

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Petition on behalf of CITIZENS OF THE STATE OF FLORIDA to initiate investigation into integrity of SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY'S repair service activities and reports.

Docket No. 910163-TL

~~910163-TL~~

In re: Show Cause Proceeding Against Southern Bell Telephone and Telegraph Company for Misbilling customers.

Docket No. 900960-TL
Filed: 12-9-92

STATE OF FLORIDA)
COUNTY OF DUVAL)

Deposition of CYNTHIA ANN WHITE, a witness examined by Office of Public Counsel, Care of The Florida Legislature, taken pursuant to Notice of Taking Deposition Upon Oral Examination, at 301 West Bay Street, 20th Floor, Jacksonville, Duval County, Florida, on Thursday, December 17, 1992, at 9:08 o'clock a.m., before Basil R. VanBeverhoudt, a Notary Public in and for the State of Florida at Large.

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A P P E A R A N C E S

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- - -

ALSO PRESENT:

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I N D E X

Witness

Cynthia Ann White

Direct by Ms. Richardson Page 4

Cross by Mr. Vinson Page 32

Redirect by Ms. Richardson Page 38

- - -

(No exhibits)

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1 CYNTHIA ANN WHITE,
2 having been produced and first duly sworn as a witness,
3 was examined by Office of Public Counsel, C/O of The
4 Florida Legislature, and testified as follows:

5 DIRECT EXAMINATION

6 BY MS. RICHARDSON:

7 Q Okay. Ms. White, I'm going to begin by asking
8 you to place your name on the record and spell it for the
9 court reporter to make sure we have it accurately.

10 A Okay. My name is Cynthia Ann White,
11 C-y-n-t-h-i-a A-n-n White, W-h-i-t-e.

12 Q And your address?

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16 Q And can you tell me what your present position
17 is with the company?

18 A Presently my title is Director of Engineering,
19 Florida and Alabama.

20 Q And what does that entail?

21 A Primarily engineering functions for central
22 office and transmission for the network.

23 Q Can you go in a litte more detail, because I'm
24 not familiar with that, what that involves.

25 A Okay. The network, of course, is the central

1 offices, which are switching centers, and all of the
2 facilities that connect them, which is generally referred
3 to as our trunking network; and the group that I'm
4 presently involved in is responsible for engineering
5 those to ensure that they're the right size, the right
6 types, so that the calls are switched through properly.

7 Q And what position did you hold prior to this
8 one?

9 A Prior to this position I was operation manager,
10 South Broward turf.

11 Q Is that an installation/maintenance center?

12 A That was an outside job, right. This is an
13 inside job.

14 Q All right. And what did you do with that
15 position in South Broward?

16 A Okay. At South Broward I was responsible for
17 all installation and repair, maintenance center,
18 construction and outside plan engineering.

19 Q Okay. And by repair, is that customer repair?
20 When a customer calls in and has trouble on the line,
21 then you are responsible for that?

22 A Yes.

23 Q Seeing that that was done. Were you also
24 responsible for new service orders?

25 A For installing new service orders, the

1 installation, yes, installation and maintenance.

2 Q And what pay grade were you in that position?

3 A 7.

4 Q And your present position is a move-up or --

5 A Lateral, 7.

6 Q A lateral. Why did you move then from South
7 Broward to Jacksonville?

8 A I was asked to take this job in Jacksonville
9 and I accepted it. It was just part of a shuffle of 7s
10 that the company did at that time.

11 Q And how long have you been in Jacksonville?

12 A Since May of '90.

13 Q May of 1990?

14 A Uh-huh.

15 Q Can you tell me who your present supervisor is?

16 A Ham Corey.

17 Q H-a-m?

18 A Hamilton.

19 Q Hamilton and C-o-r-r-y?

20 A C-o-r-e-y.

21 Q C-o-r-e-y. When you were in Broward, South
22 Broward, who was your supervisor there?

23 A Paul Singer.

24 Q Mr. Singer. Who was his supervisor?

25 A Mr. Crittenden.

1 Q Mr. Crittenden. As a Pay Grade 7, I assume
2 there were several managers below you. Can you give me
3 the names of the managerial, that first level below you,
4 that you had responsibility for?

5 A Okay. For outside plan engineering the
6 district engineer was Tom Granquist and later
7 Fred Fetzer. They were Pay Grade 6 district levels,
8 outside plan engineering.

9 Construction was Bob Schoonover,
10 S-c-h-o-o-n-o-v-e-r. Maintenance center was
11 Gary Wilson. Installation and repair was Chuck Miebach.

12 Let's see who I missed. Maintenance,
13 construction, installation, repair. I think -- oh, and
14 then I had a staff person, Doug Bond, B-o-n-d. I believe
15 that's all.

16

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18 A Which docket?

19 Q The repair docket that we are presently in.

20 MR. CARVER: Let me just object to the form of
21 the question. Are you talking about the underlying
22 activities as opposed to something happening
23 relating to this proceeding specifically?

24 MS. RICHARDSON: All right. Let me do this.

25 BY MS. RICHARDSON:

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15 A No. Basic- --

16 MR. CARVER: Let me just ask you if you would
17 wait and let her finish the question and also --

18 THE WITNESS: Oh, okay.

19 MR. CARVER: Yeah.

20 THE WITNESS: I'm sorry.

21 MR. CARVER: That's okay.

22 MS. RICHARDSON: That's okay.

23 BY MS. RICHARDSON:

24 Q My question is finished. Now you can answer.

25 A He was present because he's my present

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1 Q What kind of evidence did the company have that
2 these incidents were occurring?

3 MR. CARVER: Let me stop and object to the form
4 of the question. When you ask about what kind of
5 evidence the company had, you are asking what she
6 was told in the interview, that's fine.

7 If you are asking her to reveal anything that
8 she may know about the substance of the
9 investigation, it is protected by the attorney-
10 client privilege and I am going to instruct her not
11 to answer. So if you could clarify your question.

12 MS. RICHARDSON: Okay. Well, let's do it both
13 ways.

14 BY MS. RICHARDSON:

15 Q What were you told in the interview as to the
16 evidence that was available that the company had that
17 explained the incidents that were involved?

18 MR. CARVER: I still object to the form of the
19 question, but you can answer that.

20 A Basically I asked what they had found, because
21 I was not aware of any incidents in my center, and
22 Mr. Sanders just indicated that -- and he had a piece of
23 paper that he looked at and he just indicated that there
24 were a few instances that they had uncovered and he did
25 not share with me the names of the specific incidents and

1 I didn't pursue it any further.

2 Q Do you have any information that is directly
3 from the company's internal investigation that would be
4 responsive to my question?

5 A No.

6 Q You do not. Okay. Are you aware that the
7 company has evidence of individuals under your
8 supervision backing up the times of customer trouble
9 reports?

10 MR. CARVER: I'm going to object to the form of
11 the question. Does your question assume that she
12 has that information, or does that information
13 exist? I mean, it's kind of leading. You are
14 saying, "Are you aware that..." blah, blah, blah.
15 So part of your question is you are representing to
16 her that that information does exist? Is that part
17 of your question, or are you asking her what she
18 knows?

19 MS. RICHARDSON: You are objecting to the form
20 of the question?

21 MR. CARVER: Yes, and I would like you to
22 clarify it because I don't understand whether your
23 question assumes a fact that is not in evidence or
24 whether you are just asking her.

25 BY MS. RICHARDSON:

1 Q Were you aware that any individuals under your
2 supervision were backing up the times and customer
3 trouble reports?

4 A No.

5 Q Were you aware that any individuals under your
6 supervision were improperly statusing out-of-service
7 reports in order to build a base for the 95 percent
8 index?

9 A No.

10 Q Did you receive the operational reviews that
11 are performed in the South Broward area when you were
12 supervisor?

13 A Which operational reviews?

14 Q Any of the reviews that may have been done
15 during the time that you supervised that area.

16 A Operational reviews were conducted by our staff
17 periodically and we had verbal readouts on those reviews,
18 if that's the ones you are referring to.

19 Q Okay. And the verbal readouts, what were the
20 findings in the verbal readouts?

21 A Generally they talked about procedural
22 questions, whether we were following company policy.

23 There were no significant findings that I can
24 recall that were made by our staff at our center.

25 Q And the operational reviews that were done, who

1 gets the feedback on those

2 A Generally the management of the center and,
3 depending upon who did the review, I could either be
4 there or if it was done by headquarters, it would
5 generally have the management of the center, myself as
6 well as Mr. Singer and sometimes Mr. Crittenden,
7 depending upon what the review was. I mean, there were
8 several layers of review.

9 Q All right. Give me an example of one where
10 Mr. Crittenden might have been involved.

11 A Each year he used to call for a complete review
12 of the turf, and the staff would come down and they would
13 review engineering. They would review maintenance,
14 installation. It would probably go on for a week, or
15 maybe even more, pulling information, basically looking
16 end-to-end operation, what your results were, anything
17 that was associated with the center or any of the outside
18 groups or the engineering groups.

19 At the end of that review, then a feedback
20 would be scheduled usually for Friday afternoon and then
21 he would be present as well as Mr. Singer, myself and all
22 the Pay Grade 5s in the turf.

23 Q And were any problems noted in that review with
24 handling of repair or maintenance of the service?

25 A Not that I recall. My primary area of concern

1 in those reviews was also plan engineering.

2 Q Were you aware or did at any time under your
3 supervision any of your managers have a policy of having
4 the MAs or outside techs call a manager to get permission
5 to close out trouble reports?

6 A To close out trouble reports?

7 Q Yes.

8 A No.

9 Q Or to call a backroom manager in order to get a
10 disposition code to close out a trouble report?

11 A No.

12 Q Did any of your managers under your supervision
13 have a policy of challenging outside technicians as to
14 what time they closed a report in reference to the
15 commitment time on that out-of-service report?

16 MR. CARVER: I object to the form of the
17 question. You can answer.

18 A I'm not aware of a policy like that. I do know
19 that we had technicians calling in to report close times
20 but not of any particular policy.

21 Q When they called in were they challenged as to
22 the time of the actual repair?

23 A They were just --

24 MR. CARVER: Object to the form of the
25 question. You can answer.

1 A They would just ask what time they really
2 cleared it, because there was a habit among technicians
3 of actually clearing the trouble and then going to lunch
4 and then maybe coming around and closing it at a later
5 date. So there were at times that they were asked, you
6 know, what time did the customer really have service, not
7 in a challenging manner but just a question.

8 Q Was this a sort of routine process of asking
9 the outside people?

10 A If they called into the center, but with their
11 terminals, quite honestly there was no real reason to
12 call into the center. They can close from outside with
13 their CAT terminals. So it would be unusual, only when
14 the CAT terminal was down or some other --

15 THE REPORTER: When what was down?

16 THE WITNESS: Oh, the craft access terminal was
17 down, would they even need to call the center.

18 Q Are you aware of any outside technicians who
19 have closed out-of-service reports within the 24-hour
20 time frame without repairing them and then reopening them
21 as employee-originated reports in order to finish the
22 job?

23 A No.

24 Q Are you familiar with the no-access code?

25 A Yes.

1 Q What is your understanding of that code?

2 A Which access code? There's two of them.

3 Q Great. Explain both to me.

4 A There's a no-access -- well, I don't remember
5 now. I don't recall at the time we're talking about
6 whether there are two. There are two now. So I'm not
7 sure exactly --

8 Q Do the best you can with it.

9 A I'm not sure how many codes exactly there were
10 at the time. I think there were two then, but I know
11 there's two now and there's a no-access subscriber and a
12 no-access other. A no-access other basically says that
13 we could not get in to fix the subject subscriber's
14 phone, but it was not due to subscriber reasons; it was
15 due to other reasons.

16 A no-access subscriber basically says that we
17 had identified that it was good all the way to the
18 subscriber; to finalize it we needed to get in and we
19 could not. Therefore it was NAS'd, no-access subscriber,
20 and a tag was left on the door for the customer to call
21 us when we could come and finish; and if the customer did
22 not call back, we after 48 hours assumed it was an inside
23 trouble and closed it.

24 Q To an inside disposition code, the CPE code?

25 A Uh-huh.

1 Q Okay. Are you familiar with the PSC's
2 requirement that out-of-service troubles be cleared
3 within 24 hours?

4 A Yes.

5 Q Can you tell me what effect a no-access
6 subscriber or no-access other has on that index?

7 A No-access subscriber basically puts it on hold
8 and the time that it's on hold, while we're waiting for
9 the subscriber to recontact us, is not counted against
10 the 24 hours.

11 A no-access other is basically not put on hold.
12 It will be redispached and all time associated with the
13 other is counted towards the 24 hours.

14 Q Do either one of those get a rebate if it goes
15 over 24 hours, do you know?

16 A The no-access other always does. The no-access
17 subscriber, I'm not sure. I'm not sure exactly. Since
18 we isolate it to a subscriber, they may not. I don't
19 know the correct answer to that.

20 Q Do you know of anyone under your supervision
21 who used the no-access codes in order to stop that 24-
22 hour clock?

23 A No.

24 Q Are you familiar with excluding?

25 A Yes.

1 Q Out-of-service reports?

2 A Uh-huh.

3 Q All right. Can you tell me how a report gets
4 excluded?

5 A Certain codes, disposition codes, are excluded
6 from the report in accordance with PSC rules.

7 Q Can you give me an example?

8 A None that I would be absolutely -- now I have
9 not looked at them in a while. I assume hurricane would.
10 Some types of weather codes used to be excluded.

11 Q Cause codes then?

12 A Yes.

13 Q Disposition code of inside wire, would that get
14 excluded or be counter?

15 MR. CARVER: Let me just before you answer say
16 if you know, you can tell her; if you don't know,
17 you don't remember, don't take a guess.

18 THE WITNESS: I would be relying on memory and
19 I quite honestly couldn't tell you for sure yes or
20 no.

21 BY MS. RICHARDSON:

22 Q But you are familiar that certain codes --

23 A Are excluded.

24 Q -- are excluded? Do you know of anyone under
25 your supervision who has used the exclusion codes

1 improperly in order to keep an out-of-service report from
2 being counted in that index?

3 A No.

4 Q Are you familiar with excluding a report on
5 closeout?

6 A Yes.

7 Q All right. Can you tell me what effect that
8 has on a report when it gets excluded on closeout?

9 A It does not flow to the PSC report.

10 Q Are you familiar with anyone who has closed out
11 or excluded an out-of-service report in order to keep it
12 from being counted in the PSC index?

13 A No.

14 Q Are you familiar with the CON, C-O-N, carried-
15 over no code?

16 A Yes.

17 Q Can you tell me briefly your understanding of
18 what that code is?

19 A Basically that code was used for future dated
20 appointments. A subscriber, say, could call in and say,
21 "My phone doesn't work, but I'm going on vacation. I
22 won't be back till next Tuesday. So don't bother to
23 come." You could put it in carry-over notice no status
24 and reappoint it for when the customer comes back. The
25 point in time that it is on that status does not get

1 counted according to the 24-hour rules.

2 Q Do you know of anyone under your supervision
3 who has used the CON code in order to keep the report
4 from being counted on the index?

5 A No.

6 Q Do you know of any employee under your
7 supervision who has taken affecting service reports and
8 stated them as out of service in order to build a base?

9 A No.

10 Q Do you know of any employees who have not
11 stated out-of-service reports as out of service in
12 order to keep them from being counted in the base?

13 A No.

14 Q Do you know of anyone who may have a policy of
15 telling their MAs, "No out-of-services today. We can't
16 afford any"?

17 A No.

18 Q Do you know of anyone who has recorded an
19 extension of a time from a customer without actually
20 contacting the customer?

21 A What do you mean by extension of time?

22 Q For instance, on a CON code or changing a
23 commitment.

24 A You mean a reappointment?

25 Q Uh-huh.

1 A No.

2 Q Are you familiar with the -- I think there are
3 three-digit employee code numbers that are assigned to
4 each of the employees.

5 A Yes.

6 Q Do you know of any employee under your
7 supervision who has used an entry code other than their
8 own to status trouble reports?

9 A No.

10 Q Do you know of any employee who has used any
11 improper method to handle an out-of-service report?

12 A No.

13 Q Do you know of any employee under your
14 supervision that has falsified a customer trouble report?

15 A No.

16 Q Do you know of any employee under your
17 supervision who has created false trouble reports in
18 order to affect a base?

19 A No.

20 Q Are you familiar with the Test OK?

21 A That's one of our codes.

22 Q And can you briefly tell me what it does?

23 A Basically it -- at the time that the MAs or the
24 ST, whoever is doing the test on that trouble, if it
25 comes back and there is no trouble, then they would close

1 it to a Test OK.

2 Q In any of the operation reviews that you have
3 done is Test OK one of the possible trouble areas that
4 shows up in an operational review, a misuse of Test OK?

5 A If there was a problem it could show up.

6 Q It could. And in the operational reviews that
7 you have done have you ever seen a problem with the use
8 or misuse of Test OK?

9 A Not in my center.

10 Q Not in your center. When you were supervising
11 outside forces, how much hands-on activity did you have
12 with the actual repair technicians? How close were you?

13 A I would do writing exercises with them, go
14 around and observe and give them an opportunity to ask me
15 questions, to complain about anything they wanted to
16 complain about.

17 I would sometimes schedule them. I would
18 sometimes just show up and ride with them.

19 I also did safety inspections as well as days
20 with safety where I would ride with them to ensure they
21 were following safety.

22 So I was involved in their QWL. So I, you
23 know, had quite a bit of contact with the outside
24 technicians.

25 Q Did the writing exercises in this contact

1 involve your determining their evaluation, say a personal
2 evaluation form for the year? Did you fill that out
3 based upon some of these writing exercises or was that --

4 A No. That was done by their supervisors. My
5 writing exercises were just information gathering and, as
6 I said, a lot of times it just gave them an opportunity
7 to talk to me.

8 Q Did any of them complain to you that there were
9 not enough of them for the number of troubles that they
10 had to cover?

11 A There was always a complaint. Force has always
12 been a complaint.

13 Q Did the number of those complaints seem to
14 increase in your latter years in South Broward?

15 MR. CARVER: I think I am going to object to
16 the form of the question. What time frame are you
17 talking about?

18 MS. RICHARDSON: Okay. Let's start over again.

19 BY MS. RICHARDSON:

20 Q How many years were you in South Broward, from
21 when to when?

22 A From September of '87 till May of '90, or May
23 or June of '90, when I came up here. I can't remember
24 the exact date.

25 Q Between '87 and '90 did the number of repair

1 forces under your supervision increase, decrease, stay
2 the same?

3 A Basically decreased. Our total force was
4 decreasing.

5 Q Can you give me by a percentage or a number
6 or --

7 A There was no particular percentage. The staff
8 had a forced module that they ran, which gave us
9 approximately how many people they thought -- based on
10 our history of how many people we would need for the
11 upcoming year. It was always less.

12 Q Okay. Between '87 and '90, during that period
13 of time, can you tell me if the number of access lines
14 grew in your area?

15 A Yes. I'm for sure. It's a very hot area.

16 Q Can you give me an idea about how much?

17 A I know we always exceeded the forecast, but I
18 don't remember the exact percentage.

19 Q So you have a lot more telephones out there and
20 while you are getting more telephones out there, the
21 company is removing from your supervision repair
22 technicians and installers; is that correct?

23 A Yes.

24 Q Then during that period of time from '87 to
25 '90, when you say your writing exercises gave your repair

1 forces an opportunity to complain to you, did the
2 complaints about being able to meet the trouble load
3 increase during that period of time?

4 A I wouldn't say they increased or decreased,
5 because at the same period of time our report rate was
6 going down and we were replacing some of our old plant
7 with newer plant which did not require as much
8 maintenance or as much installation.

9 We were doing quick service, which meant that
10 we were doing installation on demand.

11 So there were other factors that contributed to
12 the total workload. So I would say that the complaints
13 were just generally the same as, you know, "We're always
14 overworked and underpaid."

15 Q Okay. They sound like government workers.
16 Have you ever had occasion to report anyone under your
17 supervision for improperly handling customer trouble
18 reports?

19 A No.

20 Q Has anyone ever reported someone to you for
21 improperly handling customer trouble reports?

22 A No.

23 Q Have any of your managers or any of the craft
24 or any employees under your supervision or anyone coming
25 in doing an operational review come to you and said,

1 "Miss White, we have a problem in this center.
2 Somebody's falsifying trouble reports"?

3 A No.

4 Q The same scenario, but come to you and say,
5 "Miss White, we have a problem in this center. It looks
6 as though someone is improperly handling the trouble
7 reports in order to build the base to meet our 95 percent
8 index criteria"?

9 MR. CARVER: Object to the form of the
10 question. You can answer.

11 A No.

12 Q Ms. White, in South Broward, in your area where
13 you were working down there, were you at all involved in
14 the sales campaign for selling services?

15 A We had the network sales program that was in
16 existence.

17 Q And what was the nature of your involvement?

18 A Well, basically through the network sales
19 program, which was a noncontact sales program, as well as
20 a contact sales program, if an installation or a repair
21 person was on site and had an opportunity to sell to the
22 customer, they would; or if during the course a
23 conversation with the customer anyone in the maintenance
24 center had an opportunity to sell a service, they would,
25 and they would receive a point credit for that. I mean,

1 we were part of that whole program.

2 Q Were you yourself ever eligible for point
3 credits or awards that were given?

4 A One year, I believe it was '87, when I first
5 went down there, the program was already in existence,
6 and I came in September of '87, and at that point in time
7 I believe -- and I don't remember the percentages, but as
8 an installation person sold, they received a certain
9 number of point credits and then their supervisor
10 received a certain -- a lower percentage and it was all
11 the way up and as a result I think I received point
12 credits. It was like a half of a half a percent or
13 something like that, but, yes, I did receive some point
14 credits as a result of their sales.

15 Q Did you ever get any prizes or awards?

16 A During that year -- I believe it was only in
17 effect in '87 and they changed it in '88, but at the end
18 of '87, yes, I did receive some awards.

19 Q Do you remember what they were?

20 A I believe I turned in my credits to buy my son
21 a bicycle and I believe I also turned in credits for a
22 VCR. There might have been some miscellaneous -- those
23 are the two major ones I believe I turned in for.

24 Q Were you disciplined in relation to the
25 company's investigation into the sales?

1 A No.

2 Q No-contact sales. Was anyone under your
3 supervision disciplined?

4 A Can you clarify that? Do you mean by the
5 company or by me?

6 Q Well, let's take both of them. By you.

7 MR. CARVER: Let's back up. Are you
8 specifically talking about something coming out of
9 the investigation?

10 MS. RICHARDSON: All right.

11 BY MS. RICHARDSON:

12 Q Let's take it then by the company coming out of
13 the investigation. We'll take that first.

14 A I'm not sure I understand.

15 MR. CARVER: You can answer. That question was
16 piggybacked on one that asked you about discipline
17 arising from the company's investigation, and I
18 don't know if you are aware of any incident that
19 came out of that or some incident that was unrelated
20 to the investigation. I don't know. So I just
21 wanted to have the question clarified.

22 So if I understood it correctly now, you were
23 asking specifically about something that came out as
24 a result of the investigation?

25 (Ms. Richardson nods head)

1 THE WITNESS: I did not discipline anyone in my
2 center as a result of something that came out of the
3 company's investigation. I was already gone from
4 that location by the time the company's
5 investigation took place. However, during my stay
6 in South Broward I did discipline an employee as a
7 result of us finding a concern.

8 BY MS. RICHARDSON:

9 Q All right. Would you please tell me who that
10 employee was?

11

12 Q What was the nature of the discipline that you
13 gave her?

14 A It was several steps. I believe we downgraded
15 her appraisal. There was an entry placed in her file. I
16 think we might have taken away her bonus basically and
17 made her take on the activity of calling back each
18 customer that she had previously claimed at the sale. So
19 it was a multi-faceted discipline basically involved with
20 that.

21 Q I think you have touched on this, but if you
22 could clarify, the discipline that you gave was because
23 she was falsifying sales? Is that an accurate way to put
24 what you are telling me?

25 A We never could prove that she was actually

1 falsifying sales. She never had admitted to it. We just
2 detected a pattern which appeared unusual and basically
3 felt that it warranted some attention.

4 Q When you say a pattern that appeared unusual,
5 can you explain what the pattern was?

6 A As I recall it -- well, first of all, we had a
7 nonmanagement person who expressed some concern; and
8 based on that we investigated it and it appeared that
9 there was a pattern to the sales that she was claiming in
10 the sense that they were all numerically sequenced, if I
11 recall it.

12 Q The telephone numbers were numerically
13 sequenced?

14 A Uh-huh. And I don't recall the exact details
15 of it, but there was a pattern and I believe it was
16 numerical sequence of the phone calls; and we had a
17 policy in our center that we would not do outbound
18 calling and it appeared that these were outbound calls.
19 So as a result of that we took the discipline that we
20 took.

21 Q Ms. White, did you discipline at all in
22 relation to the noncontact sales docket?

23 A No.

24 Q Other than were you aware then or
25 have you become aware since then that other individuals

1 in that South Broward center may have been involved in
2 improper sales activities?

3 MR. CARVER: I object to the form. You can
4 answer it.

5 A No. The only one I'm aware of.

6 MS. RICHARDSON: Give me a second. Let me make
7 sure I've got everything I need.

8 Okay, Ms. White. I believe that's all the
9 questions I have for you. I want to thank you for
10 being here today. The Commission may have one or
11 two questions for you before we let you go.

12 THE WITNESS: Okay.

13 CROSS EXAMINATION

14 BY MR. VINSON:

15 Q Ms. White, I'd like to ask you a few questions
16 about the operational reviews. Could you describe the --
17 well, first, could you just tell who the reviewers were
18 who conducted the reviews?

19 A It would depend upon which level of review. We
20 had several levels. You could be reviewed by -- well, we
21 had internal reviews that we did ourselves. Of course
22 that would be the people in the location. You had your
23 local staff reviews and that would be done by members of
24 the local staff. Then you could have the Florida Staff
25 review you and that would be done by people that reported

1 to the Florida Staff, which generally at that time I
2 believe reported to Jack Miller; and he worked for
3 Mr. Crittenden; and then, of course, you could have the
4 headquarters reviews which were those which were required
5 by Mr. Snelling and were done by subject matter experts
6 out of Atlanta. So depending upon which operational
7 review you were going through, it would have a different
8 set of players.

9 Q Who were the local staff? Who were they under?
10 I'm just trying to place these different organizations.

11 A At the time, on the engineering side I know
12 that they reported to Jack Miller. The operational side
13 for the maintenance center was T. C. Taylor, who was a
14 Pay Grade 6, and Bruce Sweeney had the INM side. He was
15 also a Pay Grade 6. Who they specifically reported to at
16 the next level I'm not sure. I believe it might have
17 been George Fortner out of Atlanta, but I don't recall
18 the exact organizational structure at that time.

19 Q Then the Florida staff that you mentioned under
20 Mr. Miller?

21 A That was primarily outside plan engineering, I
22 guess what I'm saying. So I really -- if you --
23 depending upon which one you were talking about, outside
24 plan engineering or the field side, T. C. Taylor and
25 Bruce Sweeney basically were responsible for field

1 reviews and then Jack Miller had the outside plan
2 engineering reviews.

3 Q The headquarters reviews that you mentioned,
4 what subject area would that be?

5 A They could be done -- in fact, the headquarters
6 reviews were usually a combination of both. They would
7 come in and do both outside plan engineering and field
8 all at the same time; and, in fact, on those you
9 generally got a visit from Mr. Snelling during the
10 readout.

11 Q Those were the ones that you alluded to earlier
12 that Mr. Crittenden would attend?

13 A Everybody would attend.

14 Q And these were an annual event, the
15 headquarters reviews?

16 A They attempted to do that annually. I'm not
17 sure they actually got there every year, but the attempt
18 was to do them annually.

19 Q Was a written report produced as a result of
20 the headquarter reviews?

21 A Yes.

22 Q And did you receive a copy of those?

23 A Yes.

24 Q The Florida Staff reviews, the organization of
25 Mr. Miller, did you receive a written report in those

1 instances?

2 A I know there was a verbal feedback. I'm not
3 sure we received a written report.

4 Q I have a few questions about the discipline
5 incident involving You mentioned there was a
6 policy against outbound calls. Could you describe what
7 that policy was?

8 A It was a policy that we had just decided in our
9 center that, as I understood the purposes of the network
10 sales program, it was to be sales associated with contact
11 with the customer as a part of doing your normal job and
12 I did not feel that outbound calling was part of our
13 normal job. So I instituted a policy in our turf that we
14 would not do outbound calling, that we had other things
15 to conduct our business. We were trying to make results
16 and meet customer services and we didn't need to be doing
17 outbound calling.

18 Q That was something you instituted on your own?

19 A It was only in our turf. I don't know how the
20 other turfs handled theirs.

21 Q When the problem with arose, did you
22 communicate that problem to anyone that you reported to,
23 anyone above you in the organization?

24 A I do know that I had contact with personnel,
25 because we discussed with them possible wording of the

1 entry. I do not recall if I discussed with Mr. Singer or
2 not.

3 Q Did you report the apparent problem to the
4 security department?

5 A We did not get them involved in the
6 investigation, no. It was done internally and discipline
7 was handled internally.

8 Q Why did you not call the security department?

9 A I guess I didn't really feel that it was
10 something that they needed to be involved in. It was,
11 again as I said, primarily a violation of my policy of
12 outbound calling was all that we really could determine
13 in the investigation. We never determined that there was
14 actually a sale made that was not real. So we did make
15 some random sample calls to customers.

16 So I don't recall that -- we at that time did
17 not feel there was anything to get security involved in,
18 that we had identified a problem and taken care of it
19 ourselves. I don't know later, I mean, if they were
20 involved or not.

21 Q Were you ever given as a manager any guidelines
22 for the types of instances that should be reported to
23 security?

24 A I don't think anything specifically in writing.
25 I think it was just a matter of your judgment as to

1 whether or not you needed security's help in
2 investigating something.

3 Q This is a hypothetical question; but if you had
4 been able to determine that was involved in
5 creating false sales, would you have report it to
6 security?

7 A Hypothetically, if I felt that we could prove
8 it, yes, I would have turned it over to security, but, as
9 it stood, I felt it was just a breach of an internal
10 policy.

11 Q When you have a disciplinary action -- you
12 mentioned talking to personnel about how to work the
13 entries and so forth -- is any management review or
14 approval above you required in that instance, or did
15 you --

16 A For the discipline that we administered?

17 Q Right.

18 A No.

19 Q No review of the disciplinary action taken?

20 A No.

21 MR. VINSON: Those are all the questions I
22 have.

23 MS. RICHARDSON: I have one follow-up, if I
24 could, please.

25

REDIRECT EXAMINATION

1 BY MS. RICHARDSON:

2 Q In response to Mr. Strickland's question, you
3 said you had a policy of not actively pursuing the sales,
4 I think you said?

5 A Outbound calling.

6 Q Outbound calling, but that when you had people
7 out, repair people out, under your supervision, that they
8 were to knock on the door or whatever and sell at the
9 point they were closing the trouble out perhaps?

10 Q No.

11 MR. CARVER: I object to the form of the
12 question. You can answer, but I think it
13 mischaracterizes your prior testimony, but --

14 BY MS. RICHARDSON:

15 Q Then would you repeat one more time for me --
16 I'm sorry to make you repeat, but what was it they did,
17 your outside people did, when they were selling?

18 A In the course of their job if they contacted
19 the customer and had an opportunity to sell, but they
20 wouldn't specifically knock on doors and try to sell. I
21 mean, in other words, as part of your normal job you
22 attempt to contact the customer to let them know that the
23 service has been fixed or completed and in doing so, if
24 they had an opportunity to point out features, they
25 could, but they would not overtly go down the streets and

1 knock on doors.

2 Q Well, in the process that you described of
3 their selling, within the parameters that you described,
4 how did they report their time? Was it time reported
5 just as general repair service time or did they take a
6 special code number for sales time, or was there any
7 attempt made to distinguish between the activities?

8 A I don't know. I don't have an answer to that,
9 exactly how they coded their time.

10 Q When you did the writing exercises were the
11 individual outside repair people to keep track of their
12 time on a time recording sheet?

13 A They had time reports that they filled out that
14 were used for purposes of coding their time. I don't
15 know the exact details of when and how they filled them
16 out.

17 MS. RICHARDSON: Thank you.

18 MR. CARVER: Let me see if I can get Dave here
19 a little bit early.

20 MS. RICHARDSON: That would be great.

21 (Witness excused)

22 (Thereupon, at 10:55 o'clock a.m. the taking of
23 the deposition was concluded.)

24

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C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, BASIL R. VAN BEVERHOUDT, a Notary Public in and for the State of Florida at Large, do hereby certify that I reported by stenograph the foregoing deposition at the time and place indicated herein, and that the preceding pages are a true and correct transcription of my stenotype notes of said deposition.

I further certify that I am neither of counsel nor attorney to either of the parties in said cause, nor interested in the event of the said cause.

WITNESS my hand and official seal in the City of Jacksonville, Duval County, Florida, this _____ day of October, A.D., 1993.

 Notary Public, State of Florida
 at Large. My Commission expires
 October 17, 1995.

STATE OF FLORIDA)

COUNTY OF DUVAL)

The foregoing certificate was acknowledged before me
this _____ day of _____, 1993, by
BASIL R. VAN BEVERHOUDT, who is personally known to me.

Patricia Reid Johnson
Notary Public, State of Florida
My Commission No. CC279850
Expires April 25, 1997.

C E R T I F I C A T E O F O A T H

STATE OF FLORIDA)

COUNTY OF DUVAL)

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

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

BASIL R. VAN BEVERHOUDT
Notary Public, State of Florida
Commission No. AA 508945
Expires October 17, 1995.