

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Investigation into the)
integrity of SOUTHERN BELL)
TELEPHONE AND TELEGRAPH)
COMPANY'S repair service)
activities and reports.)

DOCKET NO. 920260-TR
910727-TL

-----)
In re: Investigation into)
SOUTHERN BELL TELEPHONE AND)
TELEGRAPH COMPANY'S complaince)
with Rule 25-4.110(2), F.A.C.,)
Rebates.)
-----)

FILED: 04/28/93

DEPOSITION OF:

JAMES LYLES

TAKEN AT THE INSTANCE OF:

The Staff of the Florida
Public Service Commission

PLACE:

605 West Garden Street
Pensacola, Florida 32501

TIME:

Commenced at 10:30 a.m.
Concluded at 11:10 a.m.

DATE:

Monday, May 10, 1993

REPORTED BY:

Michael J. Wierzbicki, CP, CRMS
Registered Professional Reporter

DOCUMENT NUMBER-DATE

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APPEARANCES:

JANIS SUE RICHARDSON, Staff Counsel, 111 West Madison Street, Tallahassee, Florida 32399, Telephone No. (904) 488-9330, appearing on behalf of the Office of Public Counsel.

JEAN R. WILSON, Staff Counsel, Stan L. Greer, Engineer and Terrill Booker, Engineer, 101 East Gaines Street, Fletcher Building, Room 226, Tallahassee, Florida 32399, Telephone No. (904) 487-2740, appearing on behalf of the Florida Public Service Commission.

ROBERT G. BEATTY, Esquire, 150 West Flagler, Suite 1910, Miami, Florida 33130, Telephone No. (305) 530-5564, appearing on behalf of Southern Bell.

ALSO PRESENT:

EARL POUCHER

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W I T N E S S

JAMES LYLES

Examination by Ms. Richardson

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Examination by Mr. Greer

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S T I P U L A T I O N

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 WHEREUPON,

2 JAMES LYLES

3 was called as a witness and, after having been first duly
4 sworn, was deposed and testified as follows:

5 EXAMINATION

6 BY MS. RICHARDSON:

7 Q And would you please state your name, and spell
8 it for the court reporter?

9 A James D. Lyles, last name L-y-l-e-s.

10 Q And your address, Mr. Lyles?

11 A

12 Q And that's Pensacola?

13 A

14 Q And is there a zip code?

15 A

16 Q And a phone number?

17 A

18 Q And what's your position with the company?

19 A FT, facility tech.

20 Q And how long have you held that position?

21 A I guess five years, whenever we was implemented
22 into the company. I don't know the years.

23 Q All that time in Pensacola?

24 A I've been in Pensacola ever since -- I've been
25 with the company 23 years, I've been in Pensacola all the

1 time.

2 Q Did you talk to anybody about your deposition
3 here today other than counsel for the company?

4 A No.

5 Q Has anyone advised you that you would not be
6 disciplined based upon your answers here today?

7 A I understand I will not be disciplined on any
8 answer I make here today.

9 Q And has anyone advised you of the possible
10 criminal penalties that could apply if you perjure your
11 testimony here today?

12 A Yes.

13 Q Did you ever give a statement to the company?

14 A Yes, I did.

15 Q Just one statement or more than one?

16 A I think I was there only once.

17 Q And when did you give this?

18 A I don't even know. I would say year-and-a-half.
19 I don't -- I've forgotten the time.

20 Q '91, '92, somewhere in there?

21 A (Witness nodded affirmatively.)

22 Q Do you know who was present when you gave your
23 statement?

24 A Not by -- there was two gentlemen. I don't know
25 the names.

1 Q Was one of them an attorney; do you know?

2 A I think they were attorneys, but that's -- I
3 don't know the names.

4 Q Do you know if they were company attorneys?

5 A I believe they were company attorneys.

6 Q Did you talk to anybody about your statement
7 after you gave it?

8 A No.

9 Q You have been with the company 23 years. What
10 did you do before you became a facility tech?

11 A The title was cable repair technician. I hired
12 on as a cable helper for about approximately 14 months, then
13 I became a cable repair technician. And then when they
14 changed the title to FT, I became FT.

15 Q And is that all the positions that you've held
16 with the company?

17 A Yes.

18 Q About what period of time were you doing cable
19 repair?

20 A From approximately April of '71 until about a
21 year ago, that would've been '92, about January of '92, I
22 believe, somewhere along in there.

23 Q Well, then I think that's what I'd kind of like
24 to focus on is your point of time in cable, and I don't want
25 to go back all the way to 1971. Let's just say '80, let's

1 just pick '80.

2 A Okay.

3 Q And start with the present time, who's your
4 first-level manager right now?

5 A Right now?

6 Q Uh-huh (indicating affirmatively).

7 A Mike Cousins.

8 Q And can you spell his last name?

9 A C-o-u-s-i-n-s, I believe it is.

10 Q And who was it before him?

11 A I had several there in a row. I had a reliefer,
12 Stewart, he's the facility tech in Milton, Mike Kelly, Lynn
13 Marvel.

14 Q M-a-r-v-e-l?

15 A I believe so. And before that, Johnny Lovelace.

16 Q Johnny Lovelace?

17 A Uh-huh (indicating affirmatively). Before that,
18 Donald Spencer.

19 Q And Donald Spencer. And that takes us back to
20 about 1980?

21 A At least.

22 Q And can you do the same thing for me with your
23 second levels?

24 A Gosh. Now it's Devito.

25 Q I'm sorry?

1 A Devito.

2 Q Devito?

3 A Uh-huh (indicating affirmatively). I've been
4 under Paul Young. I've been under Mr. Brown.

5 Q Do you know Mr. Brown's first name?

6 A Goodness gracious.

7 Q I know it's tough thinking back all this time.

8 A I can't think of it.

9 Q That's okay, but you did have a Mr. Brown?

10 A Uh-huh (indicating affirmatively).

11 Q Do you remember any other second levels?

12 A The one just before Mr. Devito, but I can't --
13 right now I can't come up with his name.

14 Q Did you ever work for Mr. Bill Humphreys?

15 A Yes, I did. Sorry.

16 Q That's all right. Is that all you can recall?

17 A Yeah. The one that was just before Mr. Devito,

18 I can't --

19 Q We've got one name missing?

20 A Yes.

21 Q That's fine. Who's your present operation
22 manager?

23 A Operation manager, I guess, would be St. Amant,
24 Mr. St. Amant.

25 Q And how long has he been your operation manager?

1 A I guess four years.

2 Q Do you remember who it was before Mr. St. Amant?

3 A Mr. Russell Strange, I believe.

4 Q Strange?

5 A Uh-huh (indicating affirmatively).

6 Q And do you know who it was before him?

7 A Maybe Mr. Poucher.

8 Q And that takes us back to about 1980 or is

9 there-

10 A (Interposing) I think probably that would get
11 pretty close.

12 Q Do you know who your general manager is right
13 now?

14 A No.

15 Q That's okay. I want to talk about your position
16 as -- let me ask you this: As a facility technician, what do
17 you deal with?

18 A The cable, outside cable, the main feeder
19 cables.

20 Q So you work on troubles on cable?

21 A Yes, I do, yes.

22 Q Do you use a CAT, a C-A-T, the Craft Access
23 Terminal?

24 A No.

25 Q Do you have responsibility for clearing and

1 closing cable troubles?

2 A Responsibility for clearing, and I code them out
3 to people in the test center or the MA's.

4 Q So you have to call in then to close trouble
5 out?

6 A I have to call in, yes.

7 Q How do you get the trouble; how does it come to
8 you?

9 A Same way, I have to call in and get it.

10 Q And then the MA -- is it an MA or manager that
11 tells you?

12 A MA.

13 Q An MA tells you you've got a cable at such and
14 such a location?

15 A They give me all the information on it,
16 facilities and customer name, address, and the whole bit,
17 where I need to go.

18 Q Do you generally work these alone or are these
19 big problems that you have to have other people help you?

20 A Repairs are mostly done alone. Occasionally we
21 need some help, we get another person, but a majority of it
22 is single person.

23 Q Do you work with the mapper tracker program at
24 all?

25 A Not -- not directly, just through where I'm

1 dispatching, and they tell me where to go, and that's where I
2 go. I don't have any other -- I don't have any say-so. They
3 just give it to me.

4 Q When you get a cable trouble, do you get just
5 the lead trouble or do you find out about all the other
6 troubles that are attached to it?

7 A If it's a multiple of something, I get a lead
8 trouble, full information, and I get a list of the other
9 numbers in facilities.

10 Q And when you close out, do you test each one of
11 those numbers to see if each number is working?

12 A Each number has to be tested, yes.

13 Q And when you test each one, do you find that
14 some of them may be out of service and some of them may be
15 not out of service?

16 MR. BEATTY: Objection to the form of the
17 question, it's compound.

18 A If it is tested and it's out of service, the
19 ones that are still with the problem are taken off of the
20 multiple, the multiple closed, and redispached on these ones
21 that are left until the whole problem is cleared up.

22 Q (By Ms. Richardson) Now, when you said the ones
23 that are detached, are they detached simply because they're
24 out of service or because they have a different problem in
25 the cable?

1 A No, just because they're out of service. I go
2 on them individually, or if there's, say, three of them
3 that's left still in trouble, they will be lumped together as
4 a multiple, because they'll still be on the same complement
5 of cable, and I'll continue to work on those.

6 Q So it's your responsibilities, not the MA's, to
7 decide whether or not it gets detached from the cable
8 trouble?

9 A Well, it's kind of both. We're supposed to call
10 and get it tested through MA's, plus we test it ourselves,
11 and then they'll test it. And if something comes back,
12 they'll give us what's -- you know, what doesn't meet the
13 standard, and we'll check them. And if it's not there, then
14 it'll be detached, and I'll pick up with that trouble and
15 continue on.

16 Q Now, has that always been the case throughout
17 your 23 years, that you detach those?

18 A Yes, right.

19 Q You've always done that?

20 A Uh-huh (indicating affirmatively).

21 Q Do you know what determines whether or not a
22 report ought to get statused out of service?

23 A No, I do not. I know a machine does it now, I
24 understand, but I don't know about the criteria and
25 everything that they go by to make them out of service.

1 Q When a report comes to you as not out of
2 service, how do you decide whether or not it should be out of
3 service when you close it then?

4 A I don't have any control over whether it's out
5 of service or service affected. I get that when it's
6 dispatched to me. I have no control over it.

7 Q Have you ever had occasion when you've taken a
8 service-affecting cable trouble and you've worked on it, and
9 you found out that that person didn't have dial tone when you
10 tested it, has that ever happened to you?

11 A A service-affected trouble I have been out on,
12 and it was out of service, yes.

13 Q Then how did it get statused out of service if
14 you don't have any responsibility for doing that?

15 A It was -- I've never done that, and I was not
16 aware that it was supposed to be done that way. We just
17 worked on it at the service-affected trouble, and, no, I
18 didn't call in and make a -- it was not made an out of
19 service. And I had -- at the time, I had no knowledge of
20 that procedure.

21 Q Can you tell me approximately, was this like
22 early eighties, mid eighties, late eighties, that this was
23 happening when you were doing that?

24 MR. BEATTY: If you know.

25 A It was more or less, you know, all the way. I

1 mean, it was not -- I really can't answer that question,
2 because I don't know. I never -- I never thought about that
3 part of it, so, no, I don't. I've never called in and made
4 an out of service.

5 Q (By Ms. Richardson) Are you aware of the
6 requirement that the company complete out-of-service reports
7 at least 24 hours -- within 24 hours at least 95 percent of
8 the time?

9 A I know they have a percent of it, yes. I'm not
10 aware that it was 95 percent.

11 Q But you know they have to get them done in 24
12 hours?

13 A Right, yes.

14 Q Now, have you known that all the time you've
15 been in cable?

16 A Yes.

17 Q Do you know if a customer is due a rebate if
18 their phone's been out of service more than 24 hours?

19 A Yes.

20 Q And have you known that all the time?

21 A Yes.

22 Q Then on this service-affecting trouble that may
23 or may not have been statused out of service, do you know if
24 any of those have gone over 24 hours?

25 A I do not know.

1 Q You don't know?

2 A No.

3 Q When you call the MA to close out a report, do
4 you give her a disposition and cause codes?

5 A Yes, I do.

6 Q You tell her which ones to use?

7 A Yes.

8 Q Briefly then, for the record, can you tell me
9 what a disposition code is; what does it show on a report?

10 A Disposition shows what type of plant the trouble
11 was found in.

12 Q And for cable, give me an example of a
13 disposition code.

14 A Like, I believe, 0412 would be new damage; an
15 0411 would be old damage, that's damage by a contractor or
16 something; like an 0415 would be something in the cable; and
17 then I don't know off the top of my head, but there's some
18 for closures and there's some for terminals.

19 Q The 320 multiple cable failure, is that a
20 disposition code?

21 A That's a cause code.

22 Q That's a cause code. And what generally is a
23 cause code then?

24 A It depends on the type trouble I find. There's
25 a list of cause codes for damages from contractors, from

1 customers, from our own contractor or other utility, other
2 wire-using companies, there's several of them that could
3 cause damage. And some of the others, there's lightning,
4 there's water, temperature, accident, you know. I find my
5 trouble, and then I go through my cause codes, and find the
6 closest code that would fit.

7 Q Do you know if there are certain disposition and
8 cause codes that would exclude an out-of-service report from
9 that 24-hour requirement, so if it went over 24 hours it's
10 not counted like a company miss?

11 A I guess lightning troubles, weather or --

12 Q Flood, hurricane, acts of God?

13 A Elements.

14 Q What about that 320 multiple cable code?

15 A I don't recall ever using 320 as a multiple.

16 Q Well, it may have been another number then.

17 A I use -- I always use something else, whatever
18 the trouble was. The reason being, 320 multiple cable
19 failure didn't really tell you anything about the cause, in
20 my opinion.

21 Q Have you had any manager direct you to use
22 certain of those weather codes?

23 A No, ma'am.

24 Q When you called into an MA to close out, has an
25 MA ever said, "Well, we're using the lightning code today"?

1 A No.

2 Q Do you know of anyone who has used a weather
3 code when the weather code did not really apply for that
4 particular day?

5 A I do not know.

6 Q I think you said that part of your process was
7 working with the lead trouble. Do you know about bulk
8 closing, when you close that lead trouble, does it affect the
9 rest of the jobs?

10 A It closes everything that I don't have detached.

11 Q Okay. And when you close that lead trouble, if
12 it's out of service and you haven't detached anything, would
13 it change the status of any service affectings that are
14 attached?

15 A I'm sorry. Ask that last one again.

16 Q This is hypothetical, and it's a long one,
17 because it's somewhat involved.

18 A Okay.

19 Q We've got a lead trouble that's out of service.

20 A Okay.

21 Q Let's say you have ten service-affecting reports
22 attached to it.

23 A Uh-huh (indicating affirmatively).

24 A If you closed out that out-of-service report,
25 would it change the status on those service affectings to out

1 of service?

2 A I do not know.

3 Q But you know it would close them out?

4 A All I know is if they're all clear, they'll
5 close out under the lead trouble.

6 Q So whatever time you put for clearing on the
7 lead trouble-

8 A (Interposing) Lead trouble takes care of
9 everything that wasn't detached for a different trouble.

10 Q So just as a hypothetical then, if I had a
11 clearing time on that lead trouble of 10:00 a.m., all of
12 those other troubles would show 10:00 a.m. clearing?

13 A Uh-huh (indicating affirmatively).

14 Q Do you know of anyone who has backed up the
15 clearing time on a trouble report?

16 A I don't know.

17 Q Have you heard of that being done?

18 A I've heard rumors that it was being done, and
19 it's -- the rumor has been around a couple times, and I don't
20 know -- it really was no -- I really wasn't interested in it,
21 so I don't have -- I don't have any idea where I heard it,
22 but I have heard a rumor that it has been done.

23 Q And you heard that with other employees of the
24 company?

25 A I'm sorry?

1 Q You've heard them from other employees in the
2 company?

3 MR. BEATTY: Objection.

4 A Just a rumor. I don't know who I heard it from.
5 It was just in general conversation, but I don't know who
6 from.

7 MR. BEATTY: I have to issue an objection to the
8 form of the question, it's leading.

9 Q (By Ms. Richardson) Mr. Lyles, I'm going to
10 show you a document here. It is titled Citizens' Third Set
11 of Interrogatories. Public Counsel sends a written question,
12 that's what an interrogatory is, to the company, and then the
13 company sends us a written answer. And our question asked
14 for the names of employees who had knowledge about recording
15 or reporting on repair service forms an extension of time for
16 repairs when the customer wasn't contacted. And the company
17 responded with the names of some employees who they believe
18 may have some information about backing up clearing times on
19 out-of-service troubles which were believed not to have been
20 properly statused as out of service.

21 Now, what I usually do at this point is to go
22 off the record and give you a chance to read it, so that you
23 can see it. And if you have any questions, you can ask while
24 we're not recording. And the first thing that I'll ask you
25 when we go back on the record is

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Okay?

MS. RICHARDSON: We'll go off the record.

(A discussion was held off the record.)

Q (By Ms. Richardson)

A Yes, it is.

Q

MR. BEATTY: I object to the form of the question. It's repetitive, it's been asked and answered. The issue that this listed here on the document that is being shown to the witness is backing up clearing times on out-of-service troubles. That has been asked and answered.

But to the extent that you have more than what you've already told her, by all means feel free to respond to the question.

A I don't -- I don't think I have any further information on backing up time. I don't know of anybody that's backed up clearing time on out of service.

Personally, the only thing I have done is, if I go out on an out-of-service trouble, and I get there and it

1 is actually in service, that to me is clearing time, the
2 trouble is cleared. I just assumed that that determines that
3 the customer has good service. That's the only clearing time
4 that I show. I have no knowledge of any other.

5 Q (By Ms. Richardson) Have any of your managers
6 ever directed you to be sure to clear a report within 24
7 hours?

8 A No, ma'am.

9 Q Have any of your managers come to you and
10 questioned you on reports that went over 24 hours as to why
11 they lasted longer?

12 A No, ma'am.

13 Q Also in this same document, Item Number 5,
14
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18 page?

19 A Yes, it is.

20 MR. BEATTY: You haven't given him enough.

21 MS. RICHARDSON: Subject matter about which
22 other, that's what the company stated.

23 MR. BEATTY: Oh, just other. Okay.

24 MS. RICHARDSON: That's what the company stated.

25 MR. BEATTY: Oh, I see.

1 Q (By Ms. Richardson)

2

3 A I don't really have any idea what they're
4 referring to.

5 Q Do you have any information about the improper
6 handling of customer trouble reports?

7 A No.

8 Q Do you know of anyone who has falsified a
9 customer trouble report?

10 A Not to my knowledge.

11 Q Do you have any idea why the company would've
12 put your name down under either this particular item or the
13 one that we've just discussed?

14 MR. BEATTY: Objection, it's compound and it's
15 speculative.

16 You can respond to that, if you know, if you can
17 answer the question as to-

18 A (Interposing) No, I can't.

19 Q (By Ms. Richardson) Have you heard the phrase
20 building the base of out of service?

21 A No, no idea.

22 Q Let me show you something else, Mr. Lyles. This
23 is a document that the company filed in the consolidated rate
24 case docket on April 1, 1993. It is Southern Bell's Response
25 to Preliminary Order Number PSC 930263 PCOTL entered on

1 February 19, 1993. And I believe there is a James D. Lyles
2 listed as number 350 on a list of 650 persons on this
3 particular list. And, first of all, I'd like you to take a
4 look at it. Have you seen this document before? Is that
5 your name?

6 A That's my name, yes.

7 Q And have you seen this document before?

8 A I've seen it. I have not looked through it in
9 entirety.

10 Q Okay. Then what I'd like to do is go off the
11 record and give you a chance to review it now before I ask
12 you any more questions.

13 (A discussion was held off the record.)

14 Q (By Ms. Richardson) Okay, Mr. Lyles. On that
15 list by your name, I think, appears the Number 6, and Number
16 6 indicates that you may have information about building the
17 base of out-of-service troubles.

18 A No, I don't have any-

19 MR. BEATTY: (Interposing) Well, there's no
20 question. She's not asking for-

21 MS. RICHARDSON: (Interposing) Okay.

22 Q (By Ms. Richardson) I'd like to know what
23 information you do have.

24 MR. BEATTY: I object, that's been asked and
25 answered.

1 Do you have any knowledge more than what you've
2 already testified to?

3 THE WITNESS: No.

4 Q (By Ms. Richardson) Do you have any idea why
5 the company would've put your name down there?

6 MR. BEATTY: Objection, calls for speculation.

7 A No, ma'am.

8 Q (By Mr. Richardson) And have you read Paragraph
9 2 about the statement that the company took from you?

10 A Yes, I have.

11 Q I believe by your name is Number 12, and that
12 indicates status in troubles, generally including criteria
13 for statusing out of service, and I'd like to know what
14 information you have about that.

15 MR. BEATTY: If any at all.

16 A I don't have any information about statusing out
17 of service. The only thing, when they dispatch trouble, they
18 tell me if it's out of service or service affecting. And as
19 far as statusing, no, I don't have any knowledge of how
20 that's done or anything else.

21 Q (By Ms. Richardson) Are most of your reports,
22 the cable troubles that come to you, are they generally
23 service affecting till you finish the job?

24 A They are service affecting. That's the way that
25 -- unless we're working light troubles, which is a DLETH,

1 those aren't considered service affecting, and we work on
2 those also. So I've got three categories of troubles I work
3 on.

4 Q Most of the cable troubles that come to you, are
5 most of those statused as just service affecting?

6 A Most of them are service affecting.

7 Q And when you get out there, do you find that
8 they are, indeed, service affecting?

9 A Most of them are service affecting, yes.

10 Q About what percentage of those service
11 affectings that come to you end up being out of service?

12 MR. BEATTY: If you know.

13 A I don't know, but it's a small percent that are
14 out of service.

15 Q (By Ms. Richardson) And on that small percent
16 that are out of service, in your estimation would that have
17 been something that could've been determined before it got to
18 you, the kind of trouble that was causing it?

19 MR. BEATTY: Objection, calls for speculation.

20 Q (By Ms. Richardson) In other words, in terms of
21 testing.

22 MR. BEATTY: You can respond to that, if you
23 know.

24 A Like I say, I don't know. I don't have no
25 knowledge of how they even determine an out of service. I've

1 never been inside, and I've never seen the operation. And I
2 get told what the status is, and I have no idea how they
3 determine that.

4 Q (By Ms. Richardson) I guess what I'm looking
5 for is have you or anyone else said, gee, I just got a bunch
6 of service affecting today, and it's just obvious those
7 should've been out of service?

8 MR. BEATTY: Objection, it's compound.

9 Q (By Ms. Richardson) Has that situation ever
10 come up?

11 A No.

12 Q Who in the test center closes out the multiple
13 cable failures; is there any one designated MA for that?

14 A No, ma'am.

15 Q When you call in, are you calling into a
16 specific MA that knows about cable stuff that you talk to?

17 A I call into one number, and I don't know --
18 they've got several that answer. I don't know the number.
19 Five or six or ten that answer that number.

20 Q Are you familiar with no access?

21 A I know what it means.

22 Q Tell me what it means.

23 A It means that you can't -- don't have access to
24 the premises or the set or whatever you're trying to get to.

25 Q And do you let the customer know that you've

1 been there?

2 A That has not come up in my job as far as cable.
3 All my stuff is on the street.

4 Q You've never worked with residents as a business
5 then?

6 A No, other than from their terminal on the street
7 to the office, not inside, no.

8 Q But not from the street to the inside?

9 A No.

10 Q Have you ever been told that you have to talk to
11 a manager before closing out-

12 A (Interposing) No.

13 Q -a trouble report?

14 A No, ma'am.

15 Q Do you know of anyone who has taken
16 out-of-service troubles, cable troubles, and closed them out
17 right before they go over 24 hours, and then reopen them as
18 employee reports?

19 A No, ma'am.

20 Q Do you know of anybody who's ever used someone
21 else's employee code?

22 A No, ma'am.

23 Q Has anybody ever used yours?

24 A Not to my knowledge. I hope not.

25 Q And you've never used anyone else's?

1 A No, ma'am.

2 Q Has any manager ever instructed you to use
3 someone else's code?

4 A No, ma'am.

5 Q Have you ever had a manager discipline you for
6 your handling of cable troubles?

7 A No.

8 Q Have you ever had a manager threaten to
9 discipline you for not following his instructions on
10 statusing of cable trouble?

11 A No, ma'am.

12 Q Have you ever filed a grievance?

13 A Yes, I have.

14 Q Okay. And what was the grievance about?

15 MR. BEATTY: Objection, relevance.

16 You can respond.

17 A The only grievance I filed was to -- I was
18 trying to get out of repair group into construction group,
19 and I was having problems doing it, and I filed a section to
20 get into my construction group permanently.

21 Q (By Ms. Richardson) Do you know of anyone who
22 has filed a grievance because of a manager's instructions to
23 them in handling trouble reports that they felt were
24 improper?

25 A No, ma'am.

1 Q Do you know of anyone who's been disciplined by
2 the company for mishandling trouble reports in relation to
3 this investigation?

4 A No, I do not.

5 Q Have you ever worked in sales for the company?

6 A No.

7 Q Has anybody ever asked you to help sell when you
8 were a cable repair person?

9 A When they come out with the -- from time to
10 time, they came out with sales programs, but -- and outside
11 the plant, it was just more or less an option, if you wanted
12 to, I guess you could, but I never did, and nobody else that
13 ever sold anything.

14 Q Are you aware of any customer who was billed for
15 services or products they never ordered?

16 A I don't know of any.

17 Q Do you know of any employee who sold a
18 maintenance plan or put a maintenance plan on a customer's
19 bill without contacting a customer?

20 A No knowledge.

21 MS. RICHARDSON: Okay. All right, Mr. Lyles, I
22 think I'm through, unless somebody jogs my memory.
23 But I want to thank you for being here today, and I
24 appreciate your coming.

25 MS. WILSON: I have no questions, but Mr. Greer

1 with the Commission may.

2 MR. GREER: Mr. Lyles, I just have a couple.

3 EXAMINATION

4 BY MR. GREER:

5 Q You stated before that you had heard of backing
6 up clearing times?

7 A In rumors, yes.

8 Q Do you recall if the rumors dealt with some of
9 those repair operations in Pensacola or other parts of the
10 state; do you recall?

11 A More or less other parts of the state. It was
12 when all this started, and they was talking about -- I think
13 it was, everybody was talking about what was going on in
14 different parts of the state. I have no knowledge of
15 anything here in Pensacola.

16 Q When you receive a cable trouble, does the MA
17 inform you of the commitment time?

18 A Yes.

19 Q Does the MA ever stress that we need to make
20 sure we get it done by the commitment time?

21 A Not really. It's given to us for that purpose,
22 but it's never -- to me it's never been really stressed by
23 anybody, MA or management.

24 MR. GREER: Okay. That's all I have.

25 WHEREUPON, the deposition was concluded.

