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14 Commission Staff.

15

16 ALSO PRESENT:

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21 Communications

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23 WAYNE TUBAUGH, Southern Bell

24

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WITNESS

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S T I P U L A T I O N

IT IS STIPULATED that this deposition was taken pursuant to notice in accordance with the applicable Florida Rules of Civil Procedure; that objections, except as to the form of the question, are reserved until hearing in this cause; and that reading and signing was not waived.

IT IS ALSO STIPULATED that any off-the-record conversations are with the consent of the deponent.

1 DOUGLAS MARQUIS

2 appeared as a witness and, after being first duly sworn
3 by the court reporter, testified as follows:

4 EXAMINATION

5 BY MS. RICHARDSON:

6 Q Mr. Marquis, do you have an attorney present
7 with you today?

8 A No, I don't.

9 Q Okay. The first thing I'd like to do is get
10 your name, and spell it correctly for the court
11 reporter.

12 WITNESS MARQUIS: Can I ask a question?

13 MS. RICHARDSON: Yes, you may.

14 WITNESS MARQUIS: Are we being recorded?

15 MS. RICHARDSON: Is this being recorded?

16 WITNESS MARQUIS: Yeah.

17 MS. RICHARDSON: Yes, it is being recorded
18 and you have just sworn under an oath to tell the
19 truth, so this is a formal -- what's called a formal
20 deposition in the law. And under the rules of formal
21 deposition, whatever you say can be used before the
22 Commission proceedings, okay?

23 WITNESS MARQUIS: Okay.

24 MS. RICHARDSON: And the people on my far
25 right are from the Florida Public Service Commission. And

1 the Florida Public Service Commission regulates Southern
2 Bell Telephone and Telegraph Company rates and service.

3 We are from the Office of Public Counsel. We
4 represent the citizens of the State of Florida, the
5 customers of Southern Bell, before the Florida Public
6 Service Commission. And we are here today on an
7 investigation docket and a rate docket Southern Bell
8 has filed for incentive regulation, a different kind of
9 regulation, and that's part of what we're here for
10 today; but primarily we're here to look into the
11 investigation docket that was opened into allegations
12 of falsification and fraud and repair.

13 We may also ask questions about noncontact
14 sales, and you may have read something about that in
15 the paper or may know something personally about that.
16 Okay. At any time if you have a question, just as you
17 just did, if you have a question just please ask me.

18 WITNESS MARQUIS: Okay.

19 MS. RICHARDSON: Whatever you need to know
20 and I will try to explain again or rephrase or work
21 around it so that you understand it and feel comfortable.
22 Since you are under oath to tell the truth you need to be
23 very comfortable with what you say on the record and feel
24 very sure that you have responded to my question so that
25 in the future there won't be any allegations of perjury

1 that may come out of this.

2 Okay. Do you understand that you may be
3 liable to perjury if you lie in this deposition? Has
4 anybody discussed that with you? Have you had a chance
5 to ask anyone about that?

6 MR. ANTHONY: Let's go off the record for a
7 minute.

8 (Discussion off the record.)

9 MR. ANTHONY: Let's go back on the record.
10 As long as we've digressed a little bit, I assume that
11 the same four stipulations that we've used in all of
12 these depositions will be acceptable; that we won't go
13 off the record without the witness' agreement; that we
14 won't waive reading and signing, which means at the end of
15 the deposition, if it's written up on paper form, not all
16 of these may be put down on paper, if they are, then you
17 would read it and make sure it accurately depicts what you
18 said during the deposition, Mr. Marquis.

19 The deposition was taken pursuant to proper
20 notice and that all objections, except to the form of
21 the question, are reserved until the time of the use of
22 the deposition. Is that agreeable with everybody?

23 MS. RICHARDSON: Okay. So you're not going
24 to object on the basis of privilege or -- just want to
25 get it clear at the beginning.

1 MR. ANTHONY: All appropriate objections.
2 The normal stipulations. Any appropriate objections
3 that would be waived, if I didn't object to it at the
4 appropriate time won't be objected to.

5 MS. RICHARDSON: Okay.

6 Q (By Ms. Richardson) Now, would you please
7 state your name and spell it for the court reporter to
8 make sure that she has it accurately.

9 A Do you want my full name?

10 Q Your full name.

11 A Douglas Scott Marquis.

12 THE REPORTER: I'm sorry, Douglas?

13 WITNESS MARQUIS: Scott.

14 THE REPORTER: Scott Marquis.

15 WITNESS MARQUIS: D-O-U-G-L-A-S, S-C-O-T-T,
16 M-A-R-Q-U-I-S.

17 Q (By Ms. Richardson) And your address please,
18 Mr. Marquis?

19 A

20 Q And your phone number.

21 A Do you want the area code also?

22 Q Please?

23 A

24 Q Okay. Have you discussed this deposition
25 with anyone, Mr. Marquis, prior to being in this room?

1 A Have I discussed it with anyone. (Pause)

2 No.

3 Q Okay. Have you told anyone that you were
4 going to be giving a deposition today?

5 A Yes.

6 Q Okay. And who did you tell?

7 A My wife.

8 Q Your wife. Okay. How about your supervisor?

9 A Yeah. Because he needs to know where I am.

10 Q He needs to know where you are. Did you talk
11 about other than just giving it and the time, with your
12 supervisor?

13 A No.

14 Q Okay. Were you given any assurances by
15 anyone in the Company that there would be no negative
16 action taken against you if you told the truth here
17 today, discipline or anything that might result?

18 A From me giving the deposition?

19 Q Uh-huh.

20 A They didn't, no one indicated anything like
21 that.

22 Q Okay. Do you have any concerns about that?

23 A No.

24 Q Okay. Mr. Marquis, what's your present
25 position with the Company?

1 A Service Tech.

2 Q And what does a service tech do?

3 A Provide service.

4 Q Okay. That's a pretty simple clarification
5 for me. Can you be a little bit more detailed? How do
6 you provide service?

7 A I visit residences and businesses and install
8 telephone lines for them, and inside wire if they
9 request it.

10 Q So you're an installer primarily; you work
11 on primarily installation of new service?

12 A No, we do repair also.

13 Q So --

14 A We do both.

15 Q You do both. And if you were going to divide
16 your time up percentage-wise, about how much of it
17 would be repair and how much installation?

18 A On an average or in a particular period of time?

19 Q Just on an average.

20 A Probably a third is installation and the rest
21 would be repair.

22 Q Okay. And since you install and go to
23 residences I assume you're primarily an outside field
24 person? That's primarily your area?

25 THE REPORTER: Is that a yes?

1 WITNESS MARQUIS: Yes.

2 Q (By Ms. Richardson) I'm sorry, you need to
3 say -- speak up because she can't take nods. Okay.

4 How long have you been with the Company?

5 A About 13 years.

6 Q And where are you located? Which IMC do you
7 work from?

8 A South Dade.

9 Q South Dade. And who is your present supervisor?

10 A Mike Polsphuck.

11 Q Oh, would you spell his last name?

12 A It's spelled Polsphuck, P-O-L-S-P-H-U-C-K.

13 And his first name is Mike.

14 Q All right. And have you been there for, say,
15 the last five years are so?

16 A I believe I've been at that work center that
17 long.

18 Q That long. And has Mr. Polsphuck always been
19 your supervisor?

20 A No, ma'am.

21 Q Who was your supervisor before him?

22 A I believe it was Jim Mills.

23 Q And that's M-I-L-L-S, Mills?

24 A Yes.

25 Q And Mike Polsphuck is like a first level

1 manager?

2 A Yes, ma'am.

3 Q Okay. And who is your second level manager?

4 A Tom Dwyer.

5 Q And that's D-W-Y-E-R?

6 A I believe so.

7 Q Okay. And let's just work on up the line for
8 a minute. Who is the operations manager above you in
9 the South Dade IMC?

10 A I believe it's Ted Rubin.

11 Q Ted Rubin. Okay. And do you use a CAT,
12 computer access terminal, in your position?

13 A Yes, ma'am.

14 Q Okay. All right. Mr. Marquis, I'd like to
15 know what you know about falsification --

16 A You can call me Douglas.

17 Q Thank you, Douglas. What do you know about
18 falsification of customer trouble repair records,
19 Douglas?

20 A I don't know anything about it, except what
21 has been alleged in newspaper articles.

22 Q Okay. Are you aware that the Company has
23 indicated that you have some knowledge?

24 MR. ANTHONY: I'm going to object to the
25 question. It's not what the Company indicated.

1 Q (By Ms. Richardson) Okay, Douglas, I'm going
2 to back up for a minute and I'm going to go around this
3 way. And then I'm going to come back to it, I think.

4 Let's talk about backing up time, okay? Have
5 you heard that term used, "backing up time"?

6 A Yes, I have.

7 Q In what context have you heard that term used?

8 A In the context of cleared time as opposed to
9 close-out time on the CAT terminal.

10 Q Cleared time as opposed to close-out time in
11 a CAT. What is a "cleared time" using your CAT?

12 A The information you're asking is a couple
13 years old, so I may not be accurate with my description
14 of closed and cleared time. Because now we just have a
15 closed time. And when the Company changes any of its
16 requirements from us like that, I pretty much eliminate
17 those out of my mind. So I can't -- I don't know if
18 I'll be totally accurate with the description --

19 Q Okay.

20 A -- of what you asked. What was your question
21 again?

22 Q All right. Describe a clear time. How do
23 you deal with a clear time? Well, let's start off at
24 the beginning. You get a call. How do you find out
25 you have work to do?

1 A Through my computer terminal.

2 Q All right. And you just what -- punch a
3 number, punch a button and stuff comes up on a screen?

4 A Basically.

5 Q All right. And are you at the location at
6 the time? Do you get some kind of paper format that
7 tells you you have to go somewhere and then you pull
8 the trouble up, or how does that work?

9 A Would this be at the beginning of the day or
10 during the middle of the day or --

11 Q Whatever, just pick a time.

12 A If it's my first job, because I report to the
13 phone yard, I go into the yard and actually call in
14 with my computer terminal that location, and at that
15 time is when I would get the trouble or installation
16 job assigned to me through my computer access terminal.

17 Q All right. And at the time you get assigned,
18 what do you do?

19 A I write it down.

20 Q Do you have a log sheet that you have to keep
21 track of? Is that why you write it down or --

22 A Are you referring to today, or three or four
23 years ago?

24 Q Three or four years ago.

25 A We had a trouble ticket to fill out.

1 Q Okay. So you wrote it on a trouble ticket?

2 A Trouble or -- it served both purpose of
3 trouble and installation.

4 Q All right. When you called up the trouble
5 did you just call up all the troubles for the day, so
6 that you made a trouble ticket on each one, or as you
7 finished one you'd call up another?

8 A We were assigned jobs one at a time. So as you
9 completed one task another task would come up for you.

10 Q All right. Now, you've got the trouble,
11 you've recorded it on your trouble ticket. Now, what
12 do you do?

13 A I go visit the person who has reported the
14 trouble.

15 Q All right. You're now at the premise. Let's
16 assume it's a residential problem. Okay. What do you
17 do next?

18 A I go and talk to the customer and find out
19 what the problem is that they've reported to the
20 Company.

21 Q Okay. And then what do you do?

22 A Repair -- are we talking about repair or are
23 we talking about installation?

24 Q Well, let's do repair.

25 A I would go to -- should I use our terminology?

1 Q Sure.

2 A Okay. I go to the network interface and do
3 my testing at the network interface.

4 Q Okay. And the network interface, is that the
5 same thing as pulling off the protector and dealing
6 with the ring and tip? Or is the network interface a
7 separate line going from protector to the house -- from
8 the house in?

9 A It's what's commonly known as the protector.

10 Q Okay. So network interface and protector are
11 basically the same thing?

12 A Basically.

13 Q Okay. So you go and you test the protector?

14 A I test at the location to determine, if it's
15 a repair we're discussing, if the trouble is on the
16 inside wiring or if it's in the network outside.

17 Q Okay. And if it's inside wiring, what do you
18 do?

19 A I notify the customer to let them know that I
20 need access to repair their wiring.

21 Q Okay. And you just go in and fix it if it's
22 inside wire?

23 A Depending on what maintenance plan they have.

24 Q Okay. Let's say they don't have a
25 maintenance plan.

1 MR. ANTHONY: I'm going to object to this.
2 If you want to do discovery about the inside wire
3 docket let's do discovery there. Let's stick to these
4 dockets, okay?

5 MS. RICHARDSON: Well, it's --

6 MR. ANTHONY: The Commission has specifically
7 said this isn't an issue in this docket.

8 MS. RICHARDSON: I didn't look at the notice.
9 Can we go off the record for a moment? Is that okay,
10 Mr. Douglas? I mean Mr. Marquis?

11 WITNESS MARQUIS: Sure.

12 MS. RICHARDSON: Thank you.

13 (Discussion off the record.)

14 Q (By Ms. Richardson) Let's go back on the
15 record.

16 All right. Mr. Marquis, you've just notified
17 the individual homeowner that the problem is in the
18 inside wire, that you have located the trouble and it's
19 the inside wire. All right. At that point, what's the
20 decision that you have to instruct the homeowner as to
21 repairing the problem?

22 A You need to set the scenario up a little
23 better because you're leaving me with a lot of gray
24 areas, and you wanted me to build it as I go along.
25 You need to tell me what kind of maintenance plan the

1 people have before I get there and stuff like that.
2 Because that obviously gives me more information as to
3 what you're looking for. But for you to wait until I
4 determine that there is an inside wire trouble, now you
5 want me to determine what kind of a maintenance plan
6 was available at that time.

7 MR. ANTHONY: Excuse me.

8 MS. RICHARDSON: Okay. When do you determine
9 -- when do you find out?

10 MR. ANTHONY: Excuse me. Maybe you can tell
11 me what the relevance of this is before I object and we
12 can save an argument about objection. But whether the
13 customer has an inside wire maintenance plan or not,
14 what's the relevance to these issues in this docket?

15 MS. RICHARDSON: The relevance to these
16 issues is whether or not Mr. Marquis was also selling
17 inside wire plans to individuals, instructed to do so,
18 et cetera. And that's where I'm going.

19 MR. ANTHONY: Well, why don't you just ask him
20 those questions instead of going down a side track?

21 MS. RICHARDSON: Hank, I'm going to ask my
22 questions the way I want to ask them.

23 MR. ANTHONY: Then we'll object to those
24 questions.

25 MS. RICHARDSON: Okay. Fine. Is this an

1 objection as to the form of the question you're putting
2 on the record?

3 MR. ANTHONY: Yes.

4 Q (By Ms. Richardson) Okay. Mr. Marquis, now,
5 when do you find out whether or not the individual has
6 a maintenance plan so that you can instruct them
7 appropriately about the problem?

8 A When I receive the trouble in my CAT terminal.

9 Q Okay. So you know ahead of time before you get
10 out there whether or not they have a maintenance plan?

11 A (Nods head.)

12 Q Okay. Now, when you tell them that the
13 problems are in the inside wire -- let's assume they
14 have a maintenance plan, what do you do then?

15 A I ask if I can go inside. I advise them the
16 trouble is inside, and I ask them if I can go in and
17 repair it for them.

18 Q And you do so?

19 A Most of the time.

20 Q Is this at a cost to the customer or not?

21 A If they have the maintenance plan for inside
22 wiring, and the problem falls within the realm where
23 there are no charges, then there are no charges.

24 Q All right. Now, if they don't have inside
25 wire, what do you do?

1 A I advise them.

2 Q And do you tell them that you can't fix it or
3 what? What do you advise them of?

4 A I advise them that they don't have the
5 maintenance plan. They have a few options. And I give
6 them those options.

7 Q And the options are what?

8 A They can repair it themselves. They can have
9 somebody else repair it, or they can elect us to repair
10 it.

11 Q At a price? At a cost?

12 A Of course.

13 Q Okay. And have you ever been instructed or
14 asked to sell maintenance plans to these individuals,
15 to these customers who don't have them?

16 A It's part of our job description.

17 Q Okay. And have you been trained to sell
18 maintenance plans to these individuals?

19 A No. I've had no formal training for selling,
20 no.

21 Q Okay. Have you been fairly successful at
22 selling maintenance plans to these individuals?

23 A No, ma'am.

24 Q No. Okay.

25 Now, let's go to the problem that is outside.

1 Okay. It's not an inside wire problem, it's an outside
2 problem. All right. And you fix the particular
3 problem. Now what do you do? It's already fixed.

4 A I notify the customer and ask them to use
5 their phone, to make sure that they're satisfied with
6 the service.

7 Q Okay. Is that part of the clearing procedure or
8 do you do something after they've used the phone? Picked
9 it up and they find dial tone or they made a phone call
10 and they verify for themselves that it works, then what do
11 you do to clear it out and close it?

12 A Again, we're talking about a few years ago.

13 Q Right. Prior to 1992.

14 A I would go and close the trouble out with my
15 CAT terminal.

16 Q Okay. And how do you do that?

17 A I hook up to dial tone and I press a button
18 and it does an automatic dial and it dials into the
19 computer and logs me in.

20 Q All right. When you say you hook up to dial
21 tone, is that through the network or do you go out to
22 the pole outside, or do you use the phone inside? How
23 do you do that?

24 A Depending on the situation. If the customer
25 is -- let's say it's my first customer and they've

1 stayed there to make sure that their phone is working
2 before they went to work. And they've called their
3 work and said, "I'm going to be a few minutes late
4 because I'm getting my phone repaired." I don't stay
5 at the customer's house once the service is working for
6 them and they're happy with the service. Then I will
7 go to a terminal someplace and close, as a convenience
8 for the customer.

9 Q Okay. Have you ever been instructed to dial
10 up your trouble phone number using another phone number
11 line, to get into access to LMOS?

12 A I don't know if they have been instructed,
13 but in that situation that's what I would do. I
14 wouldn't use the customer's line, I would use some
15 other line.

16 Q Why? Why couldn't you just use the
17 customer's line since that's the one that has the
18 problem?

19 A Well, in the scenario I just gave you the
20 customer wants to go to work, they want to lock their
21 gates. The network interface is within their locked
22 gates and they are most of the time in a hurry to get
23 to work.

24 Q Okay. So you're out at the street terminal;
25 is that correct? Okay. And you go out to the street

1 terminal and you dial up another phone number to reach
2 LMOS, in order to clear and close the original trouble
3 number? Is that --

4 A Right.

5 Q All right. Now, I don't understand why you
6 can't just use the original telephone number at the
7 terminal. Why do you have to use a different one?

8 A As we close out -- how familiar are you with
9 the system?

10 Q Well, you try me. Let's see. I mean I'm
11 obviously not as familiar as you are.

12 A As you close out your trouble, it does a
13 test. You'd have two options when you get to that
14 screen for doing the test. If you're on the customer's
15 line, you have an option of dropping off, letting the
16 computer test the line and then dialing back in, which,
17 obviously takes more time than if you are on another
18 telephone number and you've dialed in and now the
19 computer can test the customer's line that you have
20 been dispatched to work on.

21 Q Okay. So essentially then, if you're on the
22 customer's line, it's a two-step process: You can test
23 it before you actually have to clear and close it. But
24 if you're outside it's a one step, and you have to
25 clear and close at the time? Test and clear and close?

1 A Run that by me one more time.

2 Q Okay. I'm trying to understand. You're doing
3 great, okay. Just try me one more time on this.

4 All right. So, I need to understand, again,
5 why you have to go outside to a terminal and use a
6 different number to access the computer to close the
7 original report.

8 A In the scenario I gave you it's so that I
9 wouldn't hold the customer up.

10 Q Okay. But barring that, not holding the
11 customer up, I still don't understand why you have to
12 use a different telephone number on the outside.

13 A I don't have to. I use that as an option for
14 myself as a convenience.

15 Q As a convenience. Okay. And how does it
16 save you time or effort, in what way is it more
17 convenient?

18 A Because I don't have to wait until I get to
19 the test screen; go to that option that says that I'm
20 going to drop off the line, go back off line, wait for
21 it to run through its test, and then dial back in and
22 get all of that information again.

23 Q Okay. So when you dial a second number you
24 go directly to the final status screen? Is that --

25 A When I use a second number to dial in.

1 Q All right. So when you're looking at the CAT
2 script then, it has a place on that particular script
3 that it says "Are you using this number or are you
4 using another number?" Is that --

5 A In essence, that's what it says. That's not the
6 actual terminology it says or it has printed on the
7 screen.

8 Q All right. Do you have to clear and close
9 the trouble at the same time on the CAT screen, that
10 final status screen, or can you clear it and come back
11 30 minutes or an hour later and close it out? (Pause)

12 A Could you ask the question again?

13 Q Sure.

14 A I don't understand.

15 Q I'm not sure I understand how the system
16 works, and that's where I'm heading with this.

17 When you calling it up to test it, okay, and
18 you want to test it and clear it and then you want to
19 close it out. You've told me that there is a clear
20 time and a close time, I think.

21 A No, I didn't.

22 Q No, there isn't. Before 1992 there was just
23 the one final time when you finished everything up and
24 you cleared it out?

25 A I didn't say that either.

1 Q All right, tell me then, when you've got that
2 final status screen what do you do with it on your CAT
3 terminal? How do you clear and close trouble? What
4 does it ask you to put in?

5 A Again, we're talking about --

6 Q Before 1992.

7 A Before '92. See, I'm not sure when they
8 actually changed the screens on them. So I don't know
9 if you're talking about when we had cleared time and
10 close-out time, or --

11 Q Uh-huh. Yeah.

12 A Is that what you're asking?

13 Q Yes.

14 A As we're going through the CAT terminal
15 sequence of closures, you would come up -- I believe at
16 that time you would come up with a screen that said
17 "cleared time" and you would enter the cleared time,
18 and the customer had service -- inward/outward service and
19 it was functioning properly. And then I believe it came
20 up with a close-out time and you put that time in.

21 Q Okay. All right. So you were able to enter
22 a definite date that you cleared the trouble. And what
23 does "clear" mean to you. What was a standard
24 definition for that?

25 A Properly working service.

1 Q Okay. So the customer has service back, and
2 that's your cleared time. Okay. And then you would
3 have an opportunity to put in a date and time for a
4 closed time is what I've just heard you say?

5 A Right.

6 Q Okay. And what would your definition of the
7 closed time be then?

8 A When we were actually closing the job.

9 Q Okay. Now, why would there be a difference
10 between the clear and the closed time? Why wouldn't
11 they just be the same?

12 MR. ANTHONY: Are you asking him if they are
13 functions he performs in between? I'm not sure what
14 the questions is.

15 MS. RICHARDSON: Whatever. I mean, there was
16 obviously something between the two.

17 Q (By Ms. Richardson) Did you ever enter a
18 different time between clear and close?

19 A I enter -- the clear time would be the time the
20 person had service, and the close time would be the time I
21 was closing the job. So there could be a difference.

22 Q All right.

23 A One scenario could be that the customer
24 wanted to talk for whatever reason, discussing
25 telephones, discussing service, discussing -- people

1 talk to you about everything. And if you've cleared
2 their trouble at a particular time, they've made their
3 phone calls, they're happy with incoming and outgoing
4 calls, and then they -- some people, especially older
5 people, will tend to talk for a long time afterwards.
6 A lot of the times they're lonely. It's just a common
7 courtesy that I do to engage them in conversation for
8 whatever reason that they feel it is necessary. That
9 could be up to 30 minutes later.

10 Q Okay.

11 A So the clear time would be when they were
12 happy with their phone service. The close-out time was
13 when I actually closed the job.

14 Q Okay.

15 A And there's many other scenarios you could
16 come up with.

17 Q What's the maximum amount of time difference
18 that you've ever had between a cleared time and a closed
19 time?

20 A I have no idea.

21 Q Would it be more than a hour?

22 A If lunch was involved, yes.

23 Q Okay. So it's possible that lunch would be
24 included -- well, let me back up.

25 When you do your time reporting for the work

1 done, okay, and you're on this ticket and you said you
2 have to enter information on the ticket. What goes on
3 the ticket, your cleared time or your closed time for
4 the work performed?

5 A Both went on that ticket, I believe.

6 Q Okay. And when you were given credit by the
7 Company for work performed on a particular service job,
8 what's used for giving you credit for the hours that you
9 have worked? The clear time or the close time?

10 A The Company doesn't give me credit in the
11 sense that you're speaking.

12 Q Does the Company track the number of hours
13 that you work?

14 A I work eight hours in a day on a normal day,
15 with an hour lunch.

16 Q Okay. I guess what I'm asking you is do you
17 have to sign out for lunch, or do you normally use the
18 ticket time for your lunch activity?

19 A We have don't have to sign out.

20 Q You don't have to sign out. Okay. So if I
21 were going to look at -- are you familiar with
22 mechanized time reporting for the Company?

23 A Yes.

24 Q And on that mechanized time reporting sheet,
25 do you record the trouble by the telephone number and

1 the hours worked on that particular trouble?

2 A Yes.

3 Q Do you also record your lunch hours on that?

4 A Of course.

5 Q Okay. Do your lunch hours have to be
6 separate from the time that you work on troubles? Is
7 that supposed to be separately shown?

8 A Yes.

9 Q Okay. Now, going back then, to your closing
10 out a trouble report, would you normally include your
11 lunch hours and the amount of time you worked on that
12 particular trouble?

13 A No, because I'm not getting paid at that
14 point, because my lunch hour is my time. So I don't
15 charge my lunch to a particular job, if I understand
16 your question.

17 Q All right. So let's go back then. The
18 maximum amount of time that you might have between a
19 clear and a close time, I suggested maybe one hour and
20 you thought it might be lunch, but we know it's not
21 lunch because that's not going to go on the mechanized
22 trouble report. You're not going to include that in a
23 particular report, or is that not the same thing?

24 A I'm not sure what you're asking, but I think
25 if I understand what you're saying, is I might have

1 finished the trouble at 11:45; I might have cleared the
2 trouble at 11:45. The customer was happy with their
3 service and talked to me until 12:00. My lunch is from
4 12:00 to 1:00. At 12:00 I'd go to lunch. At 1:00 I
5 would call in with my computer access terminal, which
6 is going to take three or four minutes right there, by
7 the time I get up and be closing. And then the clear
8 time would be the 11:45, when the customer was
9 satisfied with their line and they were actually in
10 service and clear. And it would show on my time sheet
11 that it was actually 12:00 when I closed the job, and
12 would show on the actual paper work that the computer
13 generates that it was 1:05. And I believe I've never
14 had any difficulty with this Company, that it just
15 seems to be accepted; that if I close at 1:05 and I
16 show on my paper work I was at lunch from 12:00 to 1:00
17 that that's acceptable.

18 Q Okay. When you call up at 1:00 or 1:05, dial
19 into your CAT terminal, is that the point when you back up
20 the time to 11:45 to clear it also, and then show the noon
21 close-out? Is that the time you enter those number?

22 A Right. That's when I would enter those
23 numbers.

24 MR. ANTHONY: I think you mischaracterized
25 what he said. I think he said on the CAT screen shows

1 the close-out -- correct me if I'm wrong, Mr. Marquis
2 -- that it's 1:00 showing as the closed time; on that
3 particular document it says MTR that shows lunch from
4 12:00 to 1:00; is that correct?

5 WITNESS MARQUIS: Right.

6 MS. RICHARDSON: All right. Now, I'm on the
7 CAT screen.

8 MR. ANTHONY: You said he closed it out at
9 12:00, he said he closed it out at 1:00 and 1:05.

10 MS. RICHARDSON: Well, let me rephrase.

11 Q (By Ms. Richardson) Okay. It's 1:05 in the
12 day.

13 A Okay.

14 Q You pull up your CAT screen so that you can
15 finish this particular trouble that you had in the
16 morning, the last one before lunch. And you're on your
17 CAT screen and it's 1:00, 1:05. All right. When
18 you're entering that last trouble of the morning, and
19 it has enter status screen with a clear time, what do
20 you input at that point for the clear time for that
21 morning trouble?

22 A In the example I gave you it would be when I
23 cleared it, which was the 11:45 with the customer.

24 Q All right. And then what would you input at
25 that particular time for your closed time?

1 A The actual time it is.

2 Q Which is 1:05?

3 A 1:05.

4 Q You wouldn't show that you had cleared it at
5 noon?

6 MR. ANTHONY: You mean closed it at noon.

7 A Closed at noon?

8 Q Closed at noon. I'm sorry.

9 A We're all getting confused here.

10 Q I am, obviously.

11 A No. I would show the actual time that it is.

12 Q The 1:05?

13 A The 1:05.

14 Q Okay. Now, is it possible in today's
15 environment in 1992, when you call up at 1:05 to enter
16 a clear time of 11:45 a.m.?

17 A No.

18 Q Okay. What actually does happen now?

19 A The actual time -- it will only allow you to
20 put in the actual time that -- of the day and the time
21 that's in the computer.

22 Q All right.

23 A In other words, if it's 1:05 I can only put in
24 1:05.

25 Q Okay. So you can't back that time up

1 anymore?

2 A No.

3 Q Okay. Now, in the past then it was possible
4 to do so, to back that time up to the clearing time,
5 but today it's not. Can you explain why that change
6 was made, do you know?

7 A No.

8 Q Has it been discussed in Staff meetings with
9 you, in training and so on, why the change may have been
10 made?

11 A I don't go to staff meetings.

12 Q Were you retrained on the new one or do they
13 just send out a memo to you?

14 A I didn't receive a memo. The script, which
15 is what the screens are called on the CAT terminal,
16 changed and they told us that we just had one time and
17 that is whatever time it was at that particular moment.

18 Q Okay. And did anybody tell you -- well, have
19 you had any difficulty with waiting for an hour now
20 before you clear that last morning report? Has anybody
21 spoken to you about that?

22 A No.

23 Q Okay. So you still in the morning go to lunch
24 and then come back and close a report an hour later?

25 A No.

1 Q Why not?

2 A Because every job is different.

3 Q Douglas, is there such a thing as a routine
4 and a no-routine day?

5 A I don't understand your question.

6 Q Okay. When you clear a report out -- and you
7 gave me one example that a customer may just want to
8 talk to you for 15 minutes and you said there may be
9 other reasons. Let's say that you have to do some tree
10 trimming or those kind of tasks. Are you familiar at
11 all -- is that called a routine process when you are
12 routining the work. You've cleared it, you've given
13 service, and then you do some other things, maybe some
14 routine tasks.

15 A Okay.

16 Q Okay. Am I using terminology that's familiar
17 to you, routine?

18 A When you speak in those terms, yes.

19 Q Okay. Can you give me some other examples of
20 routine tasks that you might do between clearing a
21 report and closing it out?

22 A No, I can't.

23 Q Okay. Maybe routining network or the
24 protector, restringing the drop. Would these things be
25 considered routine?

1 A Is this a service effecting you're talking
2 about?

3 Q No, it's an out-of-service trouble. You've
4 restored the trouble. You've given them service back.
5 Would those items be routine? Routining a protector or --

6 A They could be considered routine.

7 Q Okay. But you look kind of doubtful. Why
8 wouldn't they be considered routine?

9 A I don't understand your questions exactly or
10 what you're actually asking. That's why I have a
11 questioned look on my face.

12 Q All right. As opposed to routine, you work
13 installation and you also work repair. Have there been
14 days when you've been instructed -- for instances, a
15 lot of repair problems that day, we've got heavy
16 weather or something, you've been told not to do any
17 routine tasks, just to clear the trouble and move on to
18 the next?

19 A Not that I remember. And again you're
20 talking about in the past?

21 Q Uh-huh. Yeah. No? Okay.

22 When you first got your terminal -- have you
23 been an ST the entire 13 years, a service tech the
24 entire 13 years with the Company?

25 A In my full employment, yes.

1 Q Your full employment. Okay. So when the CAT
2 terminals came out, I think about '88, is that accurate?
3 Okay. Well, let's just assume it's '88 then.

4 A Okay. We'll assume it.

5 Q When they first came out and you remember
6 getting one, were you trained on how to use them then?

7 A Yes.

8 Q Okay. Were you instructed on statusing
9 out-of-service, whether or not a trouble was affecting
10 service or out-of-service?

11 A I don't remember.

12 Q Well, what's your understanding of "out of
13 service"? Just think back before 1992, what was your
14 understanding of "out of service" at that time?

15 A I don't know what my understanding was back
16 then.

17 Q Did you ever close out a trouble to out-of-
18 service, it came to you as affecting service and then
19 you closed it out as out-of-service?

20 A No.

21 Q You never did. Thinking back to the CAT
22 screen and that final status screen, is there a place
23 on there to indicate whether or not a report was
24 out-of-service?

25 A Not that I -- no, ma'am.

1 Q Okay. In 1992 and presently today, is there
2 a place on that final status screen on your CAT
3 terminal to say whether or not a report is
4 out-of-service or affecting service?

5 A That it is out-of-service?

6 Q Yeah. Let's say it came to you as a noise
7 problem, transmission problem, affecting service, and
8 you got out there to repair it, and then you found out
9 that it was more than a noise problem. They actually
10 couldn't get dial tone. Okay. Sometime between the time
11 you got the report, maybe, and the time you got there they
12 lost dial tone altogether. Would that be an
13 out-of-service condition when you closed it or would that
14 remain an affecting-service condition?

15 A I can answer that only by whatever is the job
16 status is the way that it stays while I'm working on it.

17 Q Okay. So if it comes you to you as affecting
18 service, all you do when you clear it and close it is
19 put in the clear time and the close time? Is that an
20 accurate statement or not?

21 A I do more than just that.

22 Q Okay. After you fix the trouble, okay, and
23 you're trying to get the record straight and get it all
24 cleared out, what do you do then? You're at the point
25 of clearing it out.

1 A Again, you're asking questions that are --
2 CAT scripts have changed over the year. I don't
3 remember all the CAT scripts that you think may be
4 there or not there -- I don't remember.

5 Q Okay. Well, let's take today. Okay. Let's
6 start with today and then maybe we can work back a
7 little bit. When you clear a trouble today you go out
8 and you fix the trouble, okay, and you've pulled that
9 number up on the CAT screen, what do you put in? What
10 do you have to put in?

11 A Do you want everything?

12 Q Yeah. I would actually have to go through
13 the menu and look at it to give you everything.

14 Q Okay. Do you have to put in a disposition code?

15 A Yes.

16 Q And what's a "disposition code?"

17 A They are the codes indicating what the
18 disposition was.

19 Q For example, whether or not it was an inside
20 wire problem as opposed to a dropped wire are or a
21 buried service wire or a jack problem, cable problem,
22 central office problem. Are those disposition codes?

23 A Yes.

24 Q Okay. Would you put in a cause code?

25 A Of course.

1 Q Okay. And an example of a cause code might
2 be what?

3 A 300, 600. Do you want to know what they
4 actually stand for?

5 Q Yeah, more than the numbers, yeah, I think so.

6 A 600 is an unknown.

7 Q So you couldn't find out what the problem was?

8 A Right. A 500 -- are we talking about the
9 service orders or repair again?

10 Q Repair.

11 A Repair, a 500 could be a miscellaneous, which
12 would be trees or rodents.

13 Q Okay.

14 A Things like that.

15 Q Wet cable, maybe, would be another one?

16 A A moisture problem would be 420.

17 Q Or customer action. What about heavy
18 weather, like flood. Have you ever used the flood,
19 tornado code?

20 A Not that I remember. A hurricane code we
21 used recently.

22 Q Yeah, I bet you did a lot of. Would you have
23 special permission to use a hurricane code. Would it
24 show on your screen or somebody -- your supervisor or
25 somebody tell you it's okay to use a hurricane code now

1 or a flood code?

2 A On a hurricane code, of course, I guess -- I
3 don't know who determines it but, obviously when we had
4 the hurricane we were told that whatever -- if the
5 hurricane caused the trouble, then we were to use the
6 hurricane code.

7 Q Okay. Now, let's move back before 1992,
8 okay, and before the hurricane. All right. We've got
9 disposition codes and cause codes that you're inputting
10 on your CAT terminal when you are clearing this out.
11 Are there certain disposition and cause codes that you
12 would use to exclude -- well, let me back up, preface
13 this with a different question.

14 Are you familiar with the requirement that
15 you close a trouble within 24 hours, an out-of-service
16 trouble within 24 hours? That the Company needs to do
17 that?

18 A I'm aware of it, yes.

19 Q You're aware of it. Okay. Are you aware
20 that certain disposition and cause codes would take
21 that trouble out of that count, exclude it from being
22 counted in that 24-hour count?

23 A No.

24 Q Okay. Have you ever been given a list of
25 specific disposition and cause codes or certain codes

1 that have been emphasized for you to use, multiple
2 cable failure, flood, heavy weather?

3 A No.

4 Q Okay.

5 A You're talking in addition to the actual
6 codes we have, or the actual --

7 Q Yeah. In addition to your job, has a
8 supervisor or anybody ever sat you down and said, you
9 know, these codes are really important, these few, like
10 customer action, flood code, heavy weather, inside
11 wire; be sure to double-check and make sure if it
12 really fits under here, we really need to use these
13 particular codes.

14 A No.

15 Q No one has ever emphasized that with you?

16 MS. RICHARDSON: We're going to do off the
17 record here.

18 (Discussion off the record.)

19 Q (By Ms. Richardson) I'd like the record to
20 show that Public Counsel has shown Mr. Marquis a copy
21 of Citizens Third Interrogatory,

22

23

24

25

1 appears on Page 10 out of 11 pages of names responsive
2 to this particular item that Public Counsel has
3 identified. We've asked Mr. Marquis to please read
4 Southern Bell's response to our total interrogatory,
5 and also to review Southern Bell's individual response
6 with his name.

7 Okay. And then Mr. Marquis, it indicates on
8 there that you have some information about instructions
9 on using exclude codes improperly.

10 MR. ANTHONY: I'm sorry, could you read that
11 question back or that statement?

12 (The question was read back by the Reporter.)

13 MR. ANTHONY: I'm going to object to that.
14 That's not what it says. The exact language is,

15 "Subject matter about which persons identified will --

16 THE REPORTER: Okay. Wait a minute. Wait a
17 minute.

18 MR. ANTHONY: I'm sorry. I'll slow down. I
19 object to the statement because the actual response says,
20 "Subject matter about which persons identified below may
21 have responsive information," not that they do have
22 responsive information. Object to the mischaracterization
23 of Southern Bell's response.

24 Q (By Ms. Richardson) Okay. Mr. Marquis --

25 A Do you still want me to read this?

1 Q Well, it would be very helpful if you have
2 not done so, that if you would, please. Make yourself
3 familiar with it --

4 MR. ANTHONY: It will help you understand the
5 questions.

6 MS. RICHARDSON: --

7 MR. ANTHONY:

8

9 That was done by the Company.

10 But if you would read this, it would make the
11 following questions a little easier to understand
12 probably, Mr. Marquis. (Pause)

13 Q (By Ms. Richardson) Okay. Now, what can you
14 tell me in relation to our question and the Company's

15

16 MR. ANTHONY: I'm going to object to the form
17 of the question. It's awfully broad.

18 Q Okay. The specific question goes to
19 instructions to use exclude codes improperly,

20

21

22 A No.

23 Q You cannot. Do you know what an "exclude code"
24 is?

25 A No, I don't.

1 Q Okay. Mr. Marquis, thank you. I'd like to
2 also show you -- now this document is not confidential,
3 and it is dated April 1, and filed in all four of the
4 consolidated dockets. And it's entitled "Southern Bell
5 Telephone and Telegraph Company's Response to
6 Preliminary Order No. PSC 930263-PCO-TL" entered on
7 February 19th, 1993. And I quote "By filing this
8 response and providing the information contained
9 herein, Southern Bell does not intend to waive the
10 attorney-client privilege or work product doctrine, and
11 reserves the right to assert the privilege and the
12 doctrine." And that's some paraphrasing there. "If
13 the same information is requested by any other person,
14 including, but not limited to, requests that may be
15 made in pending or future litigation, administrative
16 proceedings or any other action or proceeding.

17 All the individuals whose names appear below
18 were interviewed during Southern Bell's internal
19 investigation. Next to each name there appears one or
20 more numbers. Each number corresponds to a general
21 subject matter. The criterion used for associating a
22 subject matter with an individual was strictly whether
23 the statement directly or indirectly addressed the
24 subject matter. Not whether the individual had
25 knowledge of the subject matter. Consequently, an

1 individual with no knowledge about a particular subject
2 matter may nevertheless have that subject matter appear
3 next to his name if he or she mentioned it in his or
4 her statement."

5 Okay, Mr. Marquis, I'd like you to look at
6 No. 365 and tell me if that identifies you out of this
7 list of 640 or 650 names.

8 A Yeah, my name is on there.

9 Q Your name is on there. And would you
10 identify the numbers after your name as the general
11 areas that you have or may have some knowledge of.

12 A Do you have a piece of paper I can lay across
13 there for a straight line?

14 MR. ANTHONY: We'll stipulate that the
15 document shows whatever numbers are there. We need to
16 move on. I take it that means you're not agreeing to
17 stipulating?

18 MS. RICHARDSON: Right.

19 MR. ANTHONY: That it makes sense to do that.

20 WITNESS MARQUIS: No. 1, No. 2, No. 3, No. 6,
21 No. 11, No. 15, No. 17, No. 21, No. 25.

22 Q (By Ms. Richardson) Okay. And if you need
23 to refer to them, they start on this page here. I'd
24 like to start with No. 1. No. 1 indicates something
25 about backing up time, does it not?

1 A Yes, it does.

2 Q Okay. I need to know what you know or may
3 know or may have referred to, any knowledge you have at
4 all, about backing up time.

5 MR. ANTHONY: Talking about proper backing up
6 of time, like he's discussed already or improper
7 backing up of time?

8 MS. RICHARDSON: Do you have a question?

9 MR. ANTHONY: I'm trying to get the question
10 clarified. I think I have the right to do that.

11 Q (By Ms. Richardson) I think we've talked
12 about backing up the time a little bit already, in
13 terms of clearing and closing times, Douglas, on a
14 particular report and on using your CAT terminal. Do
15 you want me to read specifically "Backing up clear or
16 close times excluding special services" is what No. 1
17 says specifically. Okay.

18 Improperly backing up time, what do you know
19 about doing that?

20 A I don't know anything about improperly
21 backing up time.

22 Q What do you know about backing up time then
23 other than improperly?

24 A Backing up cleared times to actual clear
25 times, are you talking about and close-out times?

1 Q Yes.

2 A Whenever the customer was in service and
3 happy with their service that was the clear time.

4 Q Okay. What about backing up commitment time?

5 A I don't know anything about that.

6 Q What about backing up a screening time?

7 A I don't know anything about that.

8 Q All right. No. 2 was also under your list.

9 And that had something to do with cause codes and using
10 exclude codes.

11 A I haven't read this whole thing here.

12 MR. ANTHONY: If you want to take the time to
13 read through, feel free to do so.

14 Q (By Ms. Richardson) Do you want to go off
15 the record for a minute and take a look at it?

16 A No.

17 Q Okay. You're free to do so.

18 A I don't want to actually.

19 Q Okay.

20 A But, you're asking me questions on a large
21 document here, and you're almost indicating that my
22 knowledge of something says that I have used it or that
23 I may have used it.

24 Q Or that you may know other people who have
25 abused it or may have misused it.

1 A And I can answer those questions directly,
2 but just to start bringing up numbers and say the use
3 of cause codes including exclusiveness --

4 Q Do you know anyone who has misused cause
5 codes?

6 A No.

7 Q Have you ever heard of anyone doing so?

8 A No, I haven't.

9 Q Has anyone ever directed you to do so?

10 A No.

11 Q Okay. Has anyone ever directed you to use a
12 flood code, for instance, when you felt like it did not
13 apply?

14 A No.

15 Q Has anyone ever emphasized to you the use of
16 those cause codes that would exclude a report, an
17 out-of-service report, being counted in a 24-hour
18 basis?

19 A No.

20 Q Okay. No. 3 was also under your name. And
21 No. 3 deals with rebates for out-of-service troubles
22 over 24 hours.

23 A So this document indicates that I am aware of
24 that?

25 Q This document indicates that you are aware of

1 that.

2 MR. ANTHONY: No. If you recall, what the
3 document says, if you read the -- it says, "The
4 criterion used for associating subject matter with an
5 individual was strictly whether the statement directly
6 or indirectly addresses subject matter, not whether the
7 individual had knowledge."

8 MS. RICHARDSON: Slower, slower.

9 MR. ANTHONY: Don't tell me how to read. We
10 can get this from the statement later. This is for
11 your purpose, "not whether the individual had knowledge
12 of the subject matter." So let's stick with what the
13 response says, not your interpretation of it.

14 Q (By Ms. Richardson) Do you have another
15 question about it? Do you want to read it again? Do
16 you need Mr. Anthony to explain to you again?

17 A I don't care to read it because you can ask
18 me direct questions. But just to say that I have --
19 this was mentioned in the discussion or whatever, it
20 could have been mentioned as you have mentioned it as a
21 question. It doesn't mean that I have knowledge or I
22 have done these actual items that you're listing here
23 on your paper.

24 Q All right. Do you know if a trouble is
25 out-of-service and it goes out-of-service over 24 hours

1 before you have a chance to fix it, do you know if that
2 person is eligible for a rebate for that period of time
3 that it was out-of-service?

4 A That's my understanding.

5 Q That's your understanding. Do you know of
6 anyone who has been out-of-service over 24 hours that
7 has been denied a rebate?

8 A No.

9 Q Do you know of any actions, in terms of
10 inputting an exclude code or a cause code or a clearing
11 time, on your part or anyone else's part, that may have
12 prevented a customer from receiving a rebate?

13 A No, I don't.

14 Q Have you ever heard of that being done?

15 A I've heard allegations of it being done
16 through the newspaper, and other media.

17 Q Okay. Are you familiar with the test-OK
18 status, the disposition code of test-OK?

19 a Of course. Well, let me -- which status are
20 we speaking about?

21 Q Have you ever had an occasion to use a
22 test-OK status?

23 A Of course.

24 Q Okay. And under what conditions do you use
25 that?

1 A When the trouble is test-OK, It's found OK;
2 the customer doesn't have any more trouble with the
3 line. They tell you it's okay. You've done your test.
4 The tests indicate it's okay, and then you can close it
5 out to a test-OK.

6 Q Okay. So, as an outside field technician you
7 would use test-OK instead of found-OK?

8 A When you say I would use that, do you mean
9 that would be the description I would input on my CAT
10 terminal for the D and C codes?

11 Q Right.

12 A Okay. The D and C codes only -- I believe,
13 only have a test-OK.

14 Q Okay.

15 A They don't have a found-OK.

16 Q All right. Have you -- do you know of anyone
17 who has used a test-OK code to close out a report
18 improperly?

19 A No.

20 Q Okay. Have you any knowledge of anyone using --

21 A Can I ask you something?

22 Q Yes.

23 A I'd appreciate it if you'd only ask questions
24 that I know and not do I have knowledge of anybody
25 else, because what other people do, I don't know what

1 they actually do. So when you keep paraphrasing your
2 questions do I have any knowledge of other people doing
3 items -- I don't know what other people do on their
4 jobs. I only know what I do on my jobs. And that's
5 their business and what they're doing.

6 MR. ANTHONY: Mr. Marquis, if you don't know
7 what other people do just say "I don't know." That
8 will be an acceptable answer. Ms. Richardson does have
9 the right to ask that question, so if you know the
10 answer, if you know somebody did something, you can say
11 "yes" or "no, I know somebody did something," or didn't
12 do something. If you don't know, just answer it "I
13 don't know" and that'll take care of that.

14 WITNESS MARQUIS: Okay.

15 Well, I thought she was asking about -- this
16 was what I was actually doing on my -- what I did in
17 the Company, not what somebody else is doing.

18 MR. ANTHONY: Right. I think there are two
19 questions. What did you do and do you know of anybody
20 else who may have done something. And if the answer is
21 no, you don't know anybody else doing that thing, you
22 can say, no. If you don't know, you can say "I don't
23 know," whatever the appropriate answer would be. Okay.

24 WITNESS MARQUIS Okay.

25 Q (By Ms. Richardson) Okay. Do you know of

1 anyone? And then I will ask about you, yourself. Do
2 you know of anyone who has taken out-of-service reports
3 and closed them to test-OK to build the base in order
4 to meet the out-of-service index over 24?

5 A No, I don't.

6 Q Have you ever been instructed to do that
7 yourself?

8 A No, I haven't.

9 Q Have you ever done that yourself?

10 A No, I haven't.

11 Q Okay. Have you ever been instructed to take
12 reports and close them out as test-OK, and then -- or
13 just close them out early and then open an employee
14 report to finish the work?

15 A No, I haven't.

16 Q Okay. Do you know of anyone who has ever
17 done that?

18 A I don't know.

19 Q Okay.

20 MS. WILSON: You don't know?

21 WITNESS MARQUIS: I don't know.

22 MS. WILSON: You don't know whether anyone
23 has done that before?

24 WITNESS MARQUIS: Right. I don't know if
25 anybody has ever done that before.

1 MS. WILSON: So the answer is no?

2 MS. RICHARDSON: The answer is no?

3 WITNESS MARQUIS: I don't know. I can't
4 answer for other people. You're asking me to answer --
5 it's like asking you to tell me what this gentlemen had
6 for breakfast this morning.

7 MS. WILSON: So you don't know whether anyone
8 has done that?

9 WITNESS MARQUIS: Right.

10 MS. WILSON: So the answer is "No, I have no
11 knowledge." I just wanted to make sure I understood
12 what you were saying.

13 WITNESS MARQUIS: Is she a lawyer?

14 MS. WILSON: Yes.

15 MR. ANTHONY: That's Jean Wilson from the
16 Public Service Commission.

17 Q (By Ms. Richardson) Do you know of anyone
18 who has improperly prepared a trouble report?

19 A Do I know anyone who has improperly prepared
20 a trouble report. No, I don't.

21 Q Have you ever, on a consistent basis
22 yourself, improperly prepared trouble reports?

23 A No.

24 Q Okay. Do you know how to eliminate or
25 exclude a trouble report?

1 A Again we're talking about pre-'92?

2 Q Uh-huh.

3 A No.

4 Q On your final status screen before 1992, and
5 even now, do you remember a particular place in there
6 where there's an X, where if you load a "yes," that has
7 a certain effect on the trouble report?

8 A I don't remember.

9 Q With the enter status screen, where you're
10 entering the clearing time in that sequence, and it
11 asks you if you want to exclude or not?

12 A I don't ever remember a screen like that.

13 Q Okay. Do you know whether or not you can --

14 A Was there ever a screen --

15 Q Do you know whether or not you can exclude a
16 report?

17 A Was there ever a screen like that?

18 Q Yeah. Maybe, however, Mr. Marquis, let me
19 change this, I maybe confusing the MAS terminal screen
20 with the CAT screen. And that's probably what I'm
21 doing. But I believe there is a place on the CAT screen
22 that would permit you to exclude a report. And I may be
23 wrong about that. If you don't remember it, that's --

24 A I never remember a screen for excluding a
25 report.

1 Q All right. Do you know of anyone who has
2 improperly excluded or eliminated a trouble report?

3 A No, I don't.

4 Q And have you ever done so yourself?

5 A No, ma'am.

6 Q Have you ever been instructed to do so?

7 A No.

8 Q Okay. Have you ever felt any pressure to
9 code or close or clear a report under particular
10 circumstances, that would prevent an out-of-service
11 report from going over 24 hours?

12 A No.

13 Q Are you familiar with autoscreener rules?

14 A No, I'm not.

15 Q Testing rules, screening rules. Okay.

16 A I believe that would be a different job
17 function.

18 Q All right. Let's touch on service orders for
19 just a minute, and I know we've run overtime. Let's
20 see if we can do this for just a few minutes --

21 A I have all day.

22 Q -- since you also install. Great.

23 Is there a requirement that service orders be
24 installed within a certain period of time?

25 A Not that I'm aware of.

1 Q Okay. Does the Company have an objective
2 that you're aware of for installation, in terms of how
3 soon or how quickly it must be done?

4 A Not that I'm aware of.

5 Q Okay. When you're evaluated on your yearly
6 performance, are there goals or objectives set for
7 installing a particular new service?

8 A Not that I'm aware of.

9 Q Okay. One more further series on this
10 particular piece.

11 Have you ever had occasion when you've
12 installed service, when your supervisor came to you the
13 next day and said, "We've already got a trouble report
14 on this one"?

15 A No.

16 Q Okay. Are you aware, do you have any
17 knowledge of service reports that may consistently end
18 up as trouble reports within the following week because
19 the installation was not done properly?

20 A Could you ask the question again?

21 Q Okay. Are you aware of, has it ever come up
22 in supervisor training, discussions, staff meetings or
23 whatever, on new installation that's put in, where
24 you've had discussions with your managers or so on,
25 where it is said, "We've been getting too many trouble

1 reports immediately following service installation."
2 So the service install has must not have been done
3 properly.

4 A No.

5 Q No. Okay.

6 In terms of receiving a trouble report, have
7 you ever received a trouble report when the service
8 order was due that day and it had not been completed?

9 A What's your definition of completed?

10 Q Well, they got dial tone, they can use the
11 phone. If you're installing new service, then I'm
12 assuming they can pick up the phone and make a call.
13 Is that completed to you or is there another
14 definition?

15 A If you're talking about completed through the
16 system that we use, there's a different kind of
17 completion.

18 Q Okay. And what does completion mean to you
19 then on your system?

20 A If we're referring to service orders which are
21 S-routed -- I don't know if you're familiar with that.

22 Q I'm familiar with S and R, but I keep
23 forgetting what they are. So if you could explain to
24 me again.

25 A That's convenient isn't it? No.

1 Okay. An S-routed would be one that wouldn't
2 require a field visit.

3 Q "A field visit."

4 A Field visit. In other words, nobody --

5 Q So you don't have to go out to the premise?

6 A Yeah. Like if you moved out of your house
7 and somebody moved in, we, in essence, should be able
8 to disconnect your phone number and connect their new
9 number without a visit.

10 Q Okay. They can handle that in the central
11 office, in other words, just flip a switch, or reinsert
12 wires, whatever they do.

13 A It's actually handled through a Translation
14 Department.

15 Q Oh, okay. DTAG. DTAG. Okay.

16 A Whoever. I'm not sure.

17 Q Whoever.

18 A Because we don't see S-routed orders.

19 Q All right. But the R-routed orders are the
20 ones that you go out on to install the service?

21 A That require a field visit for whatever
22 reason.

23 Q All right. So, have you ever received a
24 trouble report where the service was to have been
25 installed and it wasn't completed?

1 A On an S-routed order or an R-routed order?

2 Q Let's take them one at a time. S-routed.

3 A And your question is?

4 Q Have you ever received a trouble report
5 saying, "I don't have dial tone and I was supposed to
6 have dial tone this morning." And it shows up now as a
7 trouble report.

8 A Yes.

9 Q How are those handled?

10 A They are handled as a trouble at that point.

11 Q Okay. If the service was not to be installed
12 by 5:00 p.m. that day and it's only 8:00 in the
13 morning, how do you handle it?

14 A How would I handle it? Most likely, I don't
15 think I would see it.

16 Q You wouldn't see it. Okay.

17 A Because people in the office, the screeners
18 or the MAs would be doing the testing and determining if
19 it should be dispatched on as a trouble, or if it's not a
20 service order that hasn't been passed through the system.

21 Q What about R-routed troubles?

22 A And your question is?

23 Q Have you ever received a trouble report on an
24 R-routed trouble that should have been completed?

25 A On the same day?

1 Q On the same day.

2 A No.

3 Q Okay. Have you ever gone to repair a trouble
4 that was completed, installed the day before, and you
5 received the trouble report the next day?

6 A Yes.

7 Q All right. And what have you generally
8 found? Has that happened a lot? Let's start off with
9 that. Does that happen a lot?

10 A No.

11 Q So it's a rare occurrence?

12 A Yes.

13 Q And since it's a rare occurrence, do you have
14 any idea, just generally, why this comes up? Was it
15 because it wasn't installed properly? The installer
16 made a mistake or didn't completely routine the line,
17 check it out to make sure that there were no problems?

18 A Because they are so rare, I really don't
19 remember what the actual trouble would be to cause the
20 trouble.

21 Q Okay. Do you ever have occasion to close out
22 a trouble report by calling the maintenance center
23 rather than using your CAT screen?

24 A Assuming my CAT terminal is functioning
25 properly.

1 Q Uh-huh.

2 A No.

3 Q Okay. In the past, have you ever been
4 instructed on particular types of troubles to call a
5 maintenance center rather than close out on your CAT
6 screen?

7 A I would have to answer no. The reason I'm
8 hesitant about that is, I don't remember the procedure
9 for closing WATS lines back then, which normally
10 involved having to get information from AT&T and at one
11 time they were actually tracking that through the
12 office, so they wanted me to close them with a live
13 person rather than through your CAT terminal.

14 Q Okay.

15 A But as far as regular installation repair, no.

16 Q Okay.

17 A They were trying to provide better service
18 through their WATS lines.

19 Q All right. Mr. Marquis, let me ask you just
20 one final very general question.

21 Do you have any knowledge, personal, firsthand
22 or secondhand, of any mishandling, wrongdoing, improper
23 handling of customer trouble records?

24 A No, I don't.

25 MS. RICHARDSON: Okay. Jean, do you have any

1 questions?

2 MR. VINSON: I have a few very brief questions.

3 EXAMINATION

4 BY MR. VINSON:

5 Q Earlier, in Ms. Richardson's questions, we
6 touched on the idea of selling the maintenance plans to
7 customers who didn't currently have it at the time you
8 were making the service call. Do you still attempt to
9 sell maintenance plans today? Is that still part of
10 your job duties?

11 A I believe it is.

12 Q You believe it is. You believe it's part of
13 your job description?

14 A I believe it is, but I may be wrong.

15 Q Are there any other services that are a part
16 of your duties to make an effort to sell?

17 A Ask the question again.

18 Q Okay. Is it part of your job duties to sell
19 any other services other than the maintenance plan?
20 For example, optional calling features.

21 A I don't believe at this point.

22 Q Do you know is there any award or
23 compensation that you're eligible to receive if you
24 make a certain level of calls? Of sales, successful
25 sales, do you receive an award or any compensation for

1 the sales?

2 A You're speaking in the present?

3 Q Right. Currently.

4 A No.

5 Q So there are no --

6 A That I'm aware of.

7 Q -- awards?

8 A Let me give you a little history on my sales.

9 Q Okay.

10 A Okay. I feel I'm a technician, not a
11 salesman. I, in my career, probably have sold two
12 items to two different customers. So sales has never
13 been a big item on my agenda.

14 Q One other question. You mentioned having
15 read it only in the newspaper about some of these
16 allegations of improper use of the maintenance records
17 and so forth. What do you think of those newspaper
18 accounts? In other words, do you understand what the
19 basis for those newspaper accounts might be?

20 MR. ANTHONY: I'm sorry. I'm not sure I
21 understand the question.

22 Q (By Mr. Vinson) In other words, when you
23 read those newspaper accounts do they make any sense at
24 all to you?

25 A I understand the words, if that's what you're

1 asking.

2 Q Okay. And have you had discussions about
3 these newspaper accounts with co-workers?

4 A Discussion as far as -- do you mean like
5 in-depth or just, "Hey, did you see that article in the
6 paper today?"

7 Q Any discussion at all.

8 A A discussion of "Hey, did you see that
9 article in the paper today?"

10 Q Have any of these co-workers ever given you
11 any information about what they believe would be the
12 basis of those newspaper accounts?

13 A No.

14 MR. VINSON: Okay. Those are the only
15 questions I have.

16 WITNESS MARQUIS: Any more?

17 MR. ANTHONY: Just one second.

18 MS. RICHARDSON: Mr. Anthony may have one or
19 two he wants to put on the record for you.

20 EXAMINATION

21 BY MR. ANTHONY:

22 Q If you're out talking to a customer and the
23 subject of inside wire maintenance comes up, as you've
24 testified that you were expected to at least try to
25 sell it. Would that mean that you refer the customer

1 to the business office, or would you, today, be able to
2 somehow give the customer inside wire maintenance
3 service by yourself?

4 A I don't believe we can do that at this point
5 in time. And I have always referred all of my
6 customers to the business office than to make sales.

7 MR. ANTHONY: That's all I have. Thank you.
8 Mr. Marquis, thank you.

9 MS. RICHARDSON: Thank you.

10 MR. ANTHONY: Appreciate your taking the time.

11 (Witness Marquis excused.)

12 (Thereupon, the deposition concluded at 10:55
13 a.m.)

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1 This is to certify that I, DOUGLAS MARQUIS, have
 2 read the foregoing transcription of my testimony, Page
 3 6 through 68, given on April 19, 1993 in Docket No.
 4 910163-TL, and find the same to be true and correct,
 5 with the exceptions, and/or corrections, if any, as
 6 shown on the errata sheet attached hereto.

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 DOUGLAS MARQUIS

Sworn to and subscribed before me this
 _____ day of _____, 19____

 NOTARY PUBLIC

State of _____

My Commission Expires:

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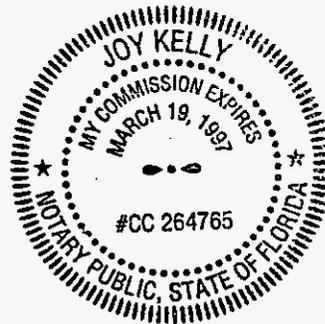
FLORIDA)
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COUNTY OF LEON)

CERTIFICATE OF OATH

I, the undersigned authority, certify that
DOUGLAS MARQUIS personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 29
day of April, 1993.

JOY KELLY
Notary Public - State of Florida



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STATE OF FLORIDA)
:
COUNTY OF LEON) CERTIFICATE OF REPORTER

I, JOY KELLY, Official Commission Reporter
and Registered Professional Reporter,

DO HEREBY CERTIFY that I was authorized to
and did stenographically report the foregoing
deposition of DOUGLAS MARQUIS;

I FURTHER CERTIFY that this transcript,
consisting of 70 pages, constitutes a true record of
the testimony given by the witness.

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

DATED this _____ day of _____,
1993.

JOY KELLY, CSR, RPR
Bureau Chief
Division of Reporting
Telephone No. (904) 488-5981

STATE OF FLORIDA)
:
COUNTY OF LEON)

The foregoing certificate was acknowledged
before me this 29th day of April, 1993, by
JOY KELLY, who is personally known to me.

Patricia A. Church
PATRICIA A. CHURCH
Notary Public - State of Florida

Notary Public, State of Florida
My Commission Expires April 20, 1995
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