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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

~~930260-TL~~

COPY

DEPOSITION OF: ROBERT BERNARD WELT
TAKEN AT THE INSTANCE OF: Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE: Tuesday, July 28, 1992
TIME: Commenced at 4:05 p.m. Concluded at 4:55 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 STENOTYPE REPORTERS, INC.
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APPEARANCES:

REPRESENTING THE SOUTHERN BELL TELEPHONE AND
TELEGRAPH COMPANY:

ROBERT G. BEATTY, ESQUIRE and
PHILLIP CARVER, ESQUIRE
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Suite 1910, 150 West Flagler Street
Miami, Florida 33130

REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

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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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WITNESS:

PAGE NO.

ROBERT BERNARD WELT

Direct Examination by Ms. Richardson
Cross Examination by Mr. Greer

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The following deposition of ROBERT BERNARD WELT 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,

ROBERT BERNARD WELT

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

MR. BEATTY: My name is Robert Beatty on behalf of Southern Bell. Mr. Carver, who is also present, is also here on behalf of Southern Bell.

As you may or may not know, there was an internal investigation of the matters that you're going to discuss here today. And in that internal investigation it was, I believe, made clear that the investigation itself is protected by the attorney/client privilege and the attorney work product privilege. We would appreciate your respecting those privileges by not

1 discussing here today any of the substance of what
2 occurred in that investigation. Okay?

3 THE WITNESS: Okay.

4 MS. RICHARDSON: However, if you have any
5 knowledge outside of that investigation, we ask that
6 you fully and honestly respond.

7 THE WITNESS: (Witness indicating yes.)

8 MS. RICHARDSON: I have a few other housekeeping
9 or preliminary matters to discuss with you, and one of
10 them is the use of "I don't know" as a response to one
11 of my questions. Or if I ask you if you know something
12 and you answer, "No," I would like us to agree on what
13 that means, if we can, for the purpose just here for
14 the deposition. "I don't know," means not only do you
15 have no personal, direct knowledge of any of the events
16 or any matter that I ask you, but, also, you have no
17 secondary knowledge from any other source, whether it's
18 another person or hearsay or just rumors that may be
19 floating around or newspapers or anything else. So, "I
20 don't know," means everything. Okay?

21 THE WITNESS: Okay.

22 MS. RICHARDSON: And that's pretty much the same
23 thing for "I can't remember" or "I can't recall." If
24 you tell me that you really can't remember something or
25 can't recall it, that means your mind is an absolute

1 blank. That there are no little bits of something kind
2 of niggling out here. It's just a blank.

3 THE WITNESS: Okay.

4 MS. RICHARDSON: Okay. And then if I ask you if
5 any employee or anyone has done a particular act or
6 something, your response to me would include yourself,
7 as well as anyone else. Is that okay with you?

8 THE WITNESS: Yes.

9 MS. RICHARDSON: Okay.

10 DIRECT EXAMINATION

11 BY MS. RICHARDSON:

12 Q Mr. Welt, would you please state your full name
13 for the record and spell your last name for the court
14 reporter.

15 A My name is Robert. Middle name, too?

16 Q Yes.

17 A Bernard, B-E-R-N-A-R-D, Welt, W-E-L-T.

18 Q And your address, please?

19

20

21 Q Thank you. And what is your present position with
22 the Company?

23 A I'm the duty manager.

24 Q Duty manager?

25 A Night duty manager.

1 Q Night duty manager. And how long have you held
2 this position?

3 A A little over two years.

4 Q And what pay grade is --

5 A It's first level.

6 Q It's a first level manager?

7 A Yes.

8 Q Okay. And what did you do before that?

9 A Before that I had a cable maintenance crew.

10 Q As a manager?

11 A Well, assistant managers they were called.

12 Q Assistant manager. And what did you do as a cable
13 maintenance manager?

14 A We cleared cable failures. I ran a crew --

15 Q So, you actually did the outside work, then. You
16 went out and actually cleared the cable and worked on the
17 cable?

18 A My crew did, yes.

19 Q Your crew did. Did any of that involve the
20 customer trouble reporting process, clearing the cable
21 failure through the system, the computer system and the
22 logging system?

23 A Well, it would be the customer called it in, the
24 repairmen went out, they couldn't clear it because there was
25 something in the air or in the underground. And the cable

1 maintenance crew would get it. Or a cut cable, to that
2 effect, a contractor would cut a cable. We handled cable
3 troubles.

4 Q Okay. And when you fixed the problem, after it
5 was fixed, okay --

6 A Uh-huh.

7 Q -- how did you close out that problem in the
8 computer system, so that the computer knew that that problem
9 was fixed?

10 A Well, they would call an MA and close it out.

11 Q Okay. So, they didn't have a CAT?

12 A No, cable maintenance didn't have them.

13 Q All right. That was standard procedure, then, to
14 always call an MA?

15 A Oh, yes, you had no choice.

16 Q For clear and close?

17 A No other way you can close.

18 Q Okay. Who is your present supervisor?

19 A Marlene Paso. It's Marlene Lee now, L-E-E.

20 Q And Paso is --

21 A Well, she was married.

22 Q Oh, Lee is the name.

23 A Lee is the last name now.

24 Q I'm sorry. I thought it was Marlene Lee Paso.

25 A I still call her by the old name.

1 Q Okay. And who is her supervisor?

2 A She's new. Bernice -- I know the first name is
3 Bernice. I don't know the last name. She just came over
4 not too long ago.

5 Q That's close enough. That's fine. What does a
6 night duty manager do?

7 A Customer calls in to 611.

8 Q What's a 611? I'm unfamiliar with that.

9 A Okay. Calls into repair, a 611 call. In other
10 words, reports their phone out-of-service. For some reason
11 they won't accept the commitments that each area is on for
12 some reason. It will go to a supervisor. The customer is
13 too irate. They won't accept it, it comes to me. I do the
14 call-outs in the State of Florida to get that customer
15 going.

16 Q For the entire state for the Company?

17 A Yes.

18 Q Wow. So, there's a central location, then, that
19 all this comes into?

20 A Well, there's two. There's Jacksonville and
21 there's Miami, but I handle everything.

22 Q But you handle everything, anyway? It all comes
23 down to your final --

24 A Bottom line, it comes to me.

25 Q Comes down to you.

1 A Yes.

2 Q Are you familiar with the requirement that
3 troubles be cleared, out-of-service troubles be cleared
4 within 24 hours or at least 95 percent of them be cleared
5 within 24 hours?

6 A Uh-huh.

7 Q Is that something that's part of your duties is to
8 make sure that those troubles are cleared?

9 A No. No, I just do call-outs. I call them out
10 instantly. In other words, "instantly" being I'll call the
11 customer. And, you know, see what their problem is. And I
12 will try and negotiate a commitment with them that we can
13 accept and they can accept. Sometimes you can't, and they
14 want it right now. So, I'll call it out to a field duty
15 manager, and he'll do the dispatching on it.

16 Q Okay.

17 A And I handle alarms, SLC alarms, different alarms
18 that come in.

19 Q Is that like an alarm goes off in the building or
20 something?

21 A No. We have cabinets in the field, electronic --
22 they're called SLC cables. They're alarms for different
23 types of reasons. A door might be open is an easy example.
24 They'll call me with the alarm that comes in and I call it
25 out to the -- once again, whoever in the state that handles

1 it.

2 Q Okay. Are you at all responsible for the clearing
3 and closing function of trouble reports now at this point?

4 A I have nothing to do with that.

5 Q So, you pass them on once they come to you?

6 A (Witness indicating yes.)

7 Q Do you, in negotiating these commitments, have any
8 need to use a carryover no or CON code, an intermediate
9 status code?

10 A I've lost you now.

11 Q Okay. Do you know what a carryover no or a CON
12 status code is?

13 A No.

14 Q You've never used one and have no idea what they
15 are?

16 A (Witness indicating yes.)

17 Q Okay. When you're negotiating a commitment, does
18 the system assign an initial commitment for that customer?

19 A Well, there will be commitments in there for
20 out-of-service, affecting service, each area puts what their
21 commitment is.

22 Q Okay. And then you're authorized to change those
23 commitments based upon your conversation with the customer?

24 A Yes. The bottom line, I have to satisfy the
25 customer.

1 Q Okay. Have you ever changed one of those
2 commitments without talking to a customer?

3 A No.

4 Q Do you know of anyone who has?

5 A No. They would only come to me.

6 Q Okay.

7 A See, at night -- well, after 11:00 I'm just about
8 the only supervisor around.

9 Q Okay.

10 A Anything that happens in the state, a pole goes
11 down, whatever be it, it comes to me.

12 Q So every single trouble of any type, then, whether
13 it's a customer report or a message report would come to
14 you?

15 A It's going to come into my -- into that center
16 that I work in.

17 Q Okay. Do you have internal company reports that
18 help you keep track of the number of these and by type of
19 report, like I had so many message reports tonight and so
20 many out-of-service reports and so many affecting service
21 reports?

22 A Well, I fill out, for my supervisor, what we did
23 at night. You know, I handled 50 alarms tonight, 30
24 customers, have a dispatch on -- had a call-out, I should
25 say. Had a call-out on 15 of them.

1 Q Okay. And when you say you fill out, you do that
2 manually, then?

3 A Yes.

4 Q It's not something that gets processed by the
5 computer?

6 A No. That's a manual sheet we fill out.

7 Q That's a manual sheet. Is that retained? Is
8 there a retention policy on that, do you know?

9 A I couldn't tell you. I honestly don't know. I
10 send it up to her.

11 Q Do you --

12 A No, I don't keep a copy. I send it up to my boss
13 and I don't know where it goes from there.

14 Q Is that Ms. Lee?

15 A Yes.

16 Q What was your entry position with the Company?
17 What did you first do when you got with the Company?

18 A Oh, in New York I wound up -- the first thing I
19 ever did was coin repair.

20 Q In New York?

21 A Coin repair. Yes, I come from New York.

22 Q I thought I recognized a bit of an accent. And
23 that was with Southern Bell?

24 A No, that was New York Tel.

25 Q That was New York Tel. What was your first

1 position with Southern Bell or BellSouth?

2 A I came to a maintenance center.

3 Q An IMC in Miami? One of the Miami centers?

4 A Yes.

5 Q What, Metro, Central --

6 A North Dade.

7 Q North Dade. And when was this?

8 A It was back, I believe, in '80 I came down.

9 Q Early '80?

10 A 1980. I think it was around April.

11 Q Of 1980, itself?

12 A (Witness indicating yes.)

13 Q You know the year is 1980? You sounded unsure.

14 A I wouldn't swear to it, but I believe it's 1980.

15 Q Okay. And what exactly was your position at that
16 point? Were you craft or were you a manager?

17 A No, I was management.

18 Q You were management. And what were your duties?

19 A When I came down they trained me for awhile to
20 handle the dispatch desk.

21 Q Is that dispatch on customer trouble reports?

22 A Yes.

23 Q And your training, then, for dispatching customer
24 trouble reports may have dealt with MAPPER? Was MAPPER in
25 place at that point? Do you know what I'm talking about?

1 A It used to be -- when I first come down it was
2 paper tickets.

3 Q Okay.

4 A Later on they went to computer. I believe it was
5 MAPPER when they went to the computer.

6 Q Okay. Was LMOS in place? Did you use LMOS?

7 A LMOS was there, yes.

8 Q Okay. Were you trained on using LMOS as well as
9 manually entering tickets when LMOS was down? Do you know
10 both LMOS and manual ticket processing for customer trouble
11 reports?

12 A You mean to put it on a paper ticket?

13 Q Uh-huh.

14 A Yes.

15 Q Okay. How would the report come to you, in what
16 form? You said you handled dispatch. So, let me start with
17 saying do you -- in that position, did you actually take the
18 report? Did you receive the report from the customer
19 yourself?

20 A No.

21 Q So, someone else received it, and at what point
22 did it come to you in the trouble reporting process, or how
23 did it get to you?

24 A If it had to go to a repairman, then we would
25 handle it.

1 Q Okay. And did some other employee just come over
2 and hand you a slip that said, "This one needs to go out,"
3 or did it come across through the computer, or --

4 A I don't remember how it got there. It used to be
5 a wheel and the clerk stands around it. And I remember the
6 troubles were in there.

7 Q Just paper, slips of paper?

8 A Paper, yes. But how they got there, I don't
9 remember how they got there. It was so long ago.

10 Q So, it was in a paper format, rather than coming
11 across a computer screen to you?

12 A Right.

13 Q After you received it, what did you do in LMOS
14 with that report?

15 A See, with the paper ones, I don't remember if we
16 had LMOS back in '80. I'm trying to think.

17 Q But you said you were familiar with LMOS. So, at
18 any point, then, you're dealing with LMOS?

19 A I know LMOS now, because I use it, yes.

20 Q You use it at this present time?

21 A Yes.

22 Q But you don't know whether you used it then? And
23 that's what your problem in answering --

24 A I know it came in, LMOS. But I couldn't -- I
25 can't tell you if it was '80, '81, '82.

- 1 Q Okay.
- 2 A You know, it was there.
- 3 Q But you did use it at that time?
- 4 A Me, myself?
- 5 Q Uh-huh.
- 6 A No.
- 7 Q You did not.
- 8 A The clerks used it. I didn't use it.
- 9 Q Were you responsible for clearing and closing
10 trouble reports at that point?
- 11 A Yes.
- 12 Q When an ST went out, you dispatched someone
13 outside to fix the repair, did the ST, himself, or herself,
14 close the report or did they call back in to you to get it
15 cleared?
- 16 A They called back in to a clerk.
- 17 Q Okay. Was that one of your responsibilities,
18 then, for them to call you, and you would clear and close
19 the report?
- 20 A They called the clerk, not me personally.
- 21 Q Not you personally?
- 22 A No, no.
- 23 Q I believe you told me you were a manager?
- 24 A Yes, assistant manager.
- 25 Q Assistant manager. Was part of your duties as

1 assistant manager at that point to monitor the clearing and
2 closing of those trouble reports?

3 A Monitor it? No.

4 Q Was part of your responsibility to supervise the
5 employees who cleared and closed those reports?

6 A You're talking now the repairmen or the clerks
7 that sat around that wheel?

8 Q Let's go with both. And you can answer
9 individually.

10 A I had nothing to do with the repairmen.

11 Q Okay.

12 A Okay. The clerks that worked on dispatch, see,
13 they didn't necessarily work for me. They were dispatch
14 clerks, but they might have worked for him. So, they
15 weren't necessarily my people, but I had dispatch.

16 Q Okay.

17 A See, you couldn't take a group -- let's say I had
18 eight people under my name. Some of them might have been
19 screeners, dispatchers, what have you.

20 Q But you had general familiarity, then, with all
21 the people that were working in that process?

22 A Yes.

23 Q Would you have had any managerial responsibility
24 or supervisory responsibility for any of those people in
25 that process?

- 1 A Oh, I'd be responsible for them, yes.
- 2 Q Okay. Then within the scope of your duties, okay
- 3 --
- 4 A Right.
- 5 Q -- were you familiar with the clearing and closing
- 6 process of those reports?
- 7 A Back then, I would have to say yes.
- 8 Q Okay. Are you familiar -- and if I've already
- 9 asked you this, tell me -- with the 24-hour time --
- 10 A You asked me that, yes, something to do with it.
- 11 Q Okay. Was it important in that time frame or any
- 12 time frame to clear those troubles within 24 hours, to be
- 13 sure that they were cleared and closed within 24 hours,
- 14 out-of-service reports?
- 15 A If I remember, it wasn't a hot item. The hot item
- 16 then was getting the troubles out, because the work load was
- 17 so heavy back then.
- 18 Q Dispatching them?
- 19 A Dispatching them and getting them out of there.
- 20 Get the repairmen on the troubles.
- 21 Q So, they would back up -- the dispatchers would
- 22 back up was part of your concern?
- 23 A What do you mean, "back up"?
- 24 Q Well, if --
- 25 A Oh, the amount of trouble?

1 Q The amount of troubles, you'd start getting more
2 than you could get dispatched out quickly enough?

3 A I would say at times, yes.

4 Q Okay.

5 A I mean, if you had a real heavy rainstorm.

6 Q Have you ever missed one of those 95 percent
7 commitments?

8 A I'm sure I did. Right now I couldn't tell you.

9 Q Did anything happen when you missed them?

10 MR. BEATTY: I object. He indicated he really
11 couldn't tell you whether or not he had ever missed
12 one. Your question was did anything happen?

13 BY MS. RICHARDSON:

14 Q So, you can't recall whether on any single
15 occasion you have ever missed the 95 percent index. You
16 have absolutely no memory. Your mind is completely blank on
17 that?

18 A I know about out-of-service over 24, even the 95
19 that you're talking about doesn't ring a bell. But I know
20 about service, you know, out-of-service over 24.

21 Q Okay. Are you familiar, and have you used the
22 TRACKER program? You said that you were cable -- worked
23 with cable for awhile.

24 A Outside? I had them outside.

25 Q Uh-huh.

1 A No, there was no TRACKER.

2 Q All right.

3 A Everything was manual in cable repair.

4 Q Okay. And were you responsible for assigning a
5 disposition and type code when you called that repair in to
6 be closed?

7 A No. That was the repairman that called it in.

8 Q The repairman was under your supervision, though,
9 correct?

10 A Yes. In their book they had a chart with codes.

11 Q Okay. And did you ever supervise them or discuss
12 with them the use of those disposition and type codes when
13 closing?

14 A In other words, what to put down?

15 Q Uh-huh.

16 A No.

17 Q You never did? You just gave them the chart and
18 they followed it? Is that what happened?

19 A Yes, they knew.

20 Q So, someone else trained them? Is that what
21 you're saying?

22 A The cable repairmen?

23 Q Uh-huh.

24 A Yes. The supervisor that was before me had that
25 crew.

1 Q Did you ever have any occasion to retrain one of
2 these people in disposition and cause codes, proper use of?

3 A To retrain them, no, because our D and C codes
4 were quite short. It's not like a repairman's. Cable
5 repair only had like one group of codes. Where a repairman
6 might have had 1, 2, 3, 4, you know, a group, different
7 groups, ours was just short and sweet. That was it.

8 Q Is multiple cable failure one of those codes?

9 A That was on there, yes.

10 Q And so you're familiar with the multiple cable
11 failure disposition code, then, that it was available and it
12 would be used to close out cable reports?

13 A I don't know if it was worded that way. How did
14 you say it, again?

15 Q Would you define a multiple cable failure for me?
16 What is a multiple cable failure? What do you understand
17 one to be?

18 A Well, we had cable failures. You may clear a
19 failure here, another one here, another one here, another
20 one here. Not all the time did you clear them in one spot.

21 Q Okay. Would it be the same cable but different
22 spots on that cable?

23 A Right.

24 Q Okay. Do you have any knowledge about how many
25 customers may be served on any particular size of cable?

1 A We'd never know how many were on it.

2 Q Okay.

3 A You know, I mean, you can have a 4400 pair cable
4 and only three people working on it. Just because it was
5 that big a cable doesn't necessarily --

6 Q So you wouldn't know how many customers might be
7 affected? If a cable was cut, you would have no idea how
8 many customers would be affected by that?

9 A No.

10 Q When would it be proper to use or to close a cable
11 failure to multiple cable failure, then? Just when it's on
12 the same cable and there are two or three cuts, or are there
13 other times when it would be proper to use that?

14 A I don't believe we used that code that much. But
15 I wasn't that great with the codes. It's true.

16 Q Okay.

17 A When I took cable maintenance, I wasn't really a
18 cable maintenance foreman. It was something they had to
19 teach me. And, you know, the codes were -- I wasn't that
20 great on it. I wasn't really a cableman. I ran the crew.
21 I eventually learned, but --

22 Q Okay. Are you aware, or do you know if a multiple
23 cable failure counts toward that out-of-service over 24
24 hours?

25 A Do I know? No, I would assume it would.

1 Q Okay.

2 A Because anything in cable is going to be out.

3 Q Thank you for being clear on that. We understand
4 what the extent of your knowledge is.

5 Do you of anyone who has ever used a cable,
6 multiple cable failure code or any other exclusion code that
7 would exclude a report from the out-of-service-over-24-hours
8 base improperly?

9 MR. BEATTY: I object to the form of the question.
10 It's compound. You can respond.

11 THE WITNESS: Can you say it one more time?

12 BY MS. RICHARDSON:

13 Q Let me preface it with a different question. Are
14 you aware that certain disposition and cause codes will
15 exclude an out-of-service report from that out-of-service
16 over 24-hour count?

17 A (Witness indicating no.)

18 Q You're not aware of that?

19 A No, I wasn't aware of it.

20 Q Okay. What gets counted? Do you know what gets
21 counted in the out-of-service over 24?

22 A As far as I knew, anything stasured
23 out-of-service.

24 Q So, everything, it's the world, is out-of-service?

25 A If it's out-of-service?

1 Q Okay. Do you know anyone who has ever taken an
2 affecting service and changed the status of out-of-service
3 to add it to that base?

4 A Made an affecting service out-of-service?

5 Q In order to put it in that base to build that base
6 up of out-of-service?

7 A No.

8 Q Have you ever done that yourself?

9 A No.

10 Q Do you know of anyone who has ever backed up a
11 repair time?

12 MR. BEATTY: Is that improperly? Is that what
13 you're saying?

14 BY MS. RICHARDSON:

15 Q Do you know of anyone who has ever backed up a
16 repair time/clearing time?

17 A Okay. What we would do -- this is going back to
18 the test center. The commitment was due at noon, okay? The
19 repairman called in. They give their codes, their status,
20 whatever they do. And now it's 12:00, 12:01. If I remember
21 right, they would close it out at 11:59, because the
22 repairman had that trouble cleared. He's sitting on hold.
23 Some of them would sit on them, I know, a long time. So, we
24 wanted the time they actually gave the customer's service
25 back.

1 Q Okay. Other than your cable crew having to call
2 into an MA to clear and close a report, other than that, do
3 you know of any other managers who have asked their MAs to
4 call the manager or another manager before closing a report
5 to get a disposition and cause code?

6 A To get a cause code? No.

7 Q To get a disposition code?

8 A No.

9 Q Other than the cable crew, have you ever done that
10 yourself, required people to call in, in your experience in
11 the IMC, to get a disposition code before clearing?

12 A No. To get two codes, no.

13 Q Do you know if any employee has ever used a phony
14 or a dummy employee code when statusing the trouble report?

15 A (Witness indicating no.)

16 Q Have you ever done so yourself?

17 A No.

18 Q Do you know if any employee has ever used an
19 unassigned employee code when statusing a trouble report?

20 A What do you mean by "unassigned?"

21 Q A number that may be available within the system,
22 but it hasn't been assigned. For instance, let's say
23 somebody retired and his number became available again, but
24 it hadn't yet been reassigned to a new employee. It was
25 just sort of sitting out there in the system unassigned at

1 this point. That's what I mean by "unassigned." Do you
2 know of anyone who has used an unassigned number to status a
3 trouble report?

4 A Not unless it was given to them. You may get
5 somebody back in the days up there on light duty, that
6 couldn't perform, but they would be assigned a temporary
7 number.

8 Q Okay. And would that temporary number that was
9 assigned, would that be a number that applied to that
10 particular IMC group? Would it be an unassigned number for
11 that particular IMC group?

12 A Yes. What do you mean, like if it was in North
13 Dade you can go to Metro and use it?

14 Q Uh-huh.

15 A I don't believe you could.

16 Q Okay. And if you were in North Dade, would it be
17 an unassigned North Dade number that would be given as a
18 temporary number?

19 A I believe so, yes.

20 Q Okay. Would it be possible if you were in North
21 Dade to be assigned a temporary South Dade number?

22 A I couldn't answer you that. That I don't know.

23 Q Do you know if that's ever occurred?

24 A Not that I know of.

25 Q Okay. Have you ever done that yourself?

1 A No.

2 Q Have you ever assigned a temporary number
3 yourself?

4 A Assigned one?

5 Q Yes, to any of your work crew or any employee that
6 you supervised or managed?

7 A No. I'm just trying to think what my men's number
8 was. No.

9 Q Okay. Do you know if anyone has ever used another
10 employee's code number to status a trouble report?

11 A Do I know anybody? No.

12 Q Have you ever done so yourself?

13 A No.

14 Q Are you familiar with the new security access
15 codes that have been in place recently for accessing the
16 system?

17 A Which system now? See, I'm not in repair no more.
18 So, I'm not sure what you're talking about.

19 Q Okay. Prior to January of '92, did you have
20 assigned to you an employee code number?

21 A Yes. I always have one, where I am now.

22 Q You always have one?

23 A Yes, where I am now.

24 Q Okay. And did that employee code number permit
25 you access to LMOS or any other system that you used?

1 A It gets me into LMOS.

2 Q It gets you into LMOS. Okay. Do you have a new
3 number now?

4 A My number is 577.

5 Q Okay. And it's always been 577?

6 A No, they changed it, but I -- it was a couple of
7 months ago. I believe they changed it.

8 Q Okay.

9 A I don't remember what the old one was.

10 Q But you do have a new number then?

11 A Yes, 577.

12 Q Okay. And that is --

13 A But that won't get you in there alone.

14 Q All right. What else do you need?

15 A Well, there's a code that you use to get in there.
16 Two different --

17 Q Like a password?

18 A Yes, basically.

19 Q Okay. And then your 577 code?

20 A Right.

21 Q Okay.

22 A And then -- well, then there's a second part that
23 comes up and you need to code for that.

24 Q So, there are three, three codes?

25 A When you first start off, when you go into it, you

1 need your employee number, your password. And the screen
2 will come up again. There's a code you have to put in and
3 another code.

4 Q Okay.

5 A But that's something that is a couple of months
6 old.

7 Q Do you know why that change was made?

8 A No.

9 Q How were you given that information?

10 A We have a supervisor that's in charge of that.

11 Q And she just calls you on the phone and tells you?

12 A Well, no. She gives me it in a -- they don't see
13 me. So, I get it in a sealed envelope.

14 Q So, interoffice mail? It's mailed to you,
15 basically, a piece of paper that's says, "We're doing this
16 now."

17 A Correct.

18 Q Okay. And when you saw that document that says,
19 "We're doing this now," did that document explain to you why
20 you're doing this now?

21 A No.

22 Q No, it just said do it?

23 A It says, you know, your new pass code, how you put
24 it in.

25 Q Okay. Do you know of anyone who has ever

1 falsified a customer trouble report?

2 A Not that I can truthfully remember.

3 Q But you may have a little something out here that
4 you just can't recall the details of, but some vague
5 something?

6 A No.

7 MR. BEATTY: I object to the form of the question.
8 He's indicated he doesn't have a recollection of this,
9 and your question is leading.

10 THE WITNESS: No, I don't remember anybody, you
11 know, falsifying records that, you know, we took any
12 kind of action against.

13 BY MS. RICHARDSON:

14 Q Okay. Have you ever heard of anybody falsifying
15 records?

16 A I've heard the term. Where I've heard it, I
17 couldn't tell you. I mean --

18 Q In the work place you mean, or at church, or when
19 you go to sporting events or --

20 A No. I couldn't pinpoint that one for you. You
21 know, I know the term. I've been around many, many, many
22 years, but I don't know anybody that -- anything done with
23 it that I can recollect.

24 Q Okay. Have you, yourself, ever falsified records?

25 A No.

1 Q When you were dispatching, did you ever have cause
2 to use the no access code?

3 A Yes.

4 Q And when would you use that?

5 A If a repairman called up and said, "No access,
6 nobody home; need to get inside, no access."

7 Q Okay. Do you know if anyone ever used the no
8 access code before they were dispatched?

9 A No.

10 Q Do you know if anyone ever used the no access code
11 without either notifying the customer or leaving a notice at
12 the address?

13 A Okay. Say that one more time.

14 Q Do you know if anyone has ever no accessed a
15 trouble report without leaving a notice card at the address
16 or talking to the customer?

17 MR. BEATTY: Objection to the form. It's
18 compound, and I would ask that you clarify it.

19 MS. RICHARDSON: Okay.

20 BY MS. RICHARDSON:

21 Q Do you know of anyone who has ever no accessed a
22 trouble report without leaving a card at the premises?

23 A Calls will come in. You know, you read the line
24 of status, you know, because it's the customer. "Well, I
25 had a repairman out there at 2:15 and no access to trouble."

1 "No, he was never out here." "But it shows he was out
2 there. I see where he was dispatched. He was out there."
3 "I'm telling you he wasn't out here." "You were home all
4 the time?" "Yes." You know, she's saying he wasn't there.

5 Q Okay. And did you then ask that particular
6 employee --

7 A No, this is what I'm in now. I have nothing to do
8 with the employees. I'm dealing strictly with the customer,
9 no employees.

10 Q Okay. So, part of your responsibility, then, when
11 it's questioned whether or not there was a no access card
12 left by the customer, you have no follow-up responsibility
13 with the employee that left the card, then?

14 A With the employee, no.

15 Q With anybody else?

16 A No. What I would do, once again, I'll call it
17 over to a field duty manager. And say, "Hey, you've got an
18 irate customer. She swears she was home today. Called in,
19 whatever, three or four times today. Here's the info on
20 her." Then it's his decision whether he dispatches it right
21 then and there. That's where it goes.

22 Q Okay. And do you ever get any feedback from that?

23 A No. Once again, I handle the state, and there
24 would be no reason for me to get feedback from it.

25 Q Back in the early '80s, when you were handling

1 dispatch at that point, do you know of anyone who used the
2 no access code, but did not leave a notice at the premise?

3 A Not that I remember.

4 Q Okay. Do you know of anyone who has used the no
5 access code to stop the repair clock, that 24-hour clock
6 ticking?

7 A I didn't even know it stopped it.

8 Q Have you ever used the no access code yourself
9 improperly?

10 A Me, no. I didn't enter reports, so I would have
11 no way.

12 Q Okay. Do you know of anyone who has ever excluded
13 an out-of-service report that was about to exceed the
14 24-hour time frame and then reopened another report to clear
15 and close it?

16 A No.

17 Q Have you ever done that yourself?

18 A (Witness indicating no.)

19 Q Do you know of anyone who has used the test okay
20 code to close out an out-of-service report improperly?

21 A Improperly? No.

22 Q When would it be proper to use the test okay on an
23 out-of-service report?

24 A Oh, even I'll use it -- well, I don't status it,
25 once again. But I'll get where a customer calls in, and

1 I've got to call him back. And for some reason that phone
2 is working again. And what I do, I send a fax to the
3 district. It says, "Priority fax, duty manager." And I'll
4 put it, you know, "Customer tested okay with sub at 440."
5 But I don't do the statusing. I would assume, then, they
6 would take it from me and say, "Okay, test okay with sub,"
7 and put it in.

8 Q Okay.

9 A But it's actually okay, you know, the customer
10 says, "No, it's working fine now."

11 Q Do you know of anyone who was ever excluded an
12 out-of-service report?

13 A I couldn't tell you out-of-service. I couldn't
14 even tell you affecting service.

15 Q Do you know whether you can exclude an
16 out-of-service report?

17 A I couldn't even tell you.

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A That I know of?

MR. BEATTY: Objection to the form. It assumes facts not in evidence.

BY MS. RICHARDSON:

Q Go ahead.

A That I know of, no.

MR. BEATTY: I object. The question has been asked and answered. And you're characterizing his testimony, and the record speaks for itself.

THE WITNESS: I'm sorry. Could you just say it again?

BY MS. RICHARDSON:

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MR. BEATTY: Objection, speculative.

BY MS. RICHARDSON:

Q Go ahead.

A No. I don't get to see anybody, talk to anybody.

Q Not many people are awake and up working at that time of night?

A You know, unless it's a duty manager, you know, I don't get to see anybody. So, you don't hear much of nothing.

Q Who did you tell?

MR. BEATTY: If anyone.

THE WITNESS: If anyone? I believe I told my boss, Ms. Lee.

BY MS. RICHARDSON:

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Q Okay.

A But he's not here. He was transferred out.

Q Do you know where?

A New Orleans.

Q He transferred to New Orleans. He was really transferred out.

A Uh-huh.

MR. BEATTY: Objection. Speculation. You can respond.

BY MS. RICHARDSON:

Q Go ahead and answer.

A Do I? No.

1 Q Why?

2

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9 Q Are you eligible for bonus pay in your position?

10 Team incentive awards or --

11 A Well, I believe everybody is.

12 Q You believe everybody is?

13 A Yes.

14 Q Have you ever received bonus pay?

15 A No.

16 Q Do you know what it's based upon, your eligibility
17 for bonus pay?

18 A It's your job performance.

19 Q Would that have anything to do with meeting that
20 95 percent out-of-service index?

21 A With me nowadays?

22 Q Or in the past.

23 A I'm sure in the past it had to. I mean, you got
24 all -- you know, you have indexes you have to make, Not
25 make, but, whatever.

1 Q So, meeting those indexes would help your
2 eligibility, then? That's your understanding?

3 A Bonus money was above and beyond. I mean, you had
4 to be -- when I came to the test center, I came from New
5 York. I didn't know the test center, so there was really --
6 some of the folks up there were good. I did not know it.
7 It took me a long time to learn it. So, I didn't expect any
8 kind of bonus money. I've never expected any kind of bonus
9 money. I feel I do my job, pay me.

10 Q Okay. Do you have, Mr. Welt, any information that
11 comes from the Company's internal investigation?

12 MR. BEATTY: I object on the grounds of relevance.
13 You can respond.

14 THE WITNESS: I don't understand what you mean.

15 BY MS. RICHARDSON:

16 Q Are you aware that the Company has done an
17 internal investigation into out-of-service trouble reports
18 and improperly handling those?

19 MR. BEATTY: I object. I object on the grounds
20 that the question that you have asked, if, in fact,
21 that question can elicit a yes, requires that he relate
22 to you the substance of what he has learned through
23 that investigation. And that substance can only have
24 been obtained through the investigation. On the other
25 hand, the question is are you aware that an

1 investigation was conducted? I think that would be
2 appropriate.

3 BY MS. RICHARDSON:

4 Q Let's answer that one first. Are you aware that
5 an investigation has been conducted internally by the
6 Company?

7 A Yes.

8 Q You're aware of that.

9 A (Witness indicating yes.)

10 Q Do you have any information related to that
11 investigation, "yes" or "no"?

12 A What do you mean by "information"?

13 Q Any information generally.

14 A No.

15

16 A No.

17

18 A I just didn't do it. Probably should have, but
19 didn't.

20 MS. RICHARDSON: Mr. Welt, that's all the
21 questions I can think of at this point. Okay? I want
22 to say thank you for appearing here today. We
23 appreciate your coming.

24 THE WITNESS: You're welcome.

25 MS. RICHARDSON: I am through. However, the

1 Public Service Commission people may have one or two
2 questions for you before you leave today.

3 THE WITNESS: Okay.

4 MS. RICHARDSON: Thank you.

5 MR. GREER: I have a couple of questions.

6 CROSS EXAMINATION

7 BY MR. GREER:

8 Q The meeting that you had with Ms. Lee's boss,
9 whoever that may be, was there anybody else present?

10 A There was -- she was there, my boss. A personnel
11 person was there.

12

13

14 A I believe I did.

15 Q What was their response? Do you remember?

16

17

18 was.

19 Q Nothing specific?

20 A (Witness indicating no.)

21 MR. GREER: That's all I have.

22 MR. BEATTY: Okay. Very good. Thank you,

23 Mr. Welt.

24 MS. RICHARDSON: Thank you, Mr. Welt.

25 THE WITNESS: You're welcome.

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(The deposition concluded at 4:55 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 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 43 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.

Melanie Bradford
3
4 NOTARY PUBLIC
5 STATE OF FLORIDA

