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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition on behalf of CITIZENS)
OF THE STATE OF FLORIDA to Initiate)
Investigation into Integrity of)
SOUTHERN BELL TELEPHONE & TELEGRAPH)
COMPANY's Repair Service Activities)
and Reports.)

DOCKET NO. 910163-TL
920260-TL

COPY

DEPOSITION OF:	JAMES T. FEBUS
TAKEN AT THE INSTANCE OF:	Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE:	Monday, July 27, 1992
TIME:	Commenced at 4:00 p.m. Concluded at 4:30 p.m.
PLACE:	666 N.W. 79th Avenue Room 642 Miami, Florida
REPORTED BY:	JANE FAUROT Notary Public in and for the State of Florida at Large

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

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APPEARANCES:

REPRESENTING THE SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY:

HARRIS R. ANTHONY, ESQUIRE
BellSouth Telecommunications, Inc.
d/b/a Southern Bell Telephone & Telegraph Company
c/o Marshall M. Criser, III
150 South Monroe Street, Suite 400
Tallahassee, Florida 32301

REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

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

REPRESENTING THE FLORIDA PUBLIC SERVICE COMMISSION:

JEAN WILSON, ESQUIRE and
STAN GREER, Class B Practitioner
FPSC Division of Legal Services
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0863

ALSO PRESENT:

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

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I N D E X

WITNESS:

PAGE NO.

JAMES T. FEBUS

Direct Examination by Ms. Richardson

7

CERTIFICATE OF REPORTER

32

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

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The following deposition of JAMES T. FEBUS was taken on oral examination, pursuant to notice, for purposes of discovery, for use in evidence, and for such other uses and purposes as may be permitted by the Florida Rules of Civil Procedure and other applicable law. Reading and signing of said deposition by the witness is not waived. All objections, except as to the form of the question, are reserved until final hearing in this cause; and notice of filing is waived.

* * * * *

Thereupon,

JAMES T. FEBUS

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

MR. ANTHONY: Mr. Febus, just so you know, just a couple of things you need to be aware of. First of all, after the deposition is completed, the court reporter will transcribe what has been said here today. And there is something called reading and signing, and we are going to ask you to do that. Basically, that will mean we will send you a copy of the deposition. You need to read through it and make any correction in terms of any transcription errors that may have occurred, and then sign it and return it, and we'll

1 take care of that.

2 The other thing that you need to be aware of is
3 that this deposition is part of an investigation that
4 was initiated by the Public Service Commission in
5 Florida into trouble reporting issues. The Company
6 itself had conducted its own investigation of that
7 under the auspices of the Legal Department, and that is
8 privileged, what we call a privileged investigation,
9 which means that the Company itself retains the rights
10 to that and cannot be compelled to disclose the
11 contents of that investigation. So to the extent that
12 anybody may ask you a question that goes into anything
13 you may have learned either from the investigation,
14 during the investigation or related to the
15 investigation, I will instruct you not to answer. To
16 the extent you can answer any of those questions from
17 knowledge that you have other than from that
18 investigation, you're, of course, free to answer that.
19 You should answer it fully and honestly. So, if I jump
20 in at any point and instruct you not to answer, that is
21 what we are talking about. Is that understandable?

22 THE WITNESS: That's clear.

23 MR. ANTHONY: Okay. Thank you.

24 MS. RICHARDSON: Okay. And then I have just a few
25 clarifying points as well, primarily definitional. If

1 you respond to me, "I don't know," or I ask you, "Do
2 you know," and you say, "No," what I take that to mean
3 is that you have absolutely no knowledge, firsthand or
4 secondhand, hearsay, anything. You have an absolute
5 blank on that piece of information, is that clear?
6 Acceptable?

7 THE WITNESS: Uh-huh.

8 MS. RICHARDSON: All right. Pretty much the same
9 thing for "I don't remember," or "I can't recall." You
10 not only have no immediate memory of this, you have no
11 fragments of memory, nothing stands out in your mind
12 about the incident or event or whatever the question
13 relates to. Are we clear on that one?

14 THE WITNESS: All right.

15 MS. RICHARDSON: And then, lastly, when I ask you
16 do you know anyone or any employee that may have done
17 something or the other, that's a generic question, and
18 that is inclusive of you, yourself, as well as any
19 other person. Is that clear? So, when you respond,
20 you're also responding for yourself and other people.
21 And if you want to clarify any statement, okay, divide
22 it up in terms of where you heard it or what you know
23 or how you know about it, augment, clarify, et cetera,
24 you understand that you're to do --

25 THE WITNESS: I will ask.

1 MS. RICHARDSON: Okay. And if you don't
2 understand the question or you need me to repeat it,
3 you will ask me to do so before you answer it?

4 THE WITNESS: Uh-huh.

5 DIRECT EXAMINATION

6 BY MS. RICHARDSON:

7 Q Mr. Febus, would you please state your name and
8 spell your last name for the reporter?

9 A My name is Jim or James T. Febus. The last
10 spelling is F-E-B-U-S.

11 Q All right. And your address, please?

12 A

13 Q In Miami?

14 A

15 Q Okay. And did I hear you say?

16 A Yes.

17 Q All right. And where are you presently located,
18 what position? Where are you located?

19 A Presently I'm an assistant manager in the central
20 area, in the Construction Department.

21 Q Okay. And how long have you held this position?

22 A Three years.

23 Q And who is your immediate supervisor?

24 A Mr. Fred Booth.

25 Q And that's B-O-O-T-H?

- 1 A Yes.
- 2 Q Fred Booth. And who is his immediate supervisor?
- 3 A Mr. Gary Dennis.
- 4 Q D-E-N-N-I-S?
- 5 A I think so, yes.
- 6 Q Think so, okay. And this has been for three
- 7 years. What did you do prior to this?
- 8 A Prior to that, I was in the test center or the
- 9 maintenance center.
- 10 Q And in the same central area?
- 11 A Yes, central.
- 12 Q Okay. So, you have been there all along. Then is
- 13 your present position a promotion?
- 14 A No, it was a lateral.
- 15 Q Lateral transfer. Do you know why you were
- 16 transferred?
- 17 A Just cross-training.
- 18 Q Cross-training. So, this is sort of normal
- 19 procedure, then?
- 20 A Yes.
- 21 Q Is this sort of a grooming for a promotion? It
- 22 gets you to know --
- 23 A I doubt it.
- 24 Q You doubt it. Okay. When did you start with the
- 25 Company?

- 1 A 1966, October.
- 2 Q And what was your entry position?
- 3 A I was plant assigner.
- 4 Q And I have no idea what that is.
- 5 A And neither do I. A plant assigner is comparable
6 to a -- you have a -- I think, it's an assignment office. A
7 plant assigner used to get the records for the Engineering
8 Department, and then figure out the facilities between the
9 central offices, basically.
- 10 Q Okay. In your duties and in your extended lengthy
11 employment with the Company, have you dealt with customer
12 trouble reporting?
- 13 A Uh-huh.
- 14 Q Extensively?
- 15 A Off and on, a period of maybe a total of four
16 years.
- 17 Q Four years. And more recently, in your last IMC?
- 18 A I don't understand. What were you trying to say?
- 19 Q Okay. I'm trying to get at how familiar you are
20 with the customer trouble reporting process?
- 21 A A total of four years.
- 22 Q Four years with that. And did that include -- it
23 included information or knowledge about initiating a
24 customer trouble report and working one and clearing it and
25 closing it?

1 A Yes. Yes.

2 Q Okay. Were you involved in any other areas, or do
3 you have any other knowledge about other areas involved with
4 the customer trouble reporting?

5 A I was in JMOS, not LMOS, but the data base.

6 Q J-M-O-S?

7 A L-M.

8 Q L-M-O-S, okay.

9 A When it was originally input.

10 Q As an engineer?

11 A No, just an assistant manager, I guess.

12 Q Just a manager.

13 A Uh-huh.

14 Q Okay. Have you been responsible for any changes
15 to LMOS?

16 A No.

17 Q But just the initial starting up, cranking up of
18 the system?

19 A Right.

20 Q Are you familiar with terms like disposition
21 codes, cause codes?

22 A Yes.

23 Q Are you familiar with a requirement that the
24 Company clear out-of-service reports within 24 hours?

25 A Uh-huh.

1 Q And that they must do so 95 percent of the time?

2 A Yes.

3 Q Okay. Have you ever been disciplined, Mr. Febus,
4 by the Company?

5 A No.

6 Q At no time?

7 A (Witness indicating no.) I have been chewed out.

8 Q I'm sorry?

9 A I've been chewed out.

10 Q Chewed out.

11 A No, but I've never been disciplined.

12 Q But never been disciplined. Do you know of anyone
13 who has?

14 A Yes.

15 Q And who are they, please?

16 MR. ANTHONY: Are you talking about -- I mean,
17 that's a pretty broad question. Are you talking
18 about --

19 THE WITNESS: Are you just talking about this
20 particular --

21 BY MS. RICHARDSON:

22 Q All right. Yes, let's clarify that.

23 A Well, I inadvertently walked in the door, and I
24 believe Mr. Connor was here. I didn't know he was -- I
25 don't know if he was disciplined or not.

1 Q Okay. But you know that he's had a deposition --
2 he's given a deposition?

3 A Well, now I do, when I saw him here. But I know
4 of many people -- I think within our area there were five.
5 I know them.

6 Q Can you, please, tell me their names?

7 A I believe Ms. Munoz, Mr. MacFarlane, Margaret
8 Kearce, myself and Mr. Rugama.

9 Q Okay. And you named yourself in that?

10 A Oh, you mean, as part of the deposition, yes.

11 Q Oh, deposition. Okay. I'm talking about
12 discipline.

13 A Oh, discipline. Okay. No, I was not disciplined.
14 I'm sorry.

15 Q Okay. Do you know of anyone who was disciplined
16 in relation to the last two years or so or even before that?

17 A In reference to?

18 Q In reference to falsifying out-of-service repair
19 reports or customer trouble reports?

20 A I'll answer -- if I understand the question, I
21 will answer it this way. The Company had an investigation,
22 internal, okay? The people that got disciplined that I know
23 And I
24 can't tell you others. I don't know who else.

25 Q Okay. And do you know why they were disciplined?

1 Have you heard any rumors or any information at all as to
2 why these individuals were disciplined?

3 A I'll answer it this way.

4 Q You may clarify to whatever extent you feel
5 comfortable clarifying your response.

6 A Okay.

7 MR. ANTHONY: Neither do you have to speculate if
8 you don't know.

9 THE WITNESS: To me it's all gossip and rumors,
10 and that is what I've heard.

11 BY MS. RICHARDSON:

12 Q All right. And what gossip have you heard?

13 A I haven't heard anything about the other folks.
14 Myself and I talked, and from what I understand, he
15 told me he was disciplined because -- I should say he was
16 accused of putting in out-of-services on cable failures.
17 That is what he told me.

18 Q Okay. Putting in out-of-services on cable failure
19 to build the base?

20 A I believe so.

21 Q All right. Are you aware of anyone else who may
22 have improperly, or falsified customer trouble reports to
23 build the base for out-of-service?

24 A I will answer it this way: I've heard rumors and
25 gossip again, okay? And , I believe, who was

1 dismissed and the other person with him, another assistant
2 manager, from what I understand, they were dismissed for
3 doing that. That's what I understand.

4 Q Are you familiar with the practice of using a
5 blackboard to let individuals know that there would be no
6 more out-of-service today?

7 A No.

8 Q Are you familiar with employees who close out
9 trouble reports being told that, "We need to build the base,
10 so take affecting service reports and turn them into
11 out-of-service reports"?

12 A No.

13 Q Do you know whether anyone, employee or otherwise,
14 has ever reported you as having conducted an improper
15 activity or falsifying customer trouble reports?

16 A I know it was in that deposition that
17 made. It was a 16 or 20-page deposition. I believe it was
18 at the PSC, and in there he stated different practices or
19 whatever. And it was 16 or 20 pages long. Somewhere around
20 the 17th page he took in a paragraph, and he noted -- and he
21 listed about 20 or 30 individuals that he had worked with
22 that he either had knowledge or did something. That is as
23 far as I know that I have been mentioned.

24 Q Okay. And in terms of statements
25 about you, did you, yourself, either commit any of those

1 acts or do any of the things that he said that you had done?

2 A All he said was that I knew of or took part in.

3 So the answer is no.

4 Q Do you know what specific acts or omissions from
5 the three individuals you named, and
6 so on?

7 A No.

8 Q Have you talked to them about their discipline?

9 A We may have talked, but, you know, nothing about
10 -- I haven't talked to

11 I talked to her, but she never told me what
12 kind of discipline she got, what it was about or anything
13 else.

14 Q Do you feel that your job may be in jeopardy or
15 something negative may occur to you by virtue of your being
16 here in deposition today?

17 A How do you mean?

18 Q Do you think any negative action -- do you think
19 any negative action may be taken against you because of your
20 being here today?

21 A For being here?

22 Q And what's your negative action?

23 A The Company wouldn't do anything for me being
24 here. They asked me to be here. I was told to be here.
25 No, I can't see any discipline coming from it.

1 Q Okay. Are you familiar with any employee, and,
2 again, this includes yourself, who may have backed up repair
3 times in order to meet the out-of-service index?

4 A There was instructions on backing up. Now, it's
5 clear time. There is a definition that when the customer
6 has dial tone, and he has his service back, that is the
7 clear time and then the close out time. That is the only
8 instructions that we were given. That is the only
9 instructions that we followed.

10 Q Okay. And what do you mean the cleared time?

11 A If a customer is out-of-service, and there is an
12 ST, or if it is a cable problem, you know, where a number of
13 people go out, the service is restored and the customers are
14 back in service. Yet it could take X amount of time, an
15 hour, four hours, sometimes a day, to replace that piece of
16 cable, yet those people are in service. That is the clear
17 time.

18 Q Are you familiar with a practice of MAs being told
19 they have to call a manager before they can close out an
20 out-of-service report that's in danger of going over 24
21 hours?

22 A I've heard of it, yes.

23 Q And where have you heard of it being in place?

24 A No place. I've heard of it, but I can't really
25 say where. Honestly, I don't know.

1 Q Okay. Who told you? How did you hear about it,
2 any idea?

3 A This Company, you have more rumors, you really do.

4 Q Okay. Did you hear of any particular employee
5 being involved?

6 A No.

7 Q When you heard this rumor, did you hear of it
8 occurring at any particular IMC?

9 A No.

10 Q Okay. Are you familiar, or are you aware, or do
11 you know of anyone who has used the no access code to stop
12 the clock on the out-of-service report?

13 A No.

14 Q Does a no access code stop that report from being
15 counted against the 24-hour index?

16 A Yes, it does.

17 Q What about a CON or a carryover no code?

18 A I don't know what that CON is.

19 Q You have never used the CON? Carryover no?

20 A Carryover no?

21 Q Uh-huh.

22 A I don't know what that is.

23 Q Okay. Are you familiar with excluding
24 out-of-service reports?

25 A Yes, you can exclude. You can exclude -- you

1 don't exclude an out-of-service, but you do exclude some
2 troubles.

3 Q Are you familiar with anyone excluding
4 out-of-service reports?

5 A No.

6 Q You've never heard of that occurring and you,
7 yourself, have not done that?

8 A Again, I've heard, you know, somebody excluded
9 something, you know, an out-of-service or something like
10 that, but I can't tell you who. I know I didn't do it, and
11 I can't tell you who it was.

12 Q Do you have any knowledge of any employee,
13 including yourself, who may have closed out out-of-service
14 reports before they were really cleared and then reopened
15 them in order to finish clearing and closing the report once
16 dial tone was delivered?

17 A I have heard of them closing out, never where we
18 lost them, but I have never heard of them doing that.
19 That's crazy. You mean closing them out and then
20 regenerating them?

21 Q Uh-huh.

22 A No. That is crazy, because --

23 Q Okay. What about -- I'm sorry.

24 A We have internal audits, you know, and that is
25 something that's easily picked up.

1 Q Have you heard of anyone closing out
2 out-of-service trouble reports and then reopening them as
3 employee reports within the next few minutes, within a half
4 an hour?

5 A No.

6 Q Have you heard of anyone extending a customer
7 commitment time without contacting the customer?

8 A No.

9 Q Have you heard of anyone using or reporting a no
10 access status on a customer trouble report without
11 contacting the customer?

12 A I'm sorry, what was that?

13 Q Have you heard of anyone reporting -- using a no
14 access status on a report without contacting the customer?

15 A No.

16 Q Have you heard of anyone using a no access without
17 going to the premises?

18 A No.

19 Q Have you heard of anyone using a dummy employee
20 code to load information on a customer trouble report?

21 A No.

22 Q How about using some other employee's code?

23 A That could happen. I don't know. Personally, I
24 don't know. It could happen, though, somebody using
25 somebody else's code.

1 Q Okay. But you're telling me that you don't recall
2 any specific name with this, or time, or IMC with this?

3 A No.

4 Q How about using an unassigned employee code to
5 status trouble reports?

6 A I don't understand that question.

7 Q An employee code that has been assigned to any
8 other individual and --

9 A Using that?

10 Q Using that.

11 A No.

12 Q Okay. Are you familiar with the misuse of
13 disposition codes and cause codes to close out trouble
14 reports to prevent them being counted against the PSC repair
15 index, the 95 percent index?

16 A I know we were covered on different codes. It was
17 many -- well, I think it must have been about five years ago
18 or something like that, the PSC rules. And in there there
19 are certain ones, but I can't say that we used specific
20 codes to try and circumvent the PSC rules or something like
21 that. I don't think that is --

22 Q You have never heard of that being done?

23 A Well, again, it could be. I may have heard of it
24 as somebody talking in the background or, again, a rumor or
25 stuff like that, but as far as actually knowing about it or

1 actually listening to somebody say something like that, no.

2 Q There is a lot of stress or a lot of emphasis
3 placed on meeting that out-of-service repair index, isn't
4 there? I mean, this is not just a casual, "Gee, guys,
5 you're doing great. Keep up the great work," stuff.

6 A There is a whole bunch of stuff. You know, you
7 try to do as much as you can. And there are all kinds of,
8 what is it, goals, objectives. The 24-hour is one of them.
9 The commitment was another. I don't know, others.

10 Q And when a particular IMC missed the repair index,
11 everyone heard about it, didn't they, from the top
12 management on down?

13 A I can't really say that. I have no knowledge of
14 anything like that happening.

15 Q In your position, were you ever called upon to
16 explain why an index was missed?

17 A No.

18 Q Was an index ever missed while you were at an IMC?

19 A Yes, I am sure we missed a bunch.

20 Q Okay. And were you a part of the group that did
21 the missing?

22 A Sure.

23 Q Okay. And your manager never spoke to you about
24 --

25 A Oh, yes. Yes, he would say, "Hey, we're missing."

1 You know, he would guide us during the month if we were
2 missing names, you know, if we were missing the -- oh, there
3 must be about -- oh, where we call the customers and ask
4 them, "How is our service?" And I forget what the name of
5 that is. The TelSam.

6 Q T-E-L-S-A-M?

7 A That's one. And then the -- runs 24 hours. The
8 missed commitments was another, repeats. There must have
9 been about 10 or 12 different objectives that we were all
10 responsible for.

11 Q Did your managers ever send out reports? Did you
12 ever see reports?

13 A Yes. How we were doing.

14 Q Okay. Reports that might have indicated how many
15 out-of-services had been handled that month, what the
16 present percent rate was, whether or not it was being met
17 and how many additional reports, out-of-services, would be
18 required to meet the out-of-service index?

19 A Yes, it was a trend. It was a trend, because if
20 you had a good trend, then you know you were okay. If it
21 was going down, you know you had to concentrate on different
22 ones, had to concentrate on different objectives. If missed
23 appointments are going down, you concentrate on them.
24 24-hour repeats, whatever. You know, whatever -- you know,
25 whatever we were -- a lot of times we were losing them all.

1 But there were times when we were making some that were
2 good, and some that weren't. So, we concentrated on
3 different ones.

4 Q Okay. Are you aware of any employee falsifying,
5 in any manner, an out-of-service report?

6 A Again, I can only say it was Mr. Lesko.

7 Q Is there any other individual or any other
8 instance?

9 A Just that instance.

10 Q Okay. Are there any other means of excluding an
11 out-of-service report to keep it from lowering your 95
12 percent repair index?

13 A I can't think of anything. The only thing is to
14 clear it. Get the guys out there. Just dispatch with
15 enough time so that they can clear it.

16 Q Okay. Were you in Miami and working in the area
17 -- and I know you have told me this earlier, but I have a
18 short-term memory at this point in the day -- in October of
19 '91 when they had that huge rain storm and all those rain
20 problems down here?

21 A October of '91 I was here, but I was out in the
22 field. I wasn't --

23 Q Out in the field. Did that particular out in the
24 field require you to work with out-of-service reports or
25 not? I'm sorry.

1 A I was on vacation.

2 Q You were out in the field, left field.

3 A I was on vacation that week. That was in October?

4 No, I was in the field, I'm sorry. I was in the field.

5 Q You were in the field. And working on
6 out-of-service reports?

7 A No, I was in construction.

8 Q You were in construction at that point?

9 A Uh-huh.

10 Q Okay. Was anyone from construction ever pulled
11 over to deal with out-of-service reports?

12 A Yes.

13 Q Is that sort of a standard procedure when they get
14 shorthanded, they pull you guys in?

15 A Well, in that case they shift the work force
16 around.

17 Q All right. So, if there had been an excessive
18 number of out-of-service reports because of bad weather,
19 would you remember having been pulled and being put on the
20 out-of-service?

21 A I'm sure we were, fellows that were reporting to
22 me were.

23 Q Okay. And if the index was missed in October,
24 were you informed?

25 A I wasn't informed.

1 Q So, you didn't hear about it, and nobody ever
2 said, "We missed the index. We have to do better next
3 time"?

4 A No.

5 Q Do you know whether a customer is supposed to get
6 a rebate if his service is out over 24 hours?

7 A He gets a rebate. I think it's 30 cents, I think.
8 30 cents or 50 cents.

9 Q A standard amount of money?

10 A Yes, whatever.

11 Q You don't know?

12 A I don't know what it is.

13 Q Okay. If it's a cable failure, would he get a
14 rebate if it is out over 24 hours?

15 A I think he would, yes.

16 Q What if the problem was, again, the heavy rain or
17 the flooding and the phones were out over 24 hours, would
18 those people get rebates?

19 A I think they do.

20 Q In your opinion, if it is found, if evidence is
21 found that certain employees have falsified customer trouble
22 reports, in your opinion should those people be rebated?

23 A Could you repeat that again?

24 Q Okay. If evidence is found that customer trouble
25 reports have been falsified in the past by Company

1 employees, should those people receive a rebate?

2 A The individuals, yes.

3 Q If a report is excluded through final status,
4 putting in the excluded code in an out-of-service report,
5 and it has been excluded at the end, would the customer get
6 a rebate?

7 A I don't think so. I don't think so.

8 Q Would that particular report count on the repair
9 index?

10 A I don't think so. No, I'm pretty sure it doesn't.

11 Q Okay. At one point in your employment with the
12 Company were you ever assigned to manage the flow of
13 out-of-service reports?

14 A I used to. I used to dispatch, more or less.

15 Q And that is what manage the flow means, the
16 dispatching function?

17 A Yes.

18 Q Okay. And is that part of what happens now? If
19 you get short, you don't have enough people to take care of
20 the out-of-service, then they pull in construction people
21 like you; is that managing the flow?

22 A Somewhat, yes.

23 Q Would managing the flow also be the flow of
24 reports through the LMOS system?

25 A Uh-huh.

1 Q Make sure that they were closed on time and that
2 they met the 24-hour index through the system so that the
3 computer system tracking was right?

4 A You mean my job?

5 Q Yes. Your experience, your personal job, your job
6 experience?

7 A Basically, what we did as a dispatcher, you would
8 concentrate on your 24 hours, the out-of-service, okay. And
9 this is when you got a particular heavy, let's say if it
10 rained or there were a lot of out-of-services, what you
11 would do is take your out-of-services and get those
12 dispatched first, get those priorities. Okay? And then
13 concentrate on that. After you did those, then you went for
14 your next -- your commitments and things like that, special
15 circuits, and so on. But your first priority was your
16 specials and your out-of-services. And then you tried to
17 get rid of those first thing in the morning. And then
18 during the day, as they came in, you tried to get those
19 dispatched. And you would weight them. You would give a
20 higher priority on out-of-services. The other troubles that
21 were noisy, and things like that, or inside troubles, you
22 would let those go over to the side and concentrate on your
23 out-of-services.

24 Q How can you tell before someone has been out to
25 check the problem, that it might be an inside wire problem,

1 or can you?

2 A It's an educated guess. There were studies made
3 and certain troubles would generally be inside the house.

4 Q Like short of ground, VER Code 21?

5 A They were VER codes, right. I've forgotten what
6 they were. Honest, I don't remember. But I think there
7 were VER codes. Certain VER codes guaranteed, about 90
8 percent of the time, they were inside troubles; the others
9 were outside.

10 Q Would a commitment time be based upon that
11 educated guess?

12 A Yes, most of the time. You would set your clocks,
13 also.

14 Q Set what clocks?

15 A The commitment to the customers.

16 Q Oh, okay. So, affecting service, if you had a
17 pretty good indication a short in ground was going to end up
18 being a CPE, you would set a clock beyond 24 hours? That's
19 a commitment time.

20 A And then the ones -- you would set what we call a
21 rolling clock. So, if it came in at 11:00, the commitment
22 for that out-of-service was 11:00.

23 Q The next day?

24 A Yes. So, you were within the 24, or sometimes you
25 would make it less, so you have more time.

1 Q All right. On the CPE commitments, then, since
2 the clock is set so late on those --

3 A Well, that, again, was only when it was a heavy
4 work load. Normally, we would try and get all of them
5 together. But in the case of a heavy rain, where we had a
6 lot of troubles, we knew we weren't going to be able to get
7 a certain amount. So, what we would concentrate on is the
8 out-of-service.

9 Q Okay. And the CPEs were out-of-service by the
10 short in ground where you pretty much had an idea that they
11 were going to be out-of-service, but that they were going to
12 be CPE code, because they would be an inside wire problem
13 rather than related to what we were looking at.

14 A I don't understand what you mean by "CPE."

15 Q Customer-provided or customer premises.

16 A Residence or business or --

17 Q Residence or business, either one.

18 A Well, there were noisy problems, too. There is a
19 noisy also, so --

20 Q I guess I'm talking about the 1200 and 1300 codes,
21 the disposition codes, is what my assumption made when you
22 said you could do an educated guess that these were going to
23 be those types of problems, the 1200 and 1300 disposition
24 codes you said were -- I thought you said were -- you were
25 able to set those aside.

1 A Well, we wouldn't set them aside.

2 Q Well, I'm sorry. You would deal with the ones
3 that you knew that were top priority --

4 A There were priorities set, okay? The priorities
5 were if we were in a heavy work-load situation, priorities
6 were set so that you would go after your out-of-services and
7 then, hopefully, get everybody else, you know, as soon as
8 you possibly could. But we wouldn't set them aside.

9 Q Okay. But they were put behind the others?

10 A Depending, again, everything -- well, you know, it
11 depends. If there was a customer that had -- I don't know,
12 if it was an emergency, a medical emergency, those would go
13 ahead, individually, you know, individual cases. But, yes,
14 we would put those behind.

15 Q Okay. Do you know of anyone, then, who may have
16 been so concerned about meeting the out-of-service index,
17 and knowing that the educated guess was that the trouble was
18 going to be a 1200 or 1300 code, who just used that code
19 when they cleared whether it applied or not?

20 A No.

21 MS. RICHARDSON: Thank you, Mr. Febus. I believe
22 someone from the Public Service Commission may have
23 some questions for you.

24 MR. GREER: I don't have any.

25 (The deposition concluded at 4:30 p.m.)

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CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:
COUNTY OF LEON:

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

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 27th day of September, 1993.



JANE FAUROT
MY COMMISSION # CC295576 EXPIRES
July 16, 1997
BONDED THRU TROY FAIR INSURANCE, INC.

Jane Faurot

JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

MY COMMISSION EXPIRES: 7/16/97

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, JANE FAUROT, Court Reporter, do hereby certify that the foregoing proceedings was taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 31 are a true and correct record of the proceedings.

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

DATED THIS 27th day of September, 1993.

Jane Faurot

JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 28 day of September, 1993, IN THE CITY OF TALLAHASSEE, COUNTY OF LEON,

1 STATE OF FLORIDA, BY THE ABOVE PERSON WHO IS PERSONALLY
2 KNOWN BY ME.

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



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