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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: MARISELA SOTO
TAKEN AT THE INSTANCE OF: Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE: Wednesday, July 29, 1992
TIME: Commenced at 1:00 p.m. Concluded at 1:45 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.

* * * * *

I N D E X

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WITNESS:

PAGE NO.

MARISELA SOTO

Direct Examination by Ms. Richardson
Cross Examination by Ms. Wilson

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38

CERTIFICATE OF REPORTER

39

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

1
2 The following deposition of MARISELA SOTO was taken
3 on oral examination, pursuant to notice, for purposes of
4 discovery, for use in evidence, and for such other uses and
5 purposes as may be permitted by the Florida Rules of Civil
6 Procedure and other applicable law. Reading and signing of
7 said deposition by the witness is not waived. All
8 objections, except as to the form of the question, are
9 reserved until final hearing in this cause; and notice of
10 filing is waived.

11 * * * * *

12 Thereupon,

13 MARISELA SOTO

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

16 MR. ANTHONY: Okay. Ms. Soto, these depositions
17 are part of an investigation that was begun by the
18 Public Service Commission into Southern Bell's trouble
19 reporting practices.

20 You may or may not be aware that Southern Bell,
21 itself, had conducted an investigation into trouble
22 reporting practices as well. That was done under the
23 auspices and the leadership of the Company's Legal
24 Department. And as a consequence, that investigation
25 is what we call privileged, which basically means that

1 it's not subject to discovery, unless we decide we want
2 to waive that privilege. As a consequence, you may get
3 some questions that involve knowledge that you may have
4 gained or any information you may have given during the
5 course of the investigation. If there is a question
6 like that that comes up, I am going to interrupt and
7 ask that you not answer the question. To the extent
8 that you can answer any such question or any other
9 questions, of course, from any knowledge you have other
10 than from that investigation, you should do so; and you
11 should do so fully, completely and honestly. If that
12 happens, I just didn't want you to be surprised by it.
13 I just want you to know that might happen. I haven't
14 had any occasion to do it today, but you never know, so
15 I just wanted to put that before you so you understood
16 what is happening. Thanks.

17 MS. RICHARDSON: And then I've just got one or two
18 preliminary comments myself, and they deal with just
19 sort of a common understanding of general terms that
20 may -- you may use today. One of them is "I don't
21 know." If I ask you a question and you tell me "I
22 don't know," or I ask you, "Do you know," and you say
23 "No," then I understand that to mean that you have no
24 direct, personal, firsthand knowledge and you haven't
25 heard anything from any other source, no hearsay, no

1 rumor, no gossip. You have absolutely no acknowledge.
2 Is that acceptable?

3 THE WITNESS: Yes, it is.

4 MS. RICHARDSON: And then in terms of pretty much
5 the same thing with "I can't remember" or "I can't
6 recall," your memory is an absolute blank. There is
7 nothing that's sort of fuzzy, but out here. If it is
8 fuzzy and out here, "I can't quite remember, but there
9 is something," is what I would prefer you to say or
10 something similar than "I can't remember." Because I
11 can't remember tells me you have an absolute blank and
12 there is nothing hanging around. Is that acceptable?

13 THE WITNESS: I will try to be as concise as
14 possible.

15 MS. RICHARDSON: And at any time, if what I ask
16 you is unclear, you don't understand it, I want you to
17 feel free, and it is certainly you're right to ask me
18 to restate it or to explain it further, so that your
19 clear about what I'm asking. Do we understand
20 that?

21 THE WITNESS: Yes, I understand that.

22 MS. RICHARDSON: Okay. Thank you. And I can tell
23 you understand, you have to speak up for the court
24 reporter, so I won't say that one.

25 THE WITNESS: Okay.

1 DIRECT EXAMINATION

2 BY MS. RICHARDSON:

3 Q All right. If you would, please, state your name
4 and spell it for the court reporter for the record?5 A Yes. My full name is Marisela, M-A-R-I-S-E-L-A,
6 Soto, S-O-T-O. Marcie is my nickname.

7 Q And spell Marcie.

8 A M-A-R-C-I-E.

9 Q Okay. And your address, please?

10

11

12 Q Okay. And what is your present position with the
13 Company, Ms. Soto?14 A I work in the Accounting and Collections
15 Department for Public Communications.

16 Q Does that cover all of Miami?

17 A All of Florida.

18 Q All of Florida?

19 A Yes, ma'am.

20 Q Is that a regional accounting office or -- I'm not
21 quite sure where that would place you in the hierarchy of
22 the system?23 A The Department of Public Communications, we were
24 under the umbrella of Marketing, but that has been changed.
25 I have no knowledge where we fall down now. But we work out

1 of Miami and, basically, what we handle is all the
2 collections for the State of Florida on all public
3 telephones. We count all the money in that building.

4 Q And do you supervise people in this position?

5 A Yes, I do.

6 Q And what is your pay grade level?

7 A I'm a Pay Grade 3.

8 Q Pay Grade 3?

9 A Yes, ma'am.

10 Q Do you supervise clerks or accountants or --

11 A I supervise clerks.

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

13 A About a year and a half.

14 Q So, about last what, November, December?

15 A Well, actually June of last year, or thereabouts.

16 Q Okay. And who is your present supervisor?

17 A Mr. Woodrow Mills.

18 Q M-I-L-L-S, Mills?

19 A Yes.

20 Q Okay. And who is his supervisor?

21 A Mr. Roger Mahan, M-A-H-A-N.

22 Q Thank you. All right. What did you do
23 immediately prior to this job?

24 A I still worked for Mr. Mahan. I handled the I&M
25 portion of the public communications. But they consolidated

1 that office in Atlanta, so I was sent over to the Accounting
2 and Collections Department.

3 Q And I&M, is that installation and maintenance
4 portion?

5 A Yes, ma'am.

6 Q Did that deal with trouble reports from public
7 phones?

8 A Yes, ma'am.

9 Q Okay. And are trouble reports from public phones
10 always employee reports?

11 A No. We have customer direct reports also.

12 Q Okay.

13 A Especially from the CPE, what we call a vendor.
14 Those will be customer direct reports.

15 Q Okay. And when did you begin your first job with
16 the Company?

17 A That was June the 3rd, 1973.

18 Q Wow. That is very specific. Thank you. And what
19 was your entry level position?

20 A I was a typist.

21 Q Typist?

22 A Uh-huh.

23 Q Okay. Since June 3rd, 1973 and up to the present
24 with your work here at the Company, have you handled or
25 dealt with customer trouble reports in any way?

1 A Never as a craft person, no.

2 Q As a manager or any other way?

3 A I have people reporting to me that did, yes.

4 Q Okay. And were these people craft people?

5 A Well, the maintenance administrators were craft,
6 yes.

7 Q Okay. So, you supervised maintenance
8 administrators?

9 A I supervised the ones that were related to the
10 duties that I performed in the IMC.

11 Q So, you worked in an IMC, then, for the Company,
12 and which one was that?

13 A I started with Metro. That is where I was
14 promoted back in 1981. And from there I went to South
15 Miami. I was there for a very short time. And from there,
16 if my memory serves me right, I went to Coral Gables. And I
17 was in Coral Gables until they consolidated the Miami Metro,
18 Coral Gables and Airport maintenance centers in the same
19 location.

20 Q Okay. So, about how many years, then, were you
21 involved in maintenance center work?

22 A From 1981 until 1986, about the middle of '86, if
23 I remember correctly.

24 Q Okay. And then were you promoted into the next
25 position from that?

- 1 A No, it was the same level.
- 2 Q Same level?
- 3 A Yes.
- 4 Q And is your present position a promotion from the
5 last one?
- 6 A No, still the same.
- 7 Q Still the same level.
- 8 A Yes.
- 9 Q Okay. It's just a transfer?
- 10 A Right, a lateral move.
- 11 Q Why did you make that move?
- 12 A Well, when I moved from the IMC to the present job
13 that I have now or department that I am now, the IMC that I
14 was in was consolidated; therefore, we were declared surplus
15 and another department had to take us over. So that's how I
16 ended up where I'm at now.
- 17 Q Okay. During the time that you worked in the IMC
18 and supervised maintenance administrators?
- 19 A Uh-huh.
- 20 Q Was or did the scope of your duties include
21 knowledge about how a customer trouble report is received
22 and processed and closed?
- 23 A It was not under my scope of my duties, no.
- 24 Q Okay. Did you have general information from
25 working in an IMC?

1 A Well, I have a basic knowledge of what goes on in
2 an IMC, yes.

3 Q Okay. Then, in terms of your supervision of the
4 maintenance administrators, can you give me specifics as to
5 what you supervised, what activities of theirs you
6 supervised?

7 A Yes. I was responsible for what we called the
8 "throw activity" and "CTCF," which are -- the throw activity
9 will pertain to any jobs that construction or the
10 Construction Department wants to lay out. And we have to
11 coordinate, because when we are putting in a new facility or
12 a new cable, laying out a new cable in the field, we have a
13 lot of times to cut working service to the new cable that's
14 going in place. At that point in time, since we have
15 working service and a lot of this working service are banks,
16 special circuits that work for banks, and so forth, we have
17 to make arrangements with the customers in order for us to
18 put the circuit, what we call out-of-service, to cut it
19 over. So, what that means is that I have to coordinate with
20 the field, the central office, the repairmen that also would
21 have to test the special circuits from special services, and
22 coordinate all the groups to be ready at a specific time to
23 cut over the circuit so that the customer will be
24 out-of-service the least amount of time.

25 THE REPORTER: Did you say "throw activity"?

1 THE WITNESS: Throw activity.

2 BY MS. RICHARDSON:

3 Q Like T-H-R-O-W?

4 A Right.

5 Q Is that an acronym for something?

6 A That is what we have always called it. And that
7 was basically my duties while I was there in the IMC.

8 Q Okay.

9 A Now, I maintained, or the people that worked for
10 me that also handled the throws, also maintained what we
11 call a trunking data base, that would let anyone know that
12 was involved in that specific job what the status of the job
13 was. And if the job had been held for whatever reason, due
14 to what reason that was posed, whether it would be an
15 assignment office or central office, or the field, or the
16 customer itself, that said, "No, I don't want it done this
17 week," and you have to post a code against whoever was
18 responsible for holding that job. And then my people were
19 also responsible for keeping the data base posted as to what
20 the problem was, and so forth.

21 Q Okay. And would these problems, would some of
22 them involve trouble?

23 A No, because the customer never called in a trouble
24 report. They always knew in advance, because we made a
25 point of contacting the customer to let them know that we

1 were doing -- we were going to be doing some work or
2 activity that would entitle us to take their service down
3 for five minutes. Usually, it never took very long to cut
4 it over to a new facility that would provide better service
5 for them. So, in most cases where the circuit could not be
6 taken down, like the banks for instance, then we would do it
7 after hours.

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Q Thank you. There are so many --

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A Acroynms, yes.

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Q Did you do anything else in the IMC besides

1 supervise maintenance administrators?

2 A Well, when I was promoted back in 1981, they were
3 in the process of mechanization. And I was a screening
4 foreman for about, maybe seven months when it was going on.
5 Then after that, I was given the responsibilities that I
6 held when I left, which was the throw activities, and also
7 the CTCF, which I don't remember what that stands for now.
8 I've long forgotten. But they are basically with any time a
9 service tech went to the field to install new service for
10 residential or business, and he encountered any problem,
11 whether it would be with the facility, which is your --
12 gives you your dial tone, or any problem within the central
13 office, then they would call my group. And my group would
14 research it and get the assignment office on the line and
15 provide the new facilities, if there were any, so that we
16 could complete the service orders activity. That was also
17 part of my duties after that. When I started in CRSAB,
18 which is what the consolidated maintenance center became
19 known as, I had the cable dispatch duties. And I was
20 basically held accountable -- at that time I only had like
21 two people reporting to me. I was responsible for making
22 available to the field all the cable problems, cable
23 failures that came up and so forth.

24 Q Okay.

25 A And then after that I was given the job of the

1 throw position.

2 Q All right. Then, in all of that experience at the
3 IMC, not just with maintenance administrators, and with the
4 dispatch, were you familiar with clearing and closing those
5 trouble reports?

6 A Oh, I had a basic knowledge, because we all went
7 to school. We were all shown what a trouble report looks
8 like and how it's handled and how it flows through the
9 office, and so forth.

10

11

12

13 A My district level, Mr. Roger Mahan.

14 Q And was there anyone else present?

15 A Hilda Geer.

16 Q Okay. And those were the only two people?

17 A In the room with me, yes.

18 Q All right. And what did they tell you?

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12 A Oh, yes, I did.

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19 Q Did he get back to you?

20 A He got back to me, yes.

21 Q And what did he tell you?

22

23

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25

1 Q Do you know the people that made these allegations

2

3 A No, ma'am.

4

5

6 A No, ma'am.

7

8

9 A No.

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12 A Since I have been out of that department for so
13 long now, it has been six years, and we really -- I'm too
14 busy at work. And I have never socialized with my peers nor
15 with my subordinates. I keep pretty much to myself. And
16 when I'm at work, unless there is something that's
17 work-related, which in this case would apply, because I'm at
18 the other end of the spectrum, so to speak, I haven't talked
19 to any of those people, no.

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A No.

Q Okay. Ms. Soto, have you ever heard the term "backing up the time" used in relation to customer trouble reports?

A I have heard the term being used of backing up the time, yes.

Q Can you explain in what context it has been used?

A Yes. I have heard it being used in the sense where a lot of times the maintenance administrators -- since we went into a mechanized environment, if you're not careful enough when you're closing out a trouble report, the computer will automatically assign the time. If you leave it blank, let's say, the computer will assign the time that you're entering it. So, in many cases if the maintenance administrator has been at fault for doing this, she would be told, "We want to make sure that the time, the actual time that the trouble report is written on the -- or, rather, that the time that the trouble is cleared is written on the trouble report be entered, not let the computer assign the

1 time.

2 Q Have you heard it used in -- "backing up the time"
3 used in any other context or any other way?

4 A No, other than actual clearing time for the
5 services tech.

6 Q Do you know if anyone has ever accused you of
7 directing people to back up the time?

8 A No.

9 Q Would it surprise you if that has been an
10 allegation made against you?

11 A Yes, especially since it did not pertain to my job
12 duties.

13 Q Do you know of anyone who has backed up repair
14 times to meet the out-of-service index specifically?

15 A No, I don't, really don't.

16 Q Okay. And you have never done that?

17 A No.

18 Q And you have never heard of anybody else doing
19 that?

20 A No. I mean, we're talking ten years ago, now, I
21 really don't.

22 Q That is an awful long time to wait to find out if
23 you have done something wrong, isn't it?

24 A Yes.

25 Q Are you worried that you might possibly end up

1 doing the same thing again, since you don't know what it was
2 you did in the first place and end up with another
3 discipline in your file?

4 A Well, I don't deal with that type of work on my
5 present job.

6 Q Are you worried that somebody might be able to
7 make allegations about what you're doing in your present
8 job, and then you would be disciplined for that?

9 A It terrifies me.

10 Q Do you know of a procedure where a maintenance
11 administrator would have to call a manager to get close-out
12 information for a trouble report before closing one out?

13 A No.

14 Q You have never heard of anybody doing that?

15 A No, not that I can remember, no.

16 Q And you have never done that yourself?

17 A No.

18 Q Okay. Do you know what a no access code is?

19 A Oh, yes.

20 Q The N-A-S code?

21 A Uh-huh.

22 Q Okay. And you have used that at least as a cable
23 repair dispatcher?

24 A Oh, sure.

25 Q You're familiar with that term?

1 A Very few times, because most of the facilities are
2 outside. But there could be a possibility that if it is a
3 pole that's in that easement in the back of house, and you
4 won't jump over a fence, you would have to wait until the
5 customer was home to ask permission to go to the backyard.
6 That would be a no access, yes.

7 Q Okay. So, at least for cable, it's a very rare
8 occurrence to see a no access code on cable reports?

9 A Uh-huh.

10 Q But it would be more familiar than to see it on a
11 general customer report?

12 A Right.

13 Q That's unrelated to cable?

14 A Right.

15 Q All right. Do you know of anyone who has used
16 that no access code to stop the repair clock on a report?

17 A No, not at all.

18 Q Have you ever heard of anybody doing that?

19 A No.

20 Q And you have not done that yourself?

21 A Never.

22 Q Okay. Do you know of anybody -- or let me start
23 off with another question first. Do you know what it means
24 to exclude an out-of-service report or a customer trouble
25 report?

1 A Sure.

2 Q Okay. And what does it mean for you?

3 A Well, I can only relate to the coin side of the
4 house. But when you exclude a trouble report, for instance,
5 in many cases the customer reports to the CRSAB, which is
6 the Centralized Answering Service Bureau, I believe it's
7 called, and just gives an address, then that trouble report
8 would come in as a miscellaneous report with no telephone
9 number, just an address. But then, again, being that it is
10 a public phone, another customer may have reported it under
11 the telephone number; in which case you have two reports for
12 the same telephone. So at that point in time, per the
13 practice, it is an excludable report. You can actually
14 exclude the one that has no telephone number information and
15 work with the one that you do have the telephone number
16 with.

17 Q Okay. Do you know if the exclude function ever
18 applied in the cable reports in that area?

19 A It shouldn't have. You would have to close out
20 all the reports.

21 Q Okay. So, based upon your knowledge and
22 experience and training, it would be improper to close out a
23 -- I mean, to exclude a cable report?

24 A Absolutely, yes.

25 Q Okay. Do you know whether it would ever be proper

1 to exclude a customer trouble report?

2 A No, not that I can remember. Like I said, I can
3 only speak from whatever I held last, which is the public
4 telephones. And we did have certain practices, which I
5 don't have in front of me, that on certain reports that our
6 staff filtered down to us which are excludable reports. I
7 cannot recollect at this time if back then in the I&M world
8 if there was such a practice. But I don't think that it was
9 a -- that it would apply, no.

10 Q Okay. Then have you ever heard of anyone
11 excluding an out-of-service report so that it wouldn't go
12 beyond 24 hours and then opening up a new report to clear
13 and close it?

14 A That would be improper.

15 Q Okay. Have you heard of anybody doing that?

16 A No.

17 Q And you have never done that?

18 A No.

19 Q All right. Do you know if anyone has ever
20 recorded an extension of time on a commitment without
21 contacting the customer?

22 (Brief interruption.)

23 BY MS. RICHARDSON:

24 Q Do you know of any individual employee who has
25 extended a commitment time on an out-of-service report

1 without contacting the customer?

2 A No, I have no direct knowledge of that, no.

3 Q All right. Have you ever heard of that being
4 done?

5 A Not that I can remember. You have to remember,
6 also, that this has been so many years. But, I'd have to
7 say no.

8 Q Okay. And you have never done that yourself?

9 A No, ma'am.

10 Q Are you familiar or aware of --

11 (Discussion off the record.)

12 BY MS. RICHARDSON:

13 Q Do you know about the rule or the Company's
14 objective for clearing out-of-service reports within 24
15 hours?

16 A Yes. We have held many meetings in the past, and
17 we discussed in those meetings most of the Company's KSRI's,
18 which are key system indicators. And, of course, missed
19 appointments and out-of-services, repeats, we discussed them
20 all.

21 Q Okay. And how frequently were these discussions
22 held?

23 A Oh, I know at least once a quarter.

24 Q At least once a quarter?

25 A Uh-huh. But, otherwise, whenever the second level

1 felt that maybe he needed to meet with us, or the district
2 level felt that we were not doing very well, or whatever,
3 they decided they were going to be changing the objectives
4 and things of that nature. But it was not an everyday
5 occurrence.

6 Q Was there a lot of emphasis placed on this index?

7 A Yes.

8 Q Okay. Were there times that you were aware of
9 when the index was not met?

10 A Oh, yes.

11 Q And what, generally, was the effect of not meeting
12 an index, what happened internally?

13 A Well, meetings were held where, I guess, they
14 needed to know the reason why the commitments were not being
15 met, regardless of whether they were out-of-service or not
16 out-of-service. In many cases, as you well know, whenever
17 there is a lot of rain, there are a lot of trouble reports
18 and the indexes go out the window, and that sort of thing.
19 So, we had to figure out game plans, whether we have to work
20 weekends or whether we have to bring people on overtime,
21 whether we have to force schedules six days a week, whether
22 vacations had to be postponed, that sort of thing, those
23 sort of game plans.

24 Q Okay. So, would you say, then, there was a fairly
25 heavy emphasis placed on meeting this index?

1 A Uh-huh.

2 Q Okay. And then have you ever heard of anyone
3 statusing an affecting service report as out-of-service
4 order to meet that index?

5 A No.

6 Q Okay. And do you know of anyone who may have done
7 that?

8 A No.

9 Q And you have never done that yourself?

10 A No, ma'am.

11 Q Okay. Do you know what the carryover no code is?

12 A What I know about carryover is that whatever we
13 didn't do today we had to do tomorrow. And, basically,
14 anything that we received after a certain time the next
15 morning -- for instance, if we get it at 7:00 at night,
16 usually, if we don't get it cleared the same day, obviously,
17 it's a carryover. So, that will fall into the next day.

18 Q Do you know if carryover no, putting that code on
19 a report would stop the repair clock then for that report?

20 A I don't even know of such an option.

21 Q Okay. Do you know any other -- do you know if
22 anyone has used any other means whatsoever to build the
23 out-of-service base in order to meet that 95 percent index?

24 A No, I'm sorry, I don't.

25 Q Are out-of-service reports included in the over 24

1 hours? If they went over 24 hours, are they included in
2 that count?

3 A I'm sorry, I --

4 Q Okay. What gets counted in that index, that 95
5 percent out-of-service over 24 hours, what kinds of reports
6 are counted?

7 A Well, anything that you don't clear within 24
8 hours of having been received would be an out-of-service
9 carried over 24 hours. And if I remember correctly, we also
10 had an out-of-service over 48 hours, an out-of-service
11 received before 5:00 carried over.

12 Q Do you know if anyone has made allegations against
13 you stating that you have built the base in order to meet an
14 out-of-service index over 95 percent?

15 A I have no idea what the allegations were.

16 Q Okay. Do you know of anyone who has violated a
17 Company policy or procedure on handling customer trouble
18 reports?

19 A I don't know anyone, no.

20 Q Have you ever heard of anybody violating Company
21 procedures?

22 A I have heard of one of the employees that was
23 terminated.

24 Q And which employee was that?

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A Yes.

Q Okay. And that is the only employee that you have heard of?

A Yes.

Q Okay. And have you ever violated the Company procedures on handling trouble reports?

A No, ma'am.

Q But you were disciplined for doing so?

A I was told of two allegations, yes.

Q Do you know of anyone who has used a dummy or phony employee code to status a customer trouble report?

A No, ma'am.

Q Have you ever heard of somebody doing that?

A As far as I know, everyone had assigned numbers.

Q Okay. And you have never used a dummy number yourself?

A No, ma'am.

Q What about an unassigned number, do you know of anybody who has used an unassigned employee number?

A No direct knowledge, no.

Q Okay. Have you ever heard of anybody using unassigned employee numbers to status trouble reports?

A No. The only time that the unassigned numbers were given out would if someone was loaned to the department

1 or to the maintenance center. And those vacant numbers were
2 given to anyone. For instance if a cable repairman or a
3 services tech got injured on the job, and he was brought in
4 to work in the IMC, then he would need to have a tracking
5 number, so he would be given one of the vacant numbers.

6 Q And do you know of anybody who has been given a
7 vacant number who has misused that number?

8 A No, ma'am.

9 Q Or has used it longer than that temporary
10 assignment?

11 A No, ma'am.

12 Q Okay. And have you ever done so yourself?

13 A No, ma'am.

14 Q Do you know of any employee who has used another
15 employee's code number in handling trouble reports?

16 A I have recollections in several cases where an
17 employee, in fact, came to me and told me that someone else
18 had used her number in closing out a trouble report. I
19 don't remember the circumstances or the trouble report even,
20 but I was -- I found out that it was just a typographical
21 error. It was just one report.

22 Q Okay. And who was that particular employee?

23 A That happened so many years ago, and I believe it
24 to have been in the Gables IMC.

25 Q So, this was back in the mid-'80s, do you say?

1 A Maybe '83, '84.

2 Q Early '80s?

3 A Yes, that was before consolidation.

4 Q Okay.

5 A In fact, I don't even think there were maintenance
6 administrators then. They were called dispatch clerks.

7 Q Have you ever used somebody else's employee code?

8 A No.

9 Q Do you know what excludable disposition and cause
10 codes are? A cause or disposition code that would exclude
11 an out-of-service report from that 95 percent index, are you
12 aware of that?

13 A No.

14 Q You don't know what those are?

15 A (Witness indicating no.)

16 Q Are you familiar with the multiple cable failure
17 code?

18 A Yes.

19 Q Okay. Do you know whether or not that multiple
20 cable failure code, when it's applied to a cable trouble
21 report, whether or not that would exclude that report from
22 the out-of-service index?

23 A No. The only thing that I know about the multiple
24 cable code is that if you have a cable failure, and once you
25 build the cable failure in the system, any trouble report

1 that comes in within the same -- what is the word I'm
2 looking for -- the pair complement that the cable failure is
3 in, it will automatically attach to the original report,
4 like piggyback. And then when you close out the original
5 report, all the other ones get closed out, too.

6 Q Okay. And so if you close out -- let's say, the
7 original report or the lead report is an affecting service
8 report, would that close out all the other attached reports
9 as affecting service?

10 A No.

11 Q What would happen to them?

12 A It would close it out at the same time that you
13 close out the affecting service, but it would not change any
14 of the other reports as far as their status.

15 Q Okay. Let's flip it around. Let's say that that
16 lead report was statused out-of-service on close out, and
17 that all the attached reports were affecting service
18 reports. Would closing out the lead report out-of-service
19 change all the affecting services to out-of-service?

20 A No. But I find it hard that a cable failure would
21 not be an out-of-service. Most of the cable failures end up
22 having out-of-service.

23 Q Cable failures come in and get dispatched as
24 affecting service reports, though, don't they, initially?

25 A I can't answer that, because I have no idea what

1 they are doing now. I know that all the cable troubles,
2 unless it's a noisy trouble, that would not constitute an
3 out-of-service. Anything other than that, if it is a hard
4 trouble, it would be out-of-service.

5 Q Okay. And at what point in the process would it
6 be statused out-of-service?

7 A It gets statused out originally when the report
8 comes in.

9 Q Do you know of anyone who has used excludable
10 disposition codes, like multiple cable failure or lightning
11 or flood --

12 A No, ma'am.

13 Q -- improperly?

14 A No.

15 Q And you have never done so yourself?

16 A No, ma'am.

17 Q Have you ever heard of anybody doing that?

18 A No.

19 Q Do you know of any other way of excluding an
20 out-of-service over 24 hours report from the repair index
21 base?

22 A No.

23 Q Have you ever heard of anybody having another way
24 of excluding out-of-service over 24 hours?

25 A No, never heard.

1 Q Okay. And you have never found a way yourself?

2 A No.

3 Q Do you know of anyone who has falsified a customer
4 trouble report?

5 A No.

6 Q Have you ever heard of somebody falsifying a
7 customer trouble report?

8 A I would have to say no. I really have no
9 recollection at all.

10 Q Okay. Have you ever falsified a customer trouble
11 report?

12 A No.

13 Q Have you ever discussed the falsification of
14 Company records with any security personnel in the Company?

15 MR. ANTHONY: To the extent that -- well, go
16 ahead, you can answer that question.

17 THE WITNESS: Only when I originally gave my
18 statement to the Company that -- I was asked several
19 questions.

20 MR. ANTHONY: Okay. I'm going to instruct you not
21 the discuss the contents of that conversation.

22 BY MS. RICHARDSON:

23 Q Okay. Outside of that particular incident that's
24 related to the Company's present and ongoing internal
25 investigation, was there any time in the past where you have

1 discussed falsification of records with security personnel,
2 someone that may have come down from, I guess, Network or
3 wherever they come from?

4 A No.

5 Q Do you know a Mr. Falsetti?

6 A Yes, I know Mr. Falsetti. He used to work in the
7 IMC.

8 Q Where you worked, the same one?

9 A Yes, ma'am.

10 Q Okay. Do you know a Mr. Harry Van Gordon?

11 A The name rings a bell, but I can't place him.

12 Q Were you ever in a meeting with Mr. Falsetti and a
13 security person where you discussed --

14 A It was Van Gordon. Yes, I do remember now that
15 meeting.

16 Q Okay. And would you tell me about that meeting,
17 what was discussed?

18 A Let's see. If I can remember. I didn't even
19 remember that meeting. I didn't pay much attention, at the
20 time, but the reason why I attended the meeting with
21 Mr. Falsetti was because my second level instructed me to.
22 And it had something to do with allegations that Frank
23 Falsetti had been making and, evidently, he had written a
24 letter to the Security Department and Security was there to
25 investigate the contents of the letter, which I don't even

1 remember.

2 Q Who was your second level at that point?

3 A Carl Cade.

4 Q That's C-A --

5 A C-A-D-E.

6 Q Okay. Do you know the general nature of the
7 discussion at all, just the letter that Falsetti wrote is as
8 clear as your memory is on that?

9 A Yes, ma'am.

10 Q Do you know any outcome that may have happened as
11 a result of that meeting?

12 A No, I believe that maybe Mr. Van Gordon came back
13 a second time. I don't even remember if I met with them
14 that second time. In fact, I think Mr. Falsetti left right
15 after that meeting and went home, if my recollection serves
16 me right. So, there was no post-discussion or anything
17 made. I really don't remember, other than the letter and
18 the allegations that Mr. Falsetti was making and the letter
19 that he had written the Security Department, basically, was
20 what the meeting was about.

21 Q Was any disciplinary action taken against any
22 employee as a result of that meeting?

23 A Not that I'm aware of.

24 MR. RICHARDSON: Ms. Soto, you're almost through,
25 because you're through with me. I have no more

1 questions for you, and I really appreciate your being
2 here today.

3 MS. WILSON: Did you have any?

4 MR. GREER: No.

5 CROSS EXAMINATION

6 BY MS. WILSON:

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15 MS. WILSON: I'm done.

16 MR. ANTHONY: I don't have any questions. Thank
17 you.

18 THE WITNESS: Thank you.

19 (The deposition was concluded at 1:45 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(es) before testimony was taken.

DATED THIS 27th day of September, 1993.



JANE FAUROT
MY COMMISSION # CC295576 EXPIRES
July 16, 1997
BONDED THRU TROY FAIN 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 38 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 27th 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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