

1 PARTICIPATING:

2 JAMES MEZA III, ESQUIRE, BellSouth
3 Telecommunications, Inc., c/o Ms. Nancy H. Sims, 150 South
4 Monroe Street, Suite 400, Tallahassee, Florida 32303-1556,
5 appearing on behalf of BellSouth Telecommunications, Inc.

6 CHARLIE BECK, ESQUIRE, Office of Public Counsel, c/o
7 The Florida Legislature, 111 W. Madison Street, Room 812,
8 Tallahassee, Florida 32399-1400, appearing on behalf of the
9 Citizens of the State of Florida.

10 ADAM TEITZMAN, ESQUIRE, LEE ENG TAN, ESQUIRE,
11 ESQUIRE, FPSC General Counsel's Office, 2540 Shumard Oak
12 Boulevard, Tallahassee, Florida 32399-0850, appearing on behalf
13 of the Florida Public Service Commission Staff.

14

15

16

17

18

19

20

21

22

23

24

25

I N D E X

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

OPENING STATEMENTS:

PAGE NO.

By Mr. Meza

7

By Mr. Beck

8

WITNESSES

NAME:

PAGE NO.

CLYDE PETTAWAY

13

DARIO MORENO

16

BILL DIGGS

20

JOE CHI

26

CHES KEEDY

28

CERTIFICATE OF REPORTER

32

EXHIBITS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NUMBER:

ID.

ADMTD.

1 Metropolitan Center Report

20

20

8

10

13

16

20

26

28

32

P R O C E E D I N G S

1
2 CHAIRMAN EDGAR: Good morning. Call this hearing to
3 order.

4 My name is Lisa Edgar, and I serve as Chairman of the
5 Florida Public Service Commission. With me this morning are my
6 colleagues. To my right is Commissioner Matthew Carter,
7 Commissioner Terry Deason, Commissioner Isilio Arriaga, and
8 Commissioner Katrina Tew.

9 I'd like to ask our staff counsel to read the notice.

10 MR. TEITZMAN: By notice issued October 10th, 2006,
11 this time and place has been set for a customer hearing in
12 Docket Number 060598-TL. The purpose is as set forth in the
13 notice.

14 CHAIRMAN EDGAR: Thank you. We do have a translator
15 here available if anybody would like to use that service, and,
16 Guiomar, I'm going to ask you to introduce yourself, and if you
17 would, also explain that you are available if somebody would
18 like to use your service.

19 MS. EMEDAN: (Statement by Ms. Guiomar Emedan, the
20 translator, in Spanish.)

21 CHAIRMAN EDGAR: Thank you.

22 Welcome everybody. Thank you for coming. We
23 appreciate very much your interest in our work and your
24 interest in the petition that has been filed by BellSouth. We
25 are here because we do want to hear from customers, we want to

1 hear from consumers, and we want to know what your thoughts and
2 concerns are.

3 We have staff here from the Public Service Commission
4 that can also answer questions or hear any concerns that you
5 may have, and I would like to introduce our staff and also note
6 that BellSouth, I'm sure, also has staff available.

7 With us today and to my right is Ms. Beth Salak, our
8 staff counsel, Adam Teitzman, to the right is our court
9 reporter, Jane Faurot. We also have with us Lee Eng Tan from
10 our counsel office, Todd Brown and Thelma Crump who are at the
11 front at the sign-up sheets, and Rick Moses who is our
12 technical staff and can help with questions.

13 This is an official hearing, it will be transcribed
14 and will become part of our official record. As such, those
15 who are wishing to speak today will need to be sworn in before
16 you present your comments, and we'll take care of that in a few
17 moments.

18 I mentioned the sign-up sheet out at the front. For
19 anybody who would like to speak, we do ask that you sign up.
20 We will be calling your names -- the Office of Public Counsel
21 will be calling your names in that order in a few moments.

22 If you don't want to provide verbal comments at this
23 time but would like to give us some input, we welcome that as
24 well. There are blue sheets out at the front, and you can
25 write your comments on those sheets, and either hand them to

1 our staff to turn them in now, or you could also mail them in
2 and you can do that, the address is preprinted on the blue
3 sheets.

4 I would like to move now to hearing comments in a
5 moment from the parties, and first I will ask to take
6 appearances.

7 Mr. Beck.

8 MR. BECK: Thank you, Madam Chairman. My name is
9 Charlie Beck. I'm with the Office of Public Counsel.

10 CHAIRMAN EDGAR: Mr. Meza.

11 MR. MEZA: Thank you, Madam Chairman. Jim Meza on
12 behalf of BellSouth. With me today are several representatives
13 of BellSouth that can address any customer concerns that may
14 arise.

15 CHAIRMAN EDGAR: Thank you. And you can stay right
16 there, if you would.

17 Mr. Teitzman.

18 MR. TEITZMAN: Adam Teitzman on behalf of the Public
19 Service Commission.

20 CHAIRMAN EDGAR: Mr. Meza, you are recognized for
21 comments.

22 MR. MEZA: Thank you, Madam Chair.

23 As this Commission knows, BellSouth filed a petition
24 to recover its intrastate incremental expenses associated with
25 the 2005 hurricane season in September of this year. BellSouth

1 is making this filing following the guidance of this Commission
2 and the analysis of OPC in previous storm-recovery petitions,
3 and has limited its recovery to incremental intrastate expenses
4 associated with repairing its facilities following the
5 devastating hurricane season in 2005.

6 BellSouth's total incremental expenses associated
7 with that storm season was approximately \$202 million. Of that
8 amount, BellSouth has excluded its capital cost and then
9 further reduced that amount to represent solely the intrastate
10 portion of those expenses, leaving approximately \$95.5 million
11 that BellSouth believes it is entitled to collect under Florida
12 law.

13 However, due to the limitations in the statute that
14 requires the recovery mechanism to be limited to 50 cents per
15 access line, the total amount that BellSouth can collect is
16 approximately 32 to \$34 million, depending upon calculations of
17 access lines. As a result, under Florida law BellSouth can
18 recover approximately 16 or 17 percent of its total costs,
19 roughly a third of its incremental intrastate expenses.

20 Consistent with the purpose of this meeting,
21 BellSouth is just happy to be here to address any questions you
22 may have or any concerns or comments that our customers raise
23 today.

24 Thank you.

25 CHAIRMAN EDGAR: Thank you.

1 Mr. Beck.

2 MR. BECK: Thank you, madam Chairman. Good morning
3 everyone. Thank you for appearing. My name is Charlie Beck.
4 I'm with the Office of Public Counsel.

5 I would like to recognize Jack Shreve who is in the
6 audience. Jack was Public Counsel for 25 years and had many,
7 many battles with BellSouth and Southern Bell before that, and
8 I had the honor of working with Jack for about 20 of those 25
9 years. Jack is here on behalf of Attorney General Charlie
10 Crist today, to be here at this proceeding.

11 I want to thank everybody for coming here today.

12 Let me mention who our office is. The Public
13 Counsel's Office is separate from the Public Service
14 Commission. We have separate funding and a separate chain of
15 command. And we appear in cases as a party just like any other
16 party, just like BellSouth. We represent the interests of
17 customers before the Public Service Commission. We can
18 cross-examine the company's witnesses, make arguments, send
19 briefs to the Commission and even appeal their orders if we
20 think it is justified.

21 Today's case with BellSouth is not the first,
22 certainly, case we have had. We have had quite a few by other
23 companies with the 2004 and 2005 hurricane season. Thankfully,
24 today is the last day of 2006, and we haven't had a hurricane.
25 And so we're certainly pleased we are not going to have any

1 hurricane cases for 2006. But the forecasters are predicting a
2 rough season next year, so I think our precedent in how we
3 handle these cases is important.

4 We have a number of issues that generally come up in
5 these cases. One of the issues that comes up is what types of
6 costs should the company be able to recover? Should it only be
7 the extra costs, the extraordinary costs related to the
8 hurricanes, or can they also recover normal costs that are
9 deployed during that hurricane? And we have had a number of
10 cases like that. Several of the utilities have asked the
11 Commission to allow not only these extraordinary costs, but
12 costs that are covered, we feel, by base rates in their case,
13 and they recover that in addition in their surcharge. And the
14 Commission has consistently ruled against the companies in that
15 regard, and has limited the requests only to the extra costs.
16 We fought that twice with Florida Power and Light in 2004 and
17 2005.

18 Right now a small telephone company that serves the
19 area around Apalachicola has appealed the Commission's decision
20 to the Florida Supreme Court. We filed briefs earlier this
21 week, and we will be defending the Commission's decision in
22 that case. In that case the Commission gave the company less
23 than 30 percent of what they asked for, because the vast bulk
24 of what they asked for were normal, everyday costs that they
25 incur and would have incurred even without a hurricane.

1 We have reviewed BellSouth's case in this regard, and
2 we have sent them requests for documents and asked them
3 questions. We're convinced that they have limited their
4 requests only to the extra costs, the incremental costs of the
5 hurricane, so we are glad to see that from BellSouth in this
6 case.

7 Another issue that comes up is the sharing of those
8 costs. Once you determine which costs are eligible and should
9 be looked at, the next question is who should pay for them.
10 Should it be all the customers, or all the company's, or
11 somewhere in between? In 2004 we asked the Commission to share
12 that cost when Florida Power and Light came in front of us, and
13 the Commission denied us outright on that and said all costs
14 would be paid by the customer.

15 In the 2005 case we had more luck with that. A
16 number of issues were raised about the maintenance of the plant
17 by Florida Power and Light, whether they were doing sufficient
18 maintenance on their power, whether they were doing sufficient
19 tree trimming. The Commission made a significant adjustment in
20 that case and determined that the amount of damage caused by
21 the hurricanes in 2005 was partly attributable to the lack of
22 maintenance by Florida Power and Light. And so, in effect, the
23 Commission made the company share some of those costs with
24 customers. They made them absorb those costs that were caused
25 by their maintenance procedures.

1 In this case, there will be sharing by statute. In
2 2005, the legislature passed a statute that limits the amount
3 telephone companies can receive to 50 cents per customer per
4 month for one year. So in this case, the maximum amount that
5 BellSouth can receive is less than half of what will be
6 eligible -- would be less than half of what will be eligible.
7 So the legislature has already determined that, and in this
8 case there will be a significant sharing of costs between the
9 company and the customers.

10 But besides this case the Commission has a proceeding
11 or a number of proceedings going forward about strengthening
12 the infrastructure of the utilities to withstand hurricanes.
13 This applies to both the electricians and to the telephone
14 companies. And there will be a number of proceedings they are
15 going to take up. We have a petition on that next week, and
16 they will continue. So if you have any comments about the
17 infrastructure, about the maintenance or hardening of
18 infrastructure, or even whether it should be underground, I'm
19 sure the Commission would like to hear it.

20 I want to thank you again for coming today, and we
21 look forward to hearing your comments today.

22 CHAIRMAN EDGAR: Thank you, Mr. Beck.

23 We are now about ready to hear from the customers.
24 As I mentioned earlier, we will ask Mr. Beck to call the names
25 in order from the sign-up sheets. I'll ask again if there are

1 people who have come in and would like to speak, please put
2 your name on the sign-up sheet that is just outside
3 the doorway. As I mentioned earlier, this is part of the
4 record of this proceeding, and it's going to be transcribed.
5 As part of that, you will need to be sworn in, we will do that
6 in a moment. And there will be the opportunity for the
7 Commissioners and the parties to ask questions should they have
8 any.

9 So for those who would like to speak to the
10 Commission, if you would, stand, if you can, and raise your
11 right hand with me and we will swear you in as a group.

12 (Witnesses sworn collectively.)

13 CHAIRMAN EDGAR: Thank you.

14 When your name is called by Mr. Beck, if you would,
15 tell us your name. If it is an unusual spelling, it is helpful
16 if you would spell it for us, and we are also always interested
17 in hearing if you are a BellSouth customer, as well.

18 Mr. Beck, you may begin.

19 MR. BECK: Thank you, Madam Chairman. The first
20 speaker today is Mr. Ches Keedy.

21 WITNESS KEEDY: (Inaudible). May I defer? Thank
22 you.

23 CHAIRMAN EDGAR: We will come back to you.

24 Okay. Mr. Beck.

25 MR. BECK: The next speaker is Dr. Clyde Pettaway.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CLYDE PETTAWAY

appeared as a witness and, swearing to tell the truth,
testified as follows:

DIRECT STATEMENT

WITNESS PETTAWAY: Good morning. I am Dr. Clyde
Pettaway. Madam Chairman, members of the board, my address is
(inaudible). The spelling of my name is, I don't know if is
unusual or not, but it's P as in Peter, E-T-T-A-W-A-Y.

You know when the winds subside and the storm becomes
calm and you step outside, and you look at the devastation that
has taken place all around you, the most important thing at
that time is your family. First your family that's with you
through the hurricane period, and, secondly, your extended
family in the city somewhere. At that point the most important
thing in your house is your telephone. To pick that telephone
up and hear a dial tone and be able to make some type of
contact with your family, find out if your family has survived,
if there have been injuries and what has taken place, that is a
great day.

I am pleased to say that when the storm subsided,
Wilma, I was able to pick up my telephone and make some calls.
That was the closest thing to me in my house, me, my telephone
and my wife. And we made it through. And for that I am very
grateful to BellSouth.

Secondly, I'm a senior administrator at the JESC

1 Association. We deal with hundreds and hundreds of families,
2 many of them being senior citizens. And during the storm, a
3 number of seniors' phones were disconnected. We had problems
4 in reaching a number of them, but then on the very same token a
5 number of senior citizens had their phones, they were
6 connected:

7 More than that, one of the reasons I'm here today is
8 because of the action of BellSouth. To look outside and see
9 those trucks moving and taking care of people and helping our
10 senior citizens and listening to the response from them when we
11 called them needing help, it was great. That's why I'm
12 standing here today.

13 You know, oftentimes when we think in terms of a
14 BellSouth, we begin to think institutionally. I guess that's a
15 normal thought pattern. And when we begin to think of
16 institutions, we begin to think of the big building and the
17 people, no faces, going in and out.

18 But BellSouth is a bit more than that. BellSouth has
19 some great men and women that are out there trying to take care
20 of people. It is more than just a faceless building and a
21 faceless institution, it's made up of some men and women that
22 are truly dedicated to what they are doing and trying to help
23 people with a point of sensitivity and feeling. And they had
24 an opportunity to show that during the crises that we have been
25 going through here in South Florida. And I'm here today as a

1 very pleased customer to tell you that whatever they did, it
2 was excellent. It sure was needed. And whatever they did that
3 was extra, I'm really pleased that they did it. And if they
4 are to be paid for it in the American way, we work and we get
5 paid. We put out extra and we receive it back, if appropriate.

6 If it is appropriate and it is the right thing to do,
7 and they did things that were extra to make our lives here
8 better, I'm truly asking that you do the right thing and take
9 care of whatever they had to do, because they certainly did
10 what they needed to do. And we often talk about the dollar,
11 but the dollar is not always so important as the performance,
12 and their performance was that of excellence.

13 Thank you very much.

14 MR. KEEDY: Will you submit to any questions?

15 WITNESS PETTAWAY: Sure.

16 MR. KEEDY: I'd like to --

17 WITNESS PETTAWAY: I'll submit to questions
18 from --

19 CHAIRMAN EDGAR: Sir, I'm sorry, but we will look
20 forward to hearing from you in a few moments, okay?

21 MR. KEEDY: I hope the Commission will have some
22 questions.

23 WITNESS PETTAWAY: I will submit to questions from
24 the Commission, but I'm not going to submit to questions from
25 the audience.

1 CHAIRMAN EDGAR: Any questions?

2 Thank you, Mr. Pettaway.

3 WITNESS PETTAWAY: Thank you all very much.

4 CHAIRMAN EDGAR: Mr. Beck.

5 MR. BECK: The next speaker will be Mr. Dario Moreno.

6 DARIO MORENO

7 appeared as a witness and, swearing to tell the truth,

8 testified as follows:

9 DIRECT STATEMENT

10 WITNESS MORENO: My name is Dario Moreno. I am the
11 Director of the Metropolitan Center at Florida International
12 University. Our address is 150 Southeast Second Avenue, Miami
13 Florida 33131.

14 I'm not here to endorse or oppose the petition from
15 BellSouth, but to share some information with the Commission.
16 My center works with the International Hurricane Research
17 Center at Florida International University, and we do the
18 social science research for the center. After a hurricane,
19 we -- if the hurricane is a large hurricane, we send out teams
20 to interview people at the shelters and do one-on-one
21 interviews of hurricane preparedness in a series of questions.
22 If it is a minor event, like Hurricane Wilma, we would do a
23 telephone survey of the affected areas.

24 And after Hurricane Wilma we did a survey of 613
25 people in the three southeast counties, Miami-Dade and Broward

1 and Palm Beach. And these questions are standard questions we
2 ask after each hurricane event. These were specifically
3 designed to Wilma, and, basically, the results -- I brought
4 copies for the Commission.

5 CHAIRMAN EDGAR: You can give those to Ms. Salak.

6 WITNESS MORENO: And, basically, what the -- what the
7 survey found was that there was a great deal of high
8 satisfaction with certain agencies, among those BellSouth,
9 after the hurricane. And in the name of full disclosure, Rafe
10 Floes (phonetic), who works with BellSouth, is a member of my
11 advisory board, and -- he is a member of my advisory board. He
12 is familiar with hurricane research, and he asked me to be here
13 this morning and share that with the Commission, and that's it.

14 CHAIRMAN EDGAR: I believe we have a question.

15 Commissioner Arriaga.

16 COMMISSIONER ARRIAGA: Thank you, Madam Chairman.

17 You remember during Wilma there were areas of the
18 southeast that were out for 18 days approximately?

19 WITNESS MORENO: Yes.

20 COMMISSIONER ARRIAGA: In your research, how did you
21 reach those people if, in fact, they don't have electricity for
22 18 days?

23 WITNESS MORENO: We conducted a poll when the
24 electricity was returned. We waited until the -- you can see
25 on the first page the date of the poll. I believe it was

1 three weeks after the event.

2 COMMISSIONER ARRIAGA: So you're telling me that
3 those people that were without electricity 18 days, or 15 days,
4 or 12 days and probably were without telephone were also
5 satisfied?

6 WITNESS MORENO: There were people who were
7 dissatisfied in the survey as you will see. But if you look at
8 the number, we compared, FEMA, the state of Florida, county
9 government, municipal government, the media, BellSouth, Florida
10 Power and Light, and we -- and so comparatively there were
11 people who were dissatisfied, and that is in the report.

12 COMMISSIONER ARRIAGA: Can you give me an idea of
13 what percentage of the people that you polled expressed
14 dissatisfaction?

15 WITNESS MORENO: About 18 percent for BellSouth.

16 COMMISSIONER ARRIAGA: The people were not equating
17 BellSouth with FPL?

18 WITNESS MORENO: No. We were asking -- the questions
19 were asked for each agency specifically. So how would you rate
20 the performance of state government, how would you rate the
21 performance of Florida Power and Light, how do you rate the
22 performance of the municipality?

23 COMMISSIONER ARRIAGA: What I'm trying to get at were
24 people able to differentiate and know and understand the fact
25 that the telephone may have been tied to the outage of

1 electricity?

2 WITNESS MORENO: No, they would not be. One of the
3 issues in the survey -- and you're absolutely right, one of the
4 issues was is -- I have a manual phone that I use after a storm
5 because I have -- all of us have electric-powered phones, but
6 after the storm I plug in the manual phone. Many of the -- the
7 poll showed that 30 percent of the people in the affected area
8 said that they lost phone service. We know for a fact through
9 BellSouth that the numbers were not large. Those people who
10 said they didn't have it, probably didn't have it because they
11 had electric-powered phones and didn't have manual phones. So
12 you are absolutely right.

13 COMMISSIONER ARRIAGA: Thank you.

14 WITNESS MORENO: Thank you very much.

15 CHAIRMAN EDGAR: No further questions.

16 Mr. Teitzman, do we need to mark this?

17 MR. TEITZMAN: Yes. We did to mark this as Exhibit
18 1, and we can title it Metropolitan Center Report.

19 CHAIRMAN EDGAR: Okay. Any objection?

20 (Exhibit 1 marked for identification and admitted
21 into the record.)

22 CHAIRMAN EDGAR: Mr. Beck.

23 MR. BECK: Thank you, Madam Chairman. The next
24 witness is Mr. Bill Diggs.

25 BILL DIGGS

1 appeared as a witness and, swearing to tell the truth,
2 testified as follows:

3 DIRECT STATEMENT

4 WITNESS DIGGS: Good afternoon, almost. My name is
5 Bill Diggs, and I'm the President of the Miami-Dade Chamber of
6 Commerce, and our office address is 11380 Northwest 27th Avenue
7 here in Miami. The zip code is 33167.

8 And I come here really in support of BellSouth's
9 request on a couple of different notes. And the first one was
10 prior to me moving to Miami, I had an elderly mother-in-law who
11 was retired and was living in her own home. And if you have
12 ever been away when a storm is happening, and you attempted to
13 make a telephone call and pick up the phone and get someone and
14 not have to jump into a car and try to drive to where no planes
15 were flying, then you really understand the importance of a
16 telephone.

17 And, you know, luckily enough we had the phone
18 numbers of many different people. And for whatever reason, we
19 were not able to reach many of my wife's brothers and sisters.
20 But luckily enough the phone at my mother-in-law's house was
21 working, so consequently we were able to reach her. And that
22 for us was a tremendous comfort because she's sitting there
23 with no lights on in the house, nothing else was working. And
24 because, of course, she has got the old-fashioned way of doing
25 things, and sometimes we get away from that, and we realized

1 that that old phone we have been attempting to get her away
2 from for many years was the only piece of power that she had.
3 And so that was one of the -- I guess the most comforting
4 experiences that we had as a family having to deal with an
5 issue of that nature.

6 But also from a business perspective, my chamber is
7 Florida's largest chamber of commerce. We deal with issues
8 that affect minority businesses, specifically black, in this
9 area. And invariably the majority of the time when storms of
10 this nature might happen and hurricanes come, you will find
11 that small businesses have the most difficult time among
12 everyone else of attempting to recoup, because, essentially,
13 the two or three employees that they have, they can't get back
14 to work makes a big difference. And so consequently their
15 ability to be able to respond and take advantage of the fact
16 that there has been a hurricane because of their business.

17 You are driving by the larger businesses and they are
18 closed, and the smaller businesses if they are within that
19 particular neighborhood they can be a little bit more nimble.
20 So it is good when they have phone service. Because when
21 people call and say, hey, are you open, the guy is there
22 watching his business, making sure that, you know, all the
23 other bad things that kind of come with the storm don't happen.
24 It makes a big difference when their phone service is
25 operating.

1 So, you know, I think that when one the most
2 important things from a business perspective is the ability of
3 the small business to be able to continue to communicate is
4 vital to the success of that business, because oftentimes, you
5 know, they can't pay off the larger, if you will, types of
6 products and having them the way the other larger businesses
7 do. So, you know, their -- if you will, the folks that come to
8 them have their phone numbers. It's their largest means of
9 advertising, if you will, and the fact that they can answer the
10 telephone when you call them up.

11 So when you take a look at the majority of the
12 businesses in South Florida, it looks like they are small to
13 medium-sized businesses, and the ability to have the means to
14 effectively communicate with their constant group of people
15 that buy products and services from them is absolutely vital.
16 Because most of the times if we pick up the telephone and you
17 call somebody and they don't answer it, then, you know, it's
18 like the rest of us, you know what I'm saying, the remote
19 control is in your hand, you go to the next one. So they
20 really only have one shot to be able to get that person to come
21 back to them. And if they don't answer that phone when it
22 rings, or if it doesn't ring, then they move on to the next
23 person, which means they possibly lost a sale. And every sale
24 to a small business is absolutely vital to the success of their
25 business.

1 They are not like the Wal-Mart's of the world. They
2 don't worry about the fact that someone is calling and asking
3 for a particular item, they're worrying about the fact that the
4 phone rings at all. They have got one chance. If the phone
5 doesn't work, then consequently what you are going to have is
6 the degradation of a business. And to a certain extent that's
7 the guy's lifeblood, and it's how he takes care of his family
8 and how our whole country has kind of grown.

9 So we want to make sure you understand that from the
10 perspective of those businesses that are members of my chamber
11 to have phone service and make sure they are getting a quality
12 product or service that we think is worth the amount of money
13 they are asking for in regards to the increase, it is tied to
14 everything else, it is the nature of what we have to do down
15 here in South Florida.

16 Unfortunately, that burden is not a small one, it's a
17 large one, but, you know, we would rather that than having to
18 pick up and do what other folk have done in this community,
19 which is to leave. We want to make sure that we continue to
20 support those businesses that support us. And I will tell you
21 at the end of the day when you look at the partnership that
22 exists between the products and services that BellSouth has and
23 our small business members, they fit together.

24 Thank you.

25 CHAIRMAN EDGAR: If you could wait.

1 Commissioner Carter.

2 COMMISSIONER CARTER: Thank you, Madam Chairman.

3 Mr. Diggs, is your mother-in-law a BellSouth
4 customer?

5 WITNESS DIGGS: Yes, she is. I mean -- yeah,
6 everyone is here in Miami. I think you can probably go
7 somewhere else, but, essentially, they're going to come back to
8 BellSouth from what we've found. And that opens up a whole
9 other subject.

10 COMMISSIONER CARTER: Thank you very much.

11 Thank you, Madam Chair.

12 CHAIRMAN EDGAR: Thank you, sir.

13 Mr. Beck.

14 MR. BECK: Madam Chairman, Mr. Diggs was the last
15 person to have signed up to address the Commission.

16 CHAIRMAN EDGAR: Sir, would you like to address the
17 Commission?

18 MR. KEEDY: (Inaudible.)

19 CHAIRMAN EDGAR: Not at this time?

20 MR. KEEDY: I haven't heard very much.

21 CHAIRMAN EDGAR: Well, sir, you are the last person
22 that has signed up to speak. So at this point if you would
23 like to speak, we would like to hear from you. If you would
24 not like to speak at this time, we will take a break and wait
25 for a little while to see if there are others that show up. It

1 is your choice, sir.

2 MR. KEEDY: Thank you for the opportunity, I
3 appreciate it. I have chosen not to comment.

4 CHAIRMAN EDGAR: He is choosing to not speak at this
5 time.

6 All right. Then we will -- first of all, let me say,
7 thank you to everybody that has come, and to everybody that has
8 participated and has commented.

9 We are going to go on break and wait for awhile to
10 see if there are others that come and would like to speak to
11 us, and so we are on break at this time.

12 (Recess.)

13 CHAIRMAN EDGAR: We will go back on the record.

14 Mr. Beck, I understand that we have had some more
15 people sign up that would like to speak.

16 MR. BECK: Yes, Madam Chair. Mr. Joe Chi.

17 WITNESS CHI: Hi.

18 CHAIRMAN EDGAR: Sir, at the beginning of the
19 hearing, and I don't know that you were here, we did swear in
20 the witnesses. Were you sworn in at the beginning of this
21 proceeding?

22 WITNESS CHI: I was not sworn.

23 CHAIRMAN EDGAR: All right. We need to do that.

24 (Witness sworn.)

25 JOE CHI

1 appeared as a witness and, swearing to tell the truth,
2 testified as follows:

3 DIRECT STATEMENT

4 WITNESS CHI: My name is -- may I start or --

5 CHAIRMAN EDGAR: You may.

6 WITNESS CHI: Okay. Thank you. Ladies and gentlemen
7 of the Public Service Commission, thank you very much for
8 holding this meeting here in Miami today, and thank you very
9 much for alerting the public as to this.

10 My name is Joe Chi. I'm a local resident. I have
11 been living in Miami for, I would say, over 40 years. I think
12 maybe 45 years. I'm a member of the business community. I'm
13 one of the owners of Maxim's Import Corporation, and we employ
14 approximately 55 people in the local community. I am also very
15 much involved with the local chamber of commerce, and in this
16 case I'm secretary of the board of the Latin Chamber of
17 Commerce.

18 I would like to say that ever since we came to reside
19 in Miami over 40 years ago we have been customers of BellSouth.
20 And during all of those years, not only has BellSouth shown
21 itself to be an exemplary public service company, but it has
22 also shown itself to be very considerate of its customers.

23 We have been through many hurricanes during those
24 40 years, of course. And at all times, especially from our
25 point of view, we have been provided exemplary service. Any

1 time our service went out, they were very courteous and very
2 kind and I have not had any problems with them. I would like
3 to say, also, as members of the very important board that you
4 do everything you can to help BellSouth because they are a
5 member of our local community. I understand that maybe some
6 citizens may not want to see certain charges increased on their
7 phone bill, but at the same time we have gone through some very
8 crucial times lately, especially with the devastation that
9 occurred with the last few hurricanes last year. Talking about
10 a few, I think there was on record over 26 hurricanes.

11 BellSouth needs your help. BellSouth is a domestic
12 company. BellSouth is a company that employs thousands and
13 thousands of our citizens here locally. I believe it's five or
14 6,000. And in total, I think all over the company, over the
15 United States, they employ over 80,000. We have to protect our
16 domestic industries. And I would like to thank you very much
17 for having me here today. Thank you.

18 CHAIRMAN EDGAR: Mr. Beck.

19 MR. BECK: Madam Chairman, that leaves Mr. Keedy who
20 would like speak.

21 CHAIRMAN EDGAR: Mr. Keedy, would you like to speak
22 at this time? And if so, I think if you go to that microphone
23 right there, that would be the easiest, so that we can hear
24 you.

25 CHES KEEDY

1 appeared as a witness and, swearing to tell the truth,
2 testified as follows:

3 DIRECT STATEMENT

4 WITNESS KEEDY: Thank you very much.

5 Keedy, K-E-E-D-Y. Kilo, Easy, Easy, Delta, Yankee.

6 I can't decide which I am, the voice in the
7 wilderness you hear about all the time or your conscience. I
8 had a huge investment in what used to be the United States of
9 America. I'm a purple heart combat veteran of two wars, World
10 War II and Korea. Each time I thought I was fighting for a
11 better country. I'm highly concerned, not by the state of
12 repairs, but the way things are going and the pace and
13 acceleration of change today.

14 And I would like to have the board examine everything
15 that has been a premise of tradition, because I think it's time
16 for re-inspection, where we are and where we are going. I'm
17 here about (inaudible) or any proof I'm in the 21st century,
18 because I spent every bit of time I had available trying to get
19 100 intelligent, educated, aware, well-informed people here at
20 this meeting. I'm here alone. That is my biggest testimony,
21 I'm afraid.

22 Everyone has spoken on one side of the issue here, so
23 I think it is only fair that someone say something on the other
24 side of the coin. How many people here think that they are
25 getting better interface with people on the telephone today

1 than they got 40 years ago? Secondly, has anyone here tried to
2 interface with the Metropolitan Metro-Dade County government by
3 telephone recently? If you collect all the horror stories you
4 can remember, for instance like going through seven or
5 eight menus and then having someone say goodbye, and you have
6 just invested 30 minutes of your time and you have no recourse.
7 I went to BellSouth and I said, "What can I do about it? What
8 can we do about it?" They said, well, the CEOs of this country
9 have chosen to use menus, and they gave me the arguments that
10 you would give preaching to the choir.

11 And so I thought, well, how do I get heard. And my
12 neighbors of my home and my business, they expect me to
13 maintain everything so that they are not in harms way. I spoke
14 to many, many of the people who came down to assist BellSouth
15 and Florida Power and Light after the six hurricanes in 2005,
16 and they said they were absolutely appalled at the lack of
17 maintenance and that the company was not doing anything to help
18 themselves in getting over the costs because the maintenance
19 just wasn't there.

20 Now, if you don't maintain your car, it will fall
21 apart, and you will have to get a new one. But then should you
22 go to some other party and say, look, I have abused my car, may
23 I have the money to get a new one? I don't think you will get
24 very far. I could go on and on citing examples and anecdotes,
25 but that is not why we are here. I just think that a business

1 or an individual, you are expected to have insurance on your
2 home, you are expected to have insurance on your car. In fact,
3 you are legally required to have insurance on your car. And
4 why some parties can ignore this responsibility and others are
5 exempt from it is puzzling to me, and I would like to have the
6 Commissioners reflect on this.

7 I'm not going to torment you by beating a dead horse,
8 but I did want to say something. And if I am given enough
9 time, I will try to get something to you in writing and
10 properly draft something in writing that won't be so tedious.
11 Thank you.

12 CHAIRMAN EDGAR: Thank you, sir.

13 Mr. Beck.

14 MR. BECK: That's everybody who signed up to speak.

15 CHAIRMAN EDGAR: Then I want to thank everybody for
16 coming. Thank you again for your interest in these
17 proceedings. Thank you for your participation. It is a very
18 important part of our process to come here and to be available
19 to hear from customers.

20 We are adjourned.

21 (The hearing concluded at 12:32 p.m.)

22

23

24

25

1 STATE OF FLORIDA)

2 : CERTIFICATE OF REPORTER

3 COUNTY OF LEON)

4

5 I, JANE FAUROT, RPR, Chief, Office of Hearing
6 Reporter Services, FPSC Division of Commission Clerk and
7 Administrative Services, do hereby certify that the foregoing
8 proceeding was heard at the time and place herein stated.

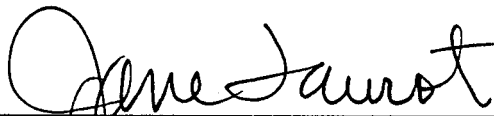
9 IT IS FURTHER CERTIFIED that I stenographically
10 reported the said proceedings; that the same has been
11 transcribed under my direct supervision; and that this
12 transcript constitutes a true transcription of my notes of said
13 proceedings.

14 I FURTHER CERTIFY that I am not a relative, employee,
15 attorney or counsel of any of the parties, nor am I a relative
16 or employee of any of the parties' attorney or counsel
17 connected with the action, nor am I financially interested in
18 the action.

19 DATED THIS 2ND DAY OF DECEMBER, 2006.

20

21



22

JANE FAUROT, RPR
Official FPSC Hearings Reporter
FPSC Division of Commission Clerk and
Administrative Services
(850) 413-6732

23

24

25