILL BOOKER, FPSC Division of Communications

24 WALTER BAER, Office of Public Counsel

25 WAYNE TUBAUGH, Southern Bell

I N D E X

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WITNESS

Name:

DIANE EDWARDS

Examination by Ms. Richardson	6
Examination by Mr. Vinson	42

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S T I P U L A T I O N

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IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civil Procedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

1 DIANE EDWARDS

2 appeared as a witness and, after being first duly sworn
3 by the court reporter, testified as follows:

4 EXAMINATION

5 BY MS. RICHARDSON:

6 Q Would you state your name and spell it so the
7 court reporter will have it accurately?

8 A Diane, D-I-A-N-E, Edwards, E-D-W-A-R-D-S.

9 Q All right. And you have an attorney present,
10 Ms. Edwards?

11 A Yes, ma'am.

12 MS. RICHARDSON: And would he please put his
13 appearance on record?

14 MR. ANSEL: Yes, he would. My name is Eric
15 Ansel. I'm private counsel for Ms. Edwards, and I'd
16 like to make one general objection to the taking of her
17 statement, prior to the taking of her statement.

18 We understand that she had given a statement
19 to Southern Bell prior to this hearing, that there's
20 evidently some litigation involved, where she has not
21 had the privilege of being able to see the statement.
22 Therefore, I'd like to make a formal objection that if
23 this deposition would ever be used against her in any
24 kind of Court of Law, or any legal forum, that this
25 deposition could not be used against her for any

1 reason, because she has not had the opportunity to see
2 her prior witness statement. Thank you.

3 Q (By Ms. Richardson) Okay. While we're
4 putting things on the record, then, have you been
5 advised as to the statutes on perjury and the
6 application here today?

7 A Yes.

8 Q Okay. Have you discussed this deposition,
9 outside of the two counsel present, with anyone?

10 A No. No, I have not.

11 THE REPORTER: The same stipulations?

12 MS. RICHARDSON: Mr. Anthony, do we have the
13 same stipulations for Ms. Edwards?

14 MR. ANTHONY: Same stipulations.

15 Mr. Ansel, they are that the deposition is
16 taken pursuant to proper notice; we won't go off the
17 record without the witness' consent; that we won't
18 waive reading and signing; and that any objections,
19 except as to the form of the question, anything as to
20 privilege, would be reserved at the time of the use of
21 the deposition.

22 MR. ANSEL: Okay. Regarding waiving, you
23 just want your employees to make sure that they've read
24 the deposition.

25 MR. ANTHONY: Yeah.

1 MR. ANSEL: That's your position?

2 MR. ANTHONY: Yes.

3 MR. ANSEL: Okay. No problem.

4 MS. RICHARDSON: Okay.

5 Q (By Ms. Richardson) Ms. Edwards, would you
6 please state your address?

7 A

8 Q And the zip code?

9 A 33024

10 Q And your phone number?

11 A Area Code

12 Q Okay. And what is your present position with
13 the Company?

14 A I'm an assistant manager in the North Dade
15 IMC.

16 Q And how long have you been there?

17 A Approximately nine years.

18 Q And were you always an assistant manager for
19 those full nine years?

20 A Yes, ma'am.

21 Q All right. And who is your present
22 supervisor?

23 A Mr. Carlos Quintero.

24 Q And could you spell his last name?

25 A Yes, Q-U-I-N-T-E-R-O.

1 Q All right. And is he a first level or second
2 level?

3 A Second level.

4 Q And you're a first level manager?

5 A Yes.

6 Q Okay. And who is your operations manager?

7 A Mr. Ralph Delevega.

8 Q And who is the general manager over all of
9 you?

10 A Linda Isenhour.

11 Q And that's I-S-E-N- --

12 A I-S-E-N --

13 Q H-O-U-R?

14 A Yes, ma'am.

15 Q Okay. And has Ms. Isenhour been the general
16 manager for that full nine years?

17 A No. No, ma'am.

18 Q Who was the general manager before her?

19 A I can't recall exactly who it was.

20 Q Okay. And what about Mr. Delevega, was he
21 always your operation manager?

22 A No, he wasn't. He's -- only a couple of
23 years, three years, I believe. I'm not exactly sure
24 but around three years.

25 Q So about 1990?

1 A About 1990.

2 Q Okay. And do you know who it was before
3 Mr. Delevega?

4 A Yes. Mr. Jack Sellers.

5 Q Okay. Generally describe for me what your
6 duties are as an assistant manager?

7 A Okay. I'm what, you know, an assistant
8 manager, but I'm at station control. I work at station
9 control where the repairman are dispatched from the
10 computer.

11 Q So is a trouble report already screened
12 before it comes to you?

13 A Yes, it is.

14 Q And would it be screened through
15 autoscreener?

16 A Yes. It could be autoscreener or human.

17 Q Okay. So an MA could send you a report or
18 autoscreener could send it to you?

19 A Yes, ma'am; yes, ma'am.

20 Q All right. And then I'm not sure what you
21 mean by station control. Do you actually do the
22 physical dispatch, you match the force-to-load?

23 A We operate the computer. It's a mechanized
24 system where I set up the troubles in the order that I
25 want them to be dispatched, to go out, by areas of

1 town. In other words, it's all broken down by areas.
2 And I tell the computer what areas I need the repairman
3 to pull up the trouble in.

4 Q Okay. So you're in charge of mapper
5 assigner? Mapper tracker.

6 A Yes. That's it mapper tracker.

7 Q All right. Do you also determine the
8 dispatch weights to assign?

9 A Yes, I do.

10 Q How do you determine those?

11 A The weights are set by the -- we prioritize
12 our dispatches. In other words, if the customer is
13 out-of-service or affecting service, business customer,
14 residence customers, subsequence, higher management
15 complaints, it's all different types of reports, and we
16 give weight to each one of those reports.

17 Q Do you have a hot report or a red alert type?

18 A Yes, we do.

19 Q What would that kind of report be?

20 A An example?

21 Q Yeah, an example?

22 A An example would be of a customer that has
23 got a seriously ill person in the home that needs the
24 service immediately.

25 Q Okay. So they could call the hospital, in

1 other words?

2 A Yes.

3 Q An emergency kind of condition?

4 A Right.

5 Q What about the people threatening to call the
6 PSC, how would they be rated, what kind of dispatch?

7 A We would handle them on an individual basis.

8 Q Would they be maybe set early for dispatch,
9 immediate priority, that kind of thing, or would they
10 just be put back in the hopper?

11 A Not necessarily, it would depend on what the
12 customer said to us, what -- you know, what type of
13 troubles we had for the day. It's just a lot of
14 different things that it would depend on.

15 Q Does your dispatching and the weighting that
16 you do, does that have -- does your force-to-load have
17 any effect or impact?

18 A Yes. We match the force to the load.

19 Q Okay. Have you had any difficulty in the
20 past meeting the criteria for dispatches with
21 force-to-load?

22 A Yes, we have.

23 Q Okay. And what has that been caused by?

24 A Maybe we didn't have enough repairmen.

25 Q On any just particular day, or?

1 A Right. On a particular day, a lot of
2 vacations, a lot of repairmen off, schools, training,
3 and sometimes, you know, we get rainstorms that we
4 don't expect. You know, we get hit real hard with a
5 lot of trouble reports, and we don't have the manpower
6 to clear them.

7 Q Have you been station control the entire nine
8 years?

9 A No, ma'am.

10 Q All right. What did you do prior to station
11 control?

12 A I was a screening supervisor. I did an
13 analysis, also.

14 Q When you say "analysis," is that dealing with
15 like predictor reports, repeat reports, Schedule 11
16 type reports?

17 A Somewhat, and mostly -- yeah, analyzing, MTAS
18 is what we work from.

19 Q Okay. Did you ever have occasion to work
20 with staff who came through and did either
21 walk-throughs or operation reviews?

22 A Not direct, you know, indirectly, yes. They
23 would ask questions or look at reports that we had in
24 the maintenance center.

25 Q Okay. Did you ever run reports for them?

1 A Yes, we ran MTAS reports for them.

2 Q Okay. And they would specifically request
3 different types of reports?

4 A They would request the reports that they
5 wanted to see.

6 Q Okay. Did you ever get feedback from any of
7 those reviews?

8 A Yes, we did.

9 Q Were any of those, did any of the feedback
10 that you get indicate that there was a falsification
11 problem going on?

12 A Not directly. It wasn't directly stated.

13 Q But you got the impression indirectly that
14 there had been a problem?

15 A That there was a problem, yes, ma'am.

16 Q Okay. Tell me about the problem.

17 A It was in a review, official review, that we
18 had in the North Dade maintenance center. There were
19 some trouble reports that were closed out by a
20 particular MA that were found by staff not to be closed
21 out properly. They were -- and it was asked that it be
22 investigated as to why the reports were closed out the
23 way they were. They were out-of-service troubles that
24 were tested okay and still statused out-of-service.

25 Q Okay. And when was this?

1 A I don't know the exact date.

2 Q Can you give me an approximate year?

3 A Maybe three years ago.

4 Q Okay. So roughly 1990?

5 A Yes, ma'am.

6 Q Okay. And the individual MA involved was

7 who?

8 A

9 Q Okay. And was anyone disciplined as a result
10 of this investigation?

11 A I'm not sure that they were disciplined as a
12 result of the investigation, no. I know they were, but
13 I don't know if it was as a result of the
14 investigation.

15 MR. ANSEL: You know that they were
16 disciplined?

17 WITNESS EDWARDS: Yes, I know that they were
18 disciplined.

19 Q (By Ms. Richardson) Okay. Do you know if
20 this was an ongoing problem in terms of what you heard
21 on the feedback of this particular review? Was this an
22 ongoing problem at this center?

23 A No, it was not.

24 Q So in your information, then, it was an
25 isolated case?

1 A Yes, ma'am.

2 Q Who was the supervisor at that time?

3 A Mr. Joe Lesko.

4 Q Okay. And were any of the other MAS
5 involved?

6 A No, ma'am, not that I know of.

7 Q Were you involved in any other operational
8 reviews besides that one?

9 A Yes, I was.

10 Q And in any of the other reviews that you were
11 involved in, when the feedback was given, were you
12 given feedback?

13 A Yes, we were given feedback.

14 Q Okay. Did any of the others indicate that
15 there were problems that should be addressed?

16 A We always had some little minor mistakes or
17 problems, areas that needed to be worked on or, you
18 know, improved. But, you know, that's with any review.
19 There's going to be -- but not that same type of
20 problem.

21 Q Okay. So the test-OK reports never showed up
22 at any other time in the nine years that you were
23 there.

24 A Not to my knowledge.

25 Q In terms of your position, checking MTAS

1 reports and pulling them, what kinds of things did you
2 look for?

3 A We looked for the way that the reports are
4 screened, the type -- you know, the type of report, the
5 way it's screened, screening errors, whether or not
6 we're making our commitment that we gave to the
7 customer; whether that report was out-of-service or
8 affecting service, that sort of thing, whether it was a
9 repeat or a subsequent report.

10 Q Okay. In terms of screening, are you
11 familiar with autoscreener?

12 A Yes, I am.

13 Q All right. Are you familiar with wet rules
14 and dry rules?

15 A Yes, I am.

16 Q Are you in part responsible for maintaining
17 autoscreener rules?

18 A No. No, ma'am, I'm not.

19 Q Are you in any way involved with the
20 autoscreener rules themselves? How are you aware of
21 them? Let me ask you that.

22 A I just know that we have autoscreen rules
23 and, you know, through discussion that we have rules,
24 and that it does screen -- autoscreener screens certain
25 troubles up front and they go directly into the pool to

1 be dispatched.

2 Q Have you ever heard of anyone manipulating
3 those rules in order to meet the PSC index for
4 out-of-service repair?

5 A No, ma'am I haven't.

6 Q Are you familiar with that index that
7 requires 95% --

8 A Yes, ma'am. Of the

9 Q -- of the out-of-services to be repaired
10 within 24 hours?

11 A Yes, I am.

12 Q Okay. Can you define for me when a trouble
13 is out-of-service?

14 A When the customer has no dial; has lost the
15 ability to call out, no dial tone.

16 Q Okay. In your nine years, has that
17 definition changed?

18 A No, it hasn't.

19 Q It's always been the same? In your nine
20 years have you seen whether or not the screening for
21 out-of-service and statusing, whether or not that has
22 changed?

23 A Some of the statusing may have changed, yes.

24 Q Okay. Nine years ago when you first started,
25 if you can think back that far, I know this is tough,

1 who determined what the out-of-service should be? Was
2 it the maintenance administrator, was it the outside
3 repair person, was it a manager? Who decided when a
4 report was out-of-service?

5 A We didn't have autoscreener back nine years
6 ago, so I would say an MA would have decided that.

7 Q Okay. And do you know if those decisions
8 were generally made up front on a trouble or were they
9 made when the trouble was closed out after the
10 repairman had been sent out and looked at the problem?

11 A I'm not sure, but I think it might have been
12 either way but I'm not positive.

13 Q Okay. How is it done today?

14 A The trouble is autoscreened. It can be
15 statused up front by the computer as an out-of-service.

16 Q Under what kind of conditions?

17 A If they have no dial tone, if they can't be
18 called. You know, I don't know exactly all the
19 different rules. I'm not real familiar with it because
20 I'm not, you know, in with the screening. I don't look
21 at the screening.

22 Q Okay. Well, then, lets take it to when you
23 were doing the screening, not nine years ago
24 necessarily, but when were you screening, how far back?

25 A Maybe six years.

1 Q About six years ago, so 1987, '88, somewhere
2 in that time frame?

3 A Yes.

4 Q All right. And trouble reports would come to
5 you from the CSRAB; is that correct?

6 A Right.

7 Q All right. And then it was part of your job
8 to determine whether or not to status them
9 out-of-service or affecting service; is that correct?

10 A Well, it's the MA's PMA that screens the
11 trouble. She's responsible to, whether it was out of
12 service -- or she uses different -- let me see how
13 you'd say it. She uses different rules to go by,
14 whether it would be an out-of-service or an
15 affecting-service trouble.

16 Q Okay. Would she look at, say, for instance,
17 the type code, whether or not it was a 100, or a 200,
18 or a 400 code, that can be called, can't call out?

19 A Yes. No dial tone.

20 Q Would she look at the V-E-R, VER code in
21 combination with that type code?

22 A Yes, she would. She would test it, and she
23 would get a VER code. She would retest it. As soon as
24 she got the trouble, she would test it and get another
25 VER code. You know, if it was different. It may be

1 the same VER code that it comes over with, or she could
2 have retested it.

3 Q Okay. And then based upon that and the type
4 code -- and did she talk to the customer at all?

5 A Right. We always -- she would always attempt
6 to call the customer. That is one of the things that
7 we do first is attempt to call the customer.

8 Q Okay. Now, if the VER code and the type code
9 combination indicated that it was only an
10 affecting-service trouble, and the MA called the
11 customer and the customer said, "I don't have dial
12 tone," and that's not what is showing on the test, what
13 would your instructions to her be for screening or
14 statusing that particular trouble?

15 A Well, we would not instruct her to do it. If
16 she determines that it's out-of-service, she would
17 status it out-of-service by talking to that customer.

18 Q Okay. In terms of your position with
19 screening, you were first level manager at that time?

20 A Yes, ma'am.

21 Q And was part of your duties supervising the
22 MAs and how they handle trouble reports?

23 A Yes. Looking, basically, to see what they
24 screened, the number of screened per day, and if there
25 are any screening errors. Those were brought to us by

1 whoever was doing the analysis of the quality and
2 quantity for the monthly, you know, evaluations.

3 Q Okay. And would you be called on to train
4 MAs who are maybe not following the correct procedures
5 on statusing?

6 A Once in a while.

7 Q Once in a while. All right. Then let's go
8 back to her statusing.

9 If, for instance, you had a MA that had a
10 type and a VER code that indicated affecting service,
11 and she talked to a customer and the customer said, "No
12 dial tone," what would your instructions to that MA be
13 on statusing?

14 A She would status the trouble out-of-service
15 because the customer said they had no service.

16 Q Okay. And is that true today, do you know?

17 A I believe it is, yes.

18 Q Okay. In those terms, were there any days in
19 the North Dade Maintenance Center while you were there
20 -- let me ask, were you in North Dade the whole nine
21 years? .

22 A Yes.

23 Q I think I may have asked you that and I've
24 forgotten.

25 A Yes, ma'am, I was.

1 Q While you were there, did you ever have
2 occasion to see another manager other than yourself,
3 tell maintenance administrators, "Do not status any
4 out-of-service today"?

5 A No, I have not.

6 Q Okay. Have you ever had occasion to do that
7 yourself?

8 A No, ma'am, I have not.

9 Q Have you ever had another manager or a
10 supervisor of yours tell you to tell the people, "Don't
11 status any out-of-services today. We've got too many
12 reports; we can't close them out in time to meet the
13 index"?

14 A No, ma'am, I have not.

15 Q Do you know whether or not a customer is due
16 a rebate if his trouble goes out-of-service over 24
17 hours?

18 A Yes, I do know that they get a rebate.

19 Q Okay. Do you know of any instances where a
20 customer was denied a rebate because of the
21 falsification of the trouble report?

22 A No, I do not.

23 Q Okay. What's a pending action completion
24 file? A PAC file?

25 A That's a file where if -- you could put

1 different troubles, depending on if you were working on
2 a trouble and you needed to put the trouble on hold
3 temporarily to work with a repairman that might have
4 called in, you might use the PAC file. It's a status
5 as part of the PAC file.

6 Q Okay. And then there would be a status that
7 shows up on the trouble report screen that says "hold,"
8 H-O-L-D?

9 A Yes, it would show it on hold.

10 Q Okay. And what criteria would be used to
11 hold these reports?

12 A You could put it on hold to a repairman that
13 maybe, you know, is going to go back on it. He may
14 have got off the trouble for a hour. He has to do
15 something with the customer. He may want to go back to
16 it, and in order to get another trouble in his log, you
17 would have to place that trouble on hold for another
18 trouble to come up or for anything else to come up for
19 him to work on. But it would just be a temporary type
20 thing. But there's a lot of codes that go into the PAC
21 file.

22 Q Do you deal at all with dispatching cable?

23 A No, I don't.

24 Q If you could think back to 19 -- let's change
25 that up a little bit.

1 In terms of statusing, and you're working
2 with MAs, when is it proper to status a test-OK as
3 out-of-service?

4 A I really don't -- explain what you -- I don't
5 know what you mean

6 Q Is it ever proper to status a test-OK report
7 -- it's tested okay. Is it ever proper to status it as
8 an out-of-service report?

9 A Yes, it is.

10 Q Under what conditions?

11 A If the customer tells you that it is
12 out-of-service, that they do not have dial tone or
13 cannot be called, it is.

14 Q Okay.

15 Miss Edwards, I'm not going to make these
16 exhibits, but these are part of you were 5100 forms.
17 And I have a few questions and because I'm not going to
18 make them exhibits, I have only got the one copy. So
19 what I'd like to do is show it to you and let you show
20 it Mr. Ansel and Mr. Anthony, or whatever, and take a
21 minute to look it over. And then I'd like to ask you
22 maybe a couple of questions. But, first, would you
23 identify that that is you and your form?

24 A (Witness nods head.)

25 Q And that is a "yes,"

1 A Yes, it is.

2 Q Okay. All right. Then would you just look
3 that over. And I believe -- if you would, tell me what
4 year that form was for?

5 A '87.

6 Q And who was your supervisor in 1987?

7 A Manny Carreno.

8 Q Okay. And how many other managers did
9 Mr. Carreno have in your position? Was it just you or
10 were there other people at your level under him?

11 A There were other people.

12 Q Okay. And who were they, do you remember?

13 A Let's see. I might not be giving you the
14 exact names, or I may leave somebody out. Let's see,
15 in '87, myself, Earl Mergelsberg --

16 Q Mergelsberg, M-E-R-G-E --

17 A L-S-B-E-R-G.

18 Q Okay.

19 A Carl Kingcaid.

20 MR. ANSEL: I don't know if these names would
21 help you all.

22 WITNESS THOMAS: This is my supervisor.

23 MR. ANSEL: Oh.

24 Q (By Ms. Richardson) Carl King --

25 K-I-N-G-C-A-D-E?

1 A Yes, ma'am. Alex Moir

2 Q M-O-I-R?

3 A M-O-I-R.

4 Q Okay.

5 A Nancy D'Alessio.

6 Q D-A-L-E-S-S-I-O?

7 A Yes, ma'am. Wanda Brent.

8 Q B-R-E-N-T?

9 A B-R-E-N-T. Dassitt Freeman, F-R-E-E-M-A-N,
10 Florida Green. That's all I can recall.

11 Q Okay. And that was for the entire North Dade
12 geographic area?

13 A The North Dade maintenance center or IMC.

14 Q Okay. And in terms of the particular
15 information on your report, were you tracked on the
16 performance by the North Dade IMC on the PSC Schedule
17 11 reports, the completion of out-of-service trouble
18 reports within 24 hours?

19 A Yes, ma'am.

20 Q All right. And can you tell me what the
21 performance level -- was that your specific performance
22 toward meeting that, or yours as part of the entire
23 maintenance?

24 A That was all part of the team, the
25 maintenance center.

1 Q Okay.

2 A All of us had that objective.

3 Q That objective. And then in terms of the
4 numbers that are down there under meeting the PSC
5 Schedule 11, then, that goes for every single person in
6 the North Dade IMC that was a manager level and above;
7 is that correct?

8 A Yes.

9 Q All right. Did you make your reports? How
10 often did you make that 95% index in 1987?

11 A Well, it looks like we made it most of the
12 time.

13 Q Okay. And when did you miss that 95% index?
14 Which months?

15 A May, June, July, December and November.

16 Q And November. Okay. So at least four months
17 at the time. And maybe April?

18 A April was 94.81, so yes.

19 Q Okay. So there were five months in 1987 that --

20 A It was.

21 Q -- IMC North Dade missed that index. All
22 right. Now, I'd like to show you your next one, which
23 I believe is '88, if you would first identify that it
24 is yours.

25 A It is mine.

1 Q Okay. And is Mr. Carreno still your manager
2 in '88?

3 A Yes.

4 Q And during this period of time you were
5 analyzing MTAS reports, I think you told me. Is that
6 your job function at that time? And it is M-T-A-S,
7 MTAS.

8 A Yes. Yes. It was in 1988.

9 Q Okay. And was '88 the year that they had the
10 operational review that we spoke about?

11 A No. I don't believe it was '88.

12 Q Was there an operational review

13 A I think it was after 1988.

14 Q Was there an operational review in '88, that
15 you recall, done in North Dade?

16 A I don't recall.

17 Q Who did the review, I guess it was 1990. Who
18 did that review in 1990 where the test-OKs were found
19 improperly done?

20 A That was done by our staff.

21 Q Okay. Out of network staff, who was sent
22 down, the individual that was not directly on your
23 staff? Who was sent down out of network to do that?

24 A That was not a normal person from our staff?
25 I don't recall his name. I think it was -- I don't

1 really recall his last name.

2 Q Okay.

3 A I'm going to say I don't know.

4 Q In 1988 were you tracked on the
5 out-of-service index? Was that part of you personnel
6 evaluation?

7 A Yes, it was.

8 Q Okay. And did you meet it in 1988?

9 A It looks like we met it.

10 Q For the whole year?

11 A Uh-huh.

12 Q Okay. Let's go to '89. And, again, if you
13 would first identify that that's yours to make sure
14 we're not showing you somebody else's form.

15 A Yes, that's mine.

16 Q Okay. And, again, if you would look in 1989,
17 how often did you make the index, the PSC index?

18 A It looks like we made it every time.

19 Q So '87 we missed five months; '88 and '89 we
20 have got 100% for the year. Okay. Let's move on to
21 1990. First identify if this is your personnel
22 evaluation form?

23 A Yes, it is.

24 Q Okay. And again on the index in 1990, how
25 often did you make the index?

- 1 A Let's see if I can find it here. (Pause)
- 2 All except for July.
- 3 Q Okay. So 11 out of 12 months?
- 4 A Uh-huh.
- 5 Q All right. Then let's look at 1991. And
- 6 first identify, is that your personnel evaluation form?
- 7 A Yes, it is.
- 8 Q Okay. And in this particular year -- well,
- 9 let's start, in '89 your supervisor was Mr. Lesko? Is
- 10 that correct?
- 11 A Yes, Joe Lesko.
- 12 Q And in 1990 who was your supervisor?
- 13 MR. ANSEL: I think that was --
- 14 A Do I have '90?
- 15 Q You have '90.
- 16 A This is '91
- 17 Q All right. 1991 who was your supervisor?
- 18 MR. ANSEL: The one you just showed her was
- 19 what date?
- 20 MS. RICHARDSON: Was '90, and that was
- 21 Joe Lesko.
- 22 Q (By Ms. Richardson) And in '91 who was your
- 23 supervisor?
- 24 A No, '90 is Mr. Kummer.
- 25 Q Mr. Kummer. Ray Kummer?

1 A Ray Kummer.

2 Q K-U-M-M-E-R?

3 A Yes.

4 Q Okay. I'm getting messed up, then. I'm glad
5 your straightening me out. So we started with 1989 was
6 Mr. Lesko, and then 1990 with Mr. Kummer, and 1991 with --

7 A Mr. Quintero

8 Q Mr. Carlos Quintero?

9 A Yes.

10 Q All And then we're up to 1991. Can you tell
11 me how often you made the index in 1991? (Pause)

12 A It looks like we missed it six months out of
13 12.

14 Q Six months out of 12. And, actually, in
15 October you dropped to as low as 76.94; is that
16 correct?

17 A October, 76.94, yes.

18 Q Okay. Can you explain October of 1991, why
19 it dropped so low?

20 A I can't explain to give you a definite
21 reason, no.

22 Q Okay. I see a trend here, and maybe it's
23 just me. 1987 you missed six months. '88 through '90
24 you have an almost perfect record. And then starting
25 in the summer of '91, North Dade starts missing again.

1 What happened?

2 MR. ANSEL: I'm going to object to the form
3 of the question. I think you might be asking for some
4 kind of conclusion or speculation beyond this witness'
5 firsthand knowledge. But if she can answer, please go
6 ahead.

7 WITNESS EDWARDS: I can't answer it. I don't
8 know what could be the reason.

9 Q (By Ms. Richardson) Do your supervisors
10 require reports when the index is missed as to why
11 those indexes are missed?

12 A We do a report only to tell us daily what our
13 out-of-service number is. In other words, if it's a
14 94%, a 95%, we know that daily by a MTAS report that
15 comes over that tells us that, which is your schedule,
16 whatever it's called, the Schedule 11. We see that
17 daily. But it just gives us the number.

18 Q Okay. But on that particular report, does it
19 also give you the number of the additional
20 out-of-service reports required in order to meet the
21 index?

22 A No, it does not.

23 Q Have you ever seen such a form?

24 A No, I have not.

25 Q In terms of your instructions from your

1 supervisor, and the different -- I know you had
2 different supervisors throughout this period of time --
3 did anything change with the statusing of
4 out-of-service reports that may have affected this
5 index and whether or not the IMC met it or did not meet
6 it?

7 A I believe that a lot of training has gone on
8 with the MAs, and they have been trained on some
9 misunderstandings about the way they screen a trouble,
10 which might have affected it, but I'm not certain that
11 that's the cause. But I know that training is
12 something that is ongoing, and could cause maybe the
13 numbers to be different.

14 Q Okay. Can you be specific about what they
15 were trained on, what tasks?

16 A In other words, if they didn't understand
17 what a lot of -- the VER codes, they didn't understand
18 what VER codes were out-of-service, and what weren't
19 out-of-service.

20 Q Okay. And was this before '91 or after '91?

21 A After '91.

22 Q Okay. But they seemed to be handling it
23 pretty well up until '91. I mean you were meeting the
24 index pretty much in '88, '89 and the first half of
25 1991, '90 and first half of '91.

1 MR. ANTHONY: Is there a question there?

2 MS. RICHARDSON: Okay.

3 Q (By Ms. Richardson) In terms of the October
4 '91, going down to 76.94, is that the lowest you've
5 ever seen an index drop?

6 A No, it's not lowest.

7 Q When was the lowest and what time?

8 A I can't recall, but there's been lower
9 indexes.

10 MR. ANSEL: Hurricane Andrew.

11 THE WITNESS: Yes, hurricanes.

12 Q Yes, but they were major events like
13 Hurricane Andrew?

14 A Well, we get a lot of rainstorms that cause
15 us to get a lot of trouble reports. You know, the
16 index goes up and down because we do get a lot of
17 rainstorms, heavy rainstorms that affect it.

18 Q Was there an emphasis placed on meeting this
19 index, an unusual emphasis or a more heavy emphasis
20 placed on meeting this index between '88 and the last
21 half of '91?

22 A No.

23 Q Were there any management letters or any
24 change by management in their directions to you and the
25 rest of the staff in the handling that may have started

1 this trend downwards in the last half of 1991?

2 A Not that I recall.

3 Q Are you familiar with the CON code, the
4 carried over no, the CON code?

5 A Yes, I am.

6 Q And what's your understanding of the use of
7 that code?

8 A We don't use the CON code.

9 Q Since when?

10 A Going back maybe 1989.

11 Q So you used it in 1989?

12 A Prior to 1989 it may have been used, yes.

13 Q Did it prevent a report from being counted in
14 the out-of-service index?

15 A I believe so.

16 Q Okay. Do you know of anyone who misused the
17 CON code to keep that report from being counted in the
18 out-of-service index?

19 A No. No, I don't

20 Q Do you know about exclude codes, disposition
21 and cause codes that would exclude a report from being
22 counted?

23 A Yes, I do.

24 Q Do you know of anyone who has misused those
25 codes?

1 A No, I don't.

2 Q Have you directed anyone to misuse those
3 codes?

4 A No, ma'am.

5 Q Has anyone ever told you that we need to be
6 using these exclude codes in order to prevent an
7 out-of-service-over-24?

8 A No, they haven't.

9 Q Have you ever heard of that being done?

10 A No, I haven't.

11 Q And do you know what a no-access code is?

12 A Yes, I do.

13 Q And, generally, what is your understanding of
14 a no-access code?

15 A If the repairman is dispatched out and the
16 customer is not home, he statuses the trouble report to
17 no access.

18 Q All right. And does a no-access code prevent
19 that out-of-service report from being counted on the
20 out-of-service index?

21 A Yes, I believe it does.

22 Q Okay. So if it was no accessed the Company
23 hasn't really missed it?

24 A Well, if it's -- if it's no accessed, it's
25 just no accessed, it stops it right there. It stops

1 the report there.

2 Q Okay. Do you know of anyone who has used the
3 no-access code to prevent an out-of-service report from
4 being counted on the index?

5 A No, I do not.

6 Q Has anyone ever directed you to do so?

7 A No, they have not.

8 Q Have you ever asked anyone else to do so?

9 A No, ma'am.

10 Q Do you know how to eliminate a report? Under
11 certain conditions to exclude one?

12 A I know how you do it. You would, you know,
13 using a code, close it out and it would exclude it from
14 the trouble base.

15 Q Okay. On the final status screen, are you
16 familiar with a MA's final status screen when it
17 appears on the terminal? When she needs to clear it
18 and close it and the criteria?

19 A Yes, I am.

20 Q All right. On there is there a place where
21 she can status a report out-of-service on close out?

22 A That I'm not sure about.

23 Q Okay. Do you know if there is a place where
24 if it is somebody that reported the wrong number on a
25 report or they asked for MemoryCall, "How do I work my

1 MemoryCall?" And it wasn't really a trouble report, do
2 you know if there is a place where she can just exclude
3 that as a trouble report?

4 A I don't know the exact procedures that they
5 use.

6 Q Do you know if it's possible to exclude that
7 report?

8 A It would be possible to exclude a report,
9 yes.

10 Q But I'm not speaking of disposition and cause
11 codes. I'm talking about excluding the report, period.
12 It's like it disappears.

13 A No, ma'am, I don't know of any way that you
14 could do that.

15 Q Okay. Do you know of any general improper
16 preparation of trouble reports on a persistent basis in
17 order to manipulate that out-of-service index?

18 A I don't understand what --

19 Q Okay. Have you ever seen people handling
20 trouble reports in a way that you felt questionable and
21 it was not according to procedure?

22 A No. No, I have not.

23 Q Was there ever a time when maintenance
24 administrators were told that they had to check with a
25 supervisor before closing out an out-of-service report?

1 A Not to my knowledge, no.

2 Q Do you know of anyone who has ever used
3 someone else's employee code to status a report?

4 A Not on purpose. It could happen on an
5 accident. If -- you know, I've heard of it happening
6 by mistake.

7 Q Have you heard of anyone building the base so
8 they can meet the index?

9 A No, I haven't.

10 Q What about that period of test-OK that we
11 talked about in 1990? I think you said -- was it
12 you said was the maintenance administrator?

13 A Yes,

14 Q What was the purpose of having all those
15 test-OKs as out-of-service?

16 A I don't know the purpose. I just know that
17 the reports were closed out incorrectly. And, you
18 know, at the time it was felt by staff that there was a
19 problem, and that it should be investigated.

20 Q And do you know if it was?

21 A Yes.

22 Q It was investigated?

23 A Yes. Yes, I do.

24 Q Do you know if that problem has come up since
25 that time?

1 A No, I don't.

2 Q If it had come up since that time would you
3 be aware of it?

4 A I could be if there was -- if, you know, we
5 had a review or something where it came up, but I have
6 not seen it come up.

7 Q All right. Do you know of any practice of
8 falsifying customer trouble reports, other than what we
9 talked about and you've already responded to, in order
10 to manipulate the out-of-service index?

11 A No, I don't.

12 Q Has any supervisor ever asked you to do
13 something that you felt or given you a direct order to
14 handle trouble reports in a manner that you felt was
15 improper?

16 A No, they have not.

17 Q You've never felt any pressure; no one has
18 threatened you with disciplinary measures, or whatever,
19 for not doing exactly what they say, even though you
20 felt it wasn't proper?

21 A No, they haven't.

22 MS. RICHARDSON: Ms. Edwards, I want to thank
23 you for your time; I appreciate your being here.

24 And, Mr. Ansel, I appreciate your being here.

25 I may have one or two questions when they get

1 through. They may spring my memory, and I may remember
2 something. But, generally you may have some questions
3 here from the Public Service Commission. Mr. Anthony
4 may have one or two before you leave.

5 EXAMINATION

6 BY MR. VINSON:

7 Q Ms. Edwards, I have just a few questions for
8 you.

9 In your statement to the security
10 organization in the October 1990 investigation that
11 they conducted, you mentioned that after the
12 maintenance center had missed its objective in July,
13 you established with Ms. Richardson in July of 1990,
14 that had given a message to all of the
15 managers that, "Having missed July that we won't miss
16 the objective again." Do you recall that?

17 MR. ANSEL: Excuse me one second. I want to
18 go back to my objection at the beginning of the
19 deposition, that we were going to object to anything
20 having to do with a statement that was not provided to
21 her prior to the deposition.

22 MR. ANTHONY: Let me, just to clarify for the
23 record, this is a different statement he's referring
24 to, I believe, than the one you objected to formally.
25 I don't know that you have made a request for this

1 particular statement. I see this is not a privileged
2 statement.

3 MR. ANSEL: Oh, okay. Can we see a copy of
4 the statement, please?

5 MS. RICHARDSON: It shouldn't be. It ought
6 to be public record, I guess, if the Company hasn't
7 claimed privilege for it. Have you claimed
8 confidentiality?

9 MR. ANTHONY: Confidentiality and privilege
10 are two different things. But I don't believe I
11 claimed confidentiality.

12 MR. ANSEL: With your permission, can we go
13 off the record a second?

14 (Discussion off the record.)

15 BY MR. VINSON:

16 Q So Mr. Lesko communicated to the managers
17 that having missed the July objective, that words to
18 the effect, that we won't miss the objective again.
19 How did he communicate that message?

20 A We -- I'm not sure who -- I think most all
21 managers were in like a staff meeting with him. He
22 would have meetings, and we would talk about different
23 things. And he made the statement in a meeting, in a
24 staff meeting.

25 Q Did he offer any specifics about how you were

1 to avoid missing that objective in the future months?

2 A No, he did not.

3 Q Were there any questions from any of the
4 managers present on what changes might be needed in
5 order to avoid missing the objective?

6 A I don't recall exactly what all we said in
7 the meeting.

8 Q Did give any information about
9 where that directive came from? Or did it appear to be
10 his own directive to his men?

11 A I think he -- yeah, I'm trying to remember.
12 I'm not positive but I believe he did mention something
13 about Linda Isenhour's office.

14 Q Okay. And what can you recall that he said
15 about Ms. Isenhour's office?

16 A I believe he said he had gotten a telephone
17 call regarding the results.

18 Q And what did he characterize the telephone
19 call as having said?

20 A That we need to do better. That we need to
21 make the commitment.

22 Q Did he make any reference to Mr. Sellers
23 having made comment about missing the objective?

24 A I don't remember exactly. He may have. I
25 don't recall the whole situation.

1 Q You don't remember.

2 MR. VINSON: Those are the only questions I
3 have.

4 MR. ANSEL: Excuse me, can we get a copy of
5 that statement that Diane gave?

6 MR. VINSON: Right.

7 MR. ANSEL: Thank you.

8 MR. ANTHONY: I don't have any questions.
9 Thank you.

10 (Whereupon, the deposition was concluded at
11 2:35 p.m.

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1 This is to certify that I, DIANE EDWARDS, have
 2 read the foregoing transcription of my testimony, Page
 3 6 through 45, given on April 19, 1993 in Docket No.
 4 910163-TL, and find the same to be true and correct,
 5 with the exceptions, and/or corrections, if any, as
 6 shown on the errata sheet attached hereto.

7
 8
 9

10 _____
 DIANE EDWARDS

11
 12

13 Sworn to and subscribed before me this
 14 _____ day of _____, 19____
 15

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State of _____

My Commission Expires:

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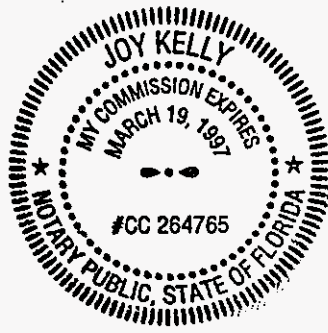
FLORIDA)
:
COUNTY OF LEON)

CERTIFICATE OF OATH

I, the undersigned authority, certify that
DIANE EDWARDS personally appeared before me and was
duly sworn.

Witness my hand and official seal this 29
day of April, 1993.

Joy Kelly
JOY KELLY
Notary Public - State of Florida




1 STATE OF FLORIDA)
: CERTIFICATE OF REPORTER
2 COUNTY OF LEON)

3
4 I, JOY KELLY, Official Commission Reporter
and Registered Professional Reporter,
5 DO HEREBY CERTIFY that I was authorized to
and did stenographically report the foregoing
deposition of DIANE EDWARDS;

6 I FURTHER CERTIFY that this transcript,
7 consisting of 45 Pages, constitutes a true record of
the testimony given by the witness.

8 I FURTHER CERTIFY that I am not a relative,
employee, attorney or counsel of any of the parties,
9 nor am I a relative or employee of any of the parties'
attorney or counsel connected with the action, nor am I
financially interested in the action.

10 DATED this 29 day of April,
1993.

11
12 
13 JOY KELLY, CSR, RPR
Bureau Chief
14 Bureau of Reporting
Telephone No. (904) 488-5981

15
16
17 STATE OF FLORIDA)
: COUNTY OF LEON)

18
19 The foregoing certificate was acknowledged
before me this 29th day of April, 1993, by
20 JOY KELLY, who is personally known to me.

21 
22 PATRICIA A. CHURCH
Notary Public - State of Florida

23 Notary Public, State of Florida
My Commission Expires April 20, 1995
24 Bonded Thru Troy Fain - Insurance Inc.
25