

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

BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION

:
In the Matter of :
:
Investigation into the :
integrity of SOUTHERN BELL :
TELEPHONE AND TELEGRAPH :
COMPANY'S repair service :
activities and reports. :

DOCKET NO. 910163-TL

DEPOSITION OF: NADINE THOMAS

TAKEN AT THE INSTANCE OF: Florida Public Service
Commission

PLACE: 666 N.W. 79th Avenue
Room 640
Miami, Florida

TIME: Commenced at 11:10 a.m.
Concluded at 11:47 a.m.

DATE: Monday, April 19, 1993

REPORTED BY: JOY KELLY, CSR, RPR
Chief, Bureau of Reporting

DOCUMENT NUMBER-DATE
FLORIDA PUBLIC SERVICE COMMISSION
05526 MAY 20 8
TFLS RECORDS/REPORTING

1 APPEARANCES:

2 HARRIS R. ANTHONY, c/o Marshall M. Criser,
3 III, 150 South Monroe Street, Suite 400, Tallahassee,
4 Florida 32301, Telephone No. (904) 222-1201, on behalf
5 of Southern Bell Telephone and Telegraph Company.

6 J. SUE RICHARDSON, Office of the Public
7 Counsel, Claude Pepper Building, Room 812, 111 West
8 Madison Street, Tallahassee, Florida 32399-1400,
9 Telephone No. (904) 488-9330, appearing on behalf of
10 the Citizens of the State of Florida.

11 JEAN R. WILSON, FPSC Division of Legal
12 Services, 101 East Gaines Street, Tallahassee, Florida
13 32399-0863, Telephone (904) 487-2740, on behalf of the
14 Commission Staff.

15

16 ALSO PRESENT:

17 STAN GREER, FPSC Division of Communications

18 CARL VINSON, FPSC Division of Research &
19 Regulatory Review

20 TERRILL BOOKER, FPSC Division of
21 Communications

22 WALTER BAER, Office of Public Counsel

23 WAYNE TUBAUGH, Southern Bell

24

25

I N D E X

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

Page No.

ERRATA SHEET	4
STIPULATION	5
SIGNATURE PAGE	46
CERTIFICATE OF OATH	47
CERTIFICATE OF REPORTER	48

WITNESS

Name:

Page No.

NADINE THOMAS	
Examination by Ms. Richardson	6
Examination by Mr. Vinson	37
Examination by Ms. Wilson	41
Further Examination by Mr. Vinson	42
Examination by Mr. Anthony	43

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

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 NADINE THOMAS

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 Ms. Thomas, would you please state your name
7 and spell it so we'll be sure to have it correctly on
8 the record.

9 A Nadine Thomas, N-A-D-I-N-E, Thomas,
10 T-H-O-M-A-S.

11 Q And your address?

12 A

13 Q And the zip code?

14 A 33127.

15 Q And a home phone number or a phone number?

16 A

17 Q Okay. And what's your position?

18 A Collections representative.

19 Q Collections representative.

20 A Yes.

21 Q And what do you do as a collections
22 representative?

23 A I collect outstanding bills for Southern
24 Bell.

25 Q And is that working in the comptroller's or

1 the business office?

2 A No, the business office.

3 Q The business office.

4 A Right.

5 Q Okay. Is this a recent move for you? How
6 long have you done this?

7 A About five, six years.

8 Q Five or six years. And that would be around
9 '87?

10 A I'm bad with year dates.

11 Q I understand. So am I. Somewhere in the
12 middle '80s, mid-'80s?

13 A Somewhere in the '80s.

14 Q Okay. And what did you do prior to that?

15 A I was an MA, maintenance administrator.

16 Q And where was this?

17 A That was at South Miami and West Miami.

18 Q South Miami and West Miami. Would that be
19 South Dade and --

20 A No, that would be -- West Miami was on Bird
21 Road. I can't remember the exact address.

22 Q Does it still exist?

23 A No. That office moved and merged with the
24 South Miami office, and that was actually in South
25 Miami.

1 Q Okay. And is it now referred to as what,
2 South Dade or Central Dade?

3 A Yes, South Dade.

4 Q South Dade?

5 A Because they merged.

6 Q Okay. And how long have you been with the
7 Company?

8 A 15 years.

9 Q And what was your entry position? Entry
10 level position?

11 A Service rep.

12 Q All right. And was that working in the
13 CRSAB?

14 A No. No.

15 Q Where did you work?

16 A Service rep is a business office.

17 Q Business office again. Okay. And who is
18 your present supervisor?

19 A Hope Sims. Should I spell it?

20 Q Please.

21 A Hope, H-O-P-E, Sims, S-I-M-S

22 Q All right. And is she a first level manager,
23 second level?

24 A Whatever a supervisor is considered at,
25 first, second.

1 Q Okay. All right. And are you a manager in
2 your present position

3 A No. I'm just a representative.

4 Q Is that a craft union position?

5 A Right.

6 Q And if you could give me who your supervisor
7 was when you were working as a maintenance
8 administrator in the Miami IMC.

9 A Okay. Jim Nance, J-I-M, N-A-N-C-E

10 Q And at that time was he -- do you know, first
11 level, second level?

12 A A foreman, I don't know. --

13 Q Foreman. Okay. Do you know who the
14 supervisor was above him?

15 A No, I can't remember his name. No, I can't
16 remember.

17 Q Okay. Okay. Have you spoken to anyone about
18 your deposition here today?

19 A Just the attorney before we came in.

20 Q Okay. And has anyone given you any
21 assurances that you would not be disciplined based upon
22 what you told me here today?

23 A Yes.

24 Q Do you know of anyone who has been
25 disciplined for falsification for customer records?

1 A No.

2 Q Have you ever been disciplined yourself?

3 A For repair records, no.

4 Q For repair records.

5 A No.

6 Q Have you ever been called upon or asked to
7 sell services in your business office experience?

8 A To sell services.

9 Q To sell new services to customers.

10 A Well, a service rep, that's part of your job
11 is to sell items.

12 Q Okay. And that was your very first position
13 with the Company, I believe you told me.

14 A Right.

15 Q Did they have call waiting and call
16 forwarding back then?

17 A Not back in those days when I started out as
18 being a rep.

19 Q Okay. What kind of things would you sell?

20 A Touch-Tone, trimline phones. Back in those
21 days we were selling the equipment.

22 Q The equipment.

23 A And Touch-Tone was the big thing then.

24 Q All right. And were you given training for
25 that?

1 A Hu-huh, yes.

2 Q Okay. In your experience as a MA, were you
3 ever asked to do sales as well when you contacted --

4 A No. No.

5 Q Have you ever done sales since you left that
6 position as a service rep?

7 A Yes. I came back as a service rep, so I had
8 to sell again. A service rep job means you have to
9 sell items to the customers.

10 Q All right. Were you good at it?

11 A Well, I guess you could say that, yes.

12 Q Okay. In terms of your maintenance
13 administrator experience, were you given training?

14 A Yes.

15 Q How much training were you given?

16 A Weeks, you mean?

17 Q Yeah, how much in terms of time?

18 A I can't remember exactly. I think it was a
19 six-week training period, but you got most of your
20 training on the job.

21 Q Was Mr. Nance also responsible for doing,
22 say, follow-up training or as things came up or changed
23 --

24 A Yes.

25 Q -- would he be the one that would train you?

1 A Yes.

2 Q If you had questions on how to handle
3 particular reports or whatever, would you normally
4 refer them to him?

5 A Exactly, yes.

6 Q Okay. Has anyone advised you today that your
7 statement here today is under oath and the consequences
8 of possible perjury; given you the full information on
9 that?

10 A Yes.

11 Q Okay. All right, Ms. Thomas, I'd like to
12 know if you have any knowledge at all about
13 falsification of customer repair records.

14 A Yes.

15 Q All right. And what can you tell me?

16 A I don't remember years, dates.

17 Q That's fine. Approximate would be fine or
18 put it in a place if you were an IMC or service rep,
19 whatever.

20 A Only when I was an MA, maintenance
21 administrator.

22 Q And that was in Miami, South Miami and West
23 Miami.

24 A Right.

25 Q All right.

1 A We were told to code reports, trouble
2 reports, a different way than what they should have
3 been coded.

4 Q All right. Now, I need a little bit further
5 explanation from you on that. Tell me how they should
6 have been coded and what you were told to do.

7 A It should have been coded to an
8 out-of-service code, so the customer could have gotten
9 their credit, the out-of-service adjustment credit. I
10 can't remember what code.

11 Q And you mean just status it out-of-service
12 instead of affecting service?

13 A It should have been status out-of-service; we
14 status affected service.

15 Q Okay. And how were you instructed? What
16 instructions were you given?

17 A The foreman at the time, whoever it might
18 have been on the floor, told us to code it at this
19 code.

20 Q As affecting service?

21 A Uh-huh, yes.

22 Q Okay. And what is your understanding about
23 when a report should be out-of-service?

24 A What do you mean by that?

25 Q Well, how do you tell, as a maintenance

1 administrator, how were you trained to tell whether or
2 not to code a report out-of-service as opposed to
3 affecting service?

4 A If the customer reported a no dial tone, we
5 test it as, let's say, a defective cable or cut cable.
6 The customer would not have any service, so that should
7 have been coded out-of-service.

8 Q Okay. And was this a routine occurrence in
9 that maintenance center? Did it happen a lot?

10 A I wouldn't say a lot. It did happen
11 sometimes.

12 Q Okay. And on what kinds of occasions would
13 this come up?

14 A Some cable failures and some weather
15 affecting -- when the weather was bad.

16 Q Because you had a lot more out-of-service
17 reports during heavy weather?

18 A Yes.

19 Q All right. And when you say cable, are we
20 talking about the big cables failures, like the big
21 multiple cables?

22 A Some big cable failures and some small cable
23 failures.

24 Q Okay. Do you know of any other instances of
25 improper handling, when you were instructed to

1 improperly handle a trouble report?

2 A I can't remember the full detail, only when
3 we generated troubles, when there is no trouble to make
4 it look like trouble. But I can't remember all of the
5 details to that.

6 Q Okay. Would that be building the base then?

7 A Yes, I think that's what they called it. I
8 don't call it that, but, yes, building the base.

9 Q Okay. Would they, for instance, ask you to
10 create fictitious trouble reports to build a base?

11 A Yes.

12 Q All right. And how would that be done?

13 A We pull up the customer's phone number and
14 generate the trouble report, and we status it however
15 the foreman wanted it to close out.

16 Q Okay. So you make it an out-of-service and
17 then maybe close it to a test-OK? Would that be one
18 example?

19 A Yes. That would be an example.

20 Q Okay. Did anyone ever make you aware of a
21 staff review that was done in West Miami in the
22 mid-'80s, between '85 and '88, I believe that was done.

23 A A staff review?

24 Q On when staff came down -- are you familiar
25 with staff reviews, when other people within the

1 Company, network staff, would come through and look at
2 a sample of trouble reports and how they were coded?
3 Are you familiar that process, operational reviews,
4 walk-throughs?

5 A I don't remember.

6 Q You don't remember those?

7 A No.

8 Q Okay. Were you ever instructed to change a
9 due date in time on a repair service?

10 A Yes, per the foreman.

11 Q Okay. And that was at that time?

12 A It could have been whatever foreman that was
13 on the floor.

14 Q Okay. Can you tell me who the other foremen
15 were that you've worked with?

16 A

17 Q That's

18 A Yes.

19 Q And can you help me with the spelling?

20 A I'll probably spell it wrong.

21

22 Q maybe?

23 A That sounds good.

24 Q Close enough?

25 A Yes, close enough. And

1 Q

2 A Right.

3 Q Okay. That would be four people then?

4 A Right.

5 Q Okay. So that you worked with while you were
6 an MA?

7 A Right. Well, there's another foreman, but I
8 can't remember his name.

9 Q Is he still with the Company, the one you
10 can't remember?

11 A I'm not sure.

12 Q You're not sure. Okay. Were you the only MA
13 that was instructed to do these particular types of
14 activities or was it general for every MA in the
15 center?

16 A Everyone that was closing out troubles.
17 Everybody didn't do the same job.

18 Q Okay. How many of you were there closing out
19 troubles?

20 A It could have been 10 to 12, depending on how
21 busy we were.

22 Q Okay. I'd like to go back to building the
23 base for a minute.

24 A Okay.

25 Q In terms you indicated that at some point

1 they may have just created fictitious reports, and that
2 would be through the trouble entry screen. You can
3 call up a trouble entry screen and enter a phone number
4 and then it would give you a trouble report screen, is
5 that correct?

6 A Yes

7 Q And then from the trouble report screen, you
8 just load the entire report.

9 A Yes.

10 Q Okay. Is there any other way that you were
11 instructed to help build that base to meet the
12 out-of-service index?

13 A No, I don't remember.

14 Q You don't recall any other ones. Were you
15 ever instructed to close test-OK reports as
16 out-of-service?

17 A Test-OK as out-of-service? No.

18 Q Okay. Is it usual to have a test-OK that
19 would be out-of-service?

20 A That's a hard one. It's possible because the
21 computer could be testing the line's okay but the
22 customer could be out of service. We would have to
23 call to make sure that the customer has working
24 service.

25 Q Okay. But it's not the norm?

1 A No.

2 Q Okay. Have you ever been instructed to back
3 up the time, the clearing or closing time on a trouble
4 report?

5 A Yes.

6 Q All right. And who instructed you to do
7 that?

8 A

9 Q All right. And what were his instructions to
10 you?

11 A To close out the trouble to this time.

12 Q Okay. And he would give you the time.

13 A Yes.

14 Q And was that time always within the 24-hour
15 commitment?

16 A Yes.

17 Q And was it always on out-of-service reports?

18 A Yes.

19 Q Okay. And was it your understanding that to
20 do that was in order to meet the index?

21 A Yes.

22 Q And in terms of meeting the index, you're
23 familiar that the Company must close out out-of-service
24 reports within 24 hours?

25 A Yes.

1 Q That's your understanding?

2 A Yes.

3 Q Okay. Were you ever requested to back up
4 screening times?

5 A I don't remember screening times.

6 Q Were you ever requested to back up commitment
7 times?

8 A I can't remember commitment times.

9 Q Okay. Are you familiar with the
10 missed-appointment rule, the Company procedures on
11 appointments and missing appointments?

12 A I can't remember exactly what it is.

13 Q Okay. But you have some memory.

14 A Somewhat.

15 Q Some recall of that.

16 All right. For what reason would the Company
17 set up an appointment as opposed to a commitment time?

18 A Can you say that again?

19 Q All right. Let me try a different way.

20 Did the Company have an internal reporting
21 process, that you were aware of, of the number of
22 reports where the Company met the appointment, and the
23 number of reports where they did not meet the
24 appointment that they set for the customer?

25 A I don't remember.

1 Q Okay. Can you recall a 222 code that may
2 have been input?

3 A Yes, I remember a 222 code.

4 Q Okay. And what did the 222 code stand for,
5 do you know? Do you know when you used it?

6 A I don't recall, but I do recall a 222 code,
7 but I don't remember what it stands for.

8 Q Do you recall any of the circumstances
9 surrounding when you might have used that 222 code?

10 A No. I can't remember.

11 Q Okay. What is a "pending activity completion
12 file?"

13 A Pending --

14 Q A PAC file, P-A-C?

15 A I've never heard of that.

16 Q Okay. I hadn't either. I thought you could
17 help me.

18 Was your supervisor involved in closing
19 troubles other than what you've already told me about
20 in any other way?

21 A What do you mean?

22 Q Well, you've given me that if you had a
23 question and you didn't know what to do, then you would
24 go to your supervisor and they would give you the
25 procedure and tell you how to close it out. You've

1 indicated they would instruct you to back up the time.
2 You've indicated they would instruct you to create
3 fictitious reports, and you've indicated that they
4 would instruct you on how to build the base. Are there
5 any other ways in which the supervisor was instructing
6 you in the performance of your job that you can think
7 of or recall?

8 A No.

9 Q Are you familiar with disposition and cause
10 codes?

11 A What they mean, you mean?

12 Q Uh-huh. I'm not asking to you give me the
13 numbers, but just what is a disposition code? What
14 would you use it for?

15 A It's been so long, I can't remember.

16 Q Okay. When you closed out reports, did you
17 normally enter a clearing time and the disposition and
18 the cause code? Was that part of your responsibility
19 before you --

20 A Yes.

21 Q -- cleared it and closed it.

22 A Yes.

23 Q Okay. Were there times when a service
24 technician would be instructed to call you, and then
25 you would question them on what the clearing time was

1 and what disposition code and cause code to use?

2 A Yes.

3 Q All right. Were you ever instructed to
4 question them on when the clearing time was or whether
5 or not they had met the commitment?

6 A I can't remember.

7 Q Okay. Were you ever instructed to question
8 them on the disposition codes they used?

9 A I can't remember.

10 Q Okay. Do you know whether or not some of
11 those disposition codes and cause codes would exclude a
12 report from being counted in an out-of-service-over 24
13 hours?

14 A Yes.

15 Q Okay. And can you recall any of those? I
16 mean, not the numbers, just generally the kind of
17 action, like customer action, maybe, or flood?

18 A I remember a cable failure, which we didn't
19 code some of it out-of-service. We coded it
20 customer-affected or however they've got it coded now.
21 It wasn't coded out-of-service. It was coded something
22 else.

23 Q Okay.

24 A I can't remember what code.

25 Q And that was all cable failures.

1 A Not all.

2 Q Okay.

3 A Not all of them. Some of them.

4 Q Some of them came through that way.

5 A Yes.

6 Q I want to take you back through the screening
7 process.

8 A Okay.

9 Q When a customer does call in, and they've
10 called the CRSAB and the report comes to you.

11 A Right.

12 Q All right. As a maintenance administrator,
13 would your first job be to test or screen that
14 particular trouble?

15 A The first thing they do is read it, see what
16 the customer is reporting. Then you test the line. If
17 it comes up test-OK, you're supposed to call the
18 customer to see if the lines are testing okay.

19 Q Okay. And if they are not?

20 A If they are not, if the customer is still
21 reporting trouble, you dispatch it to the dispatch
22 person and they dispatch the repair people.

23 Q Okay. And then the repair people go out.
24 And then do they call you for clearing and closing?

25 A Yes. They call back to the bridge to close

1 out the trouble.

2 Q All right. Were you still an MA when the
3 service technicians in the field were given the CAT
4 terminals and they started closing out themselves?

5 A No, I was gone back to the business office
6 then.

7 Q Okay. So when these people called in, then,
8 to close out -- well, let me preface this first. Are
9 you familiar with certain disposition and cause codes
10 that would exclude a trouble report from being counted
11 in that out-of-service-over-24-hour base?

12 A Meaning do I know what the codes are?

13 Q Or that there are some.

14 A Yes, but I can't remember those codes.

15 Q Okay. Let's take for example, flood. Would
16 flood remove a code, remove a report from that
17 out-of-service -- in other words, it wouldn't count
18 against the Company as a miss.

19 A I can't remember what codes did what.

20 Q But you know some did.

21 A Yes.

22 Q All right. Let's just call them as exclude
23 codes, then, refer to them that way.

24 A Okay.

25 Q Are you familiar with anyone, an ST or an MA

1 or a supervisor, who has used the exclude codes
2 improperly to prevent an out-of-service report from
3 going over 24?

4 A Yes, He gave me a direct order.

5 Q All right. And tell me what that order was.

6 A Well, I questioned why are we closing out the
7 troubles to this code when the customer is actually out
8 of service and was due whatever local service
9 adjustment they were due? He told me "This is a direct
10 order, close it out to this code."

11 Q Okay. And I'm interested in your response
12 then.

13 So is it your understanding that if a
14 customer has trouble and it's been out of service for
15 over 24 hours that they are due some kind of credit or
16 rebate?

17 A Yes. They are due a local service
18 adjustment.

19 Q Okay. And that if you use the exclude code,
20 then you knew that customer was not getting a rebate
21 that was due?

22 A Exactly.

23 Q Okay.

24 A That's why I questioned him.

25 Q Okay. Did you report that to anyone else?

1 A No.

2 Q Why not?

3 A Because I thought that's the way they wanted
4 it. It came from the top. I didn't go any further
5 than he gave me a direct order; I left it alone. I did
6 what I was told to do.

7 Q Okay. Did the other MAs also accept these
8 orders?

9 A Yes.

10 Q And follow them?

11 A Yes.

12 Q Do you know if any of the other MAs tried to
13 report it beyond Mr. Nance?

14 A No. Well, Mr. Nance wasn't the only one.

15 Q Well, beyond any of the foremen.

16 A Foremen. No.

17 Q Okay. Has the same thing occurred today?
18 Has anyone instructed you to do something that you felt
19 was improper today?

20 A Well, I'm not a MA anymore.

21 Q You're not an MA anymore.

22 A I'm a rep.

23 Q Thank you for reminding me.

24 Are you familiar with any changes in Company
25 practice that would encourage or require an MA in

1 today's environment to report that beyond their
2 immediate supervisor? Do you know if that has changed?

3 A No, I don't know.

4 Q Okay. Are you familiar with the no-access
5 code?

6 A I remember no access, but I can't remember
7 what the code is.

8 Q Okay. And what's your understanding of no
9 access?

10 A What does it mean?

11 Q Uh-huh

12 A Okay. Yes. It means we went to the
13 residence and the customer was not there, so we had no
14 access to the premise.

15 Q Okay. And do you know if that would exclude
16 that particular report from being counted against the
17 Company in that out-of-service-over-24-hour index?

18 A I can't remember how it excluded or included.
19 I'm not sure.

20 Q Okay. Do you have any memory at all of
21 whether or not anyone directed you to use that
22 no-access code improperly to keep a report from being
23 counted in that index?

24 A I can't remember.

25 Q Okay. Do you know how to exclude a report on

1 that final status screen when you close one out? Do
2 you know that you can exclude one, just eliminate the
3 report?

4 A When I can exclude it?

5 Q Uh-huh. Do you know that it's possible?

6 Let me rephrase, okay?

7 A Okay.

8 Q When you are looking at your terminal and
9 you're working, you've got the service technician on
10 the line saying, "I need to clear and close this report
11 now." And you're looking at your terminal and it shows
12 that final status screen. We're together so far?

13 A Right.

14 Q Okay. Now, in that final status screen, you
15 have an opportunity to put the date that it cleared and
16 the time that the report cleared. Okay. And then it
17 has a separate section for statusing out-of-service,
18 doesn't it, whethere or not it was out of service?

19 A Uh-huh.

20 Q Can you change it at that point? You can
21 make it an out-of-service if you need to?

22 A Right.

23 Q All right. And then there's another little
24 section with a big X in it.

25 A Right.

1 Q If you say a "yes," under that X, that that
2 excludes that particular report. Are you familiar with
3 that?

4 A I can't remember.

5 Q Can't remember. Okay.

6 When you did a typing error on a trouble
7 report -- have you ever done a typing error on a
8 trouble report?

9 A I can't remember. I probably have.

10 Q Do you remember if it was possible, if you
11 just really messed one up, you were trying to put the
12 information in and you just really messed it up, was it
13 possible to exclude that one and wipe it out and start
14 over again so that you could get the information in
15 there properly?

16 A Once you sent it -- once you send the -- hit
17 the send key, it's gone. You can't pull it back up.

18 Q Okay.

19 A It's in the computer system. You can't wipe
20 it out and generate another one.

21 Q Okay. Are you familiar with the CON code,
22 the carried-over no code?

23 A No.

24 Q Do you know of anyone who has ever used
25 another person's employee number?

1 A No.

2 Q Okay. I'd like to go to cable failures for
3 just a moment and autoscreeners.

4 Let me start off with autoscreeners. Do you
5 need me to --?

6 THE REPORTER: No.

7 MS. RICHARDSON: Autoscreener.

8 THE REPORTER: I just didn't understand one
9 word. I've got it now.

10 Q Are you familiar with the autoscreener system?
11 Was that in place when you were a MA?

12 A No, that's not familiar.

13 Q Okay. An automatic screening mechanism that
14 would screen a trouble, that would send it
15 automatically to dispatch and bypass the MA altogether.

16 A I think that was after I left.

17 Q After you left. Okay. Then, let's just talk
18 about cable failures.

19 A Okay.

20 Q All right. When you got the report from the
21 CRSAB, how did you know if it was a cable failure or
22 not, could you tell?

23 A By all the reports coming over, repeating the
24 same thing, no dial tone. Normally, no dial tone was a
25 cable failure. If you got like ten in a row you knew

1 something was wrong.

2 Q All right. And then what were your
3 instructions at that point, since you knew now we've
4 got a cable failure. Were you instructed to do
5 anything differently in handling that series of
6 reports?

7 A We referred it directly to a foreman. He
8 handled it from there.

9 Q All right. And do you know what he did with
10 it?

11 A He would probably have a test deskman -- back
12 then they had test deskmen to test the lines. If they
13 all came up with the same test, we sent it to the
14 bridge.

15 Q And the bridge would send it outside?

16 A To a cable guy.

17 Q All right. And then they would go look at
18 the problem. And then the cable repair person would
19 call back into you to close it?

20 A Right. Call back to the dispatch people.

21 Q All right. Do you know whether or not it was
22 possible to do a bulk close to close out all of them at
23 one time?

24 A Yes.

25 Q All right. And how was -- was that something

1 that you did or the cable people did?

2 A The cable guy would call and give us a code
3 to close them out, or sometimes the foreman would give
4 us the code to close out the trouble reports.

5 Q And we're talking a disposition and a cause
6 code?

7 A Right.

8 Q And maybe using exclude codes --

9 A Sometimes.

10 Q -- on these. Okay. And I'm going to get --
11 try to get technical, and if I mess up or you don't
12 follow me, please ask questions because it's very
13 possible.

14 We have, for instance, when I talk about bulk
15 closing, my understanding is that there would be a lead
16 trouble, one phone number that would act as lead
17 trouble on a whole bunch of cable troubles. And all
18 the other phone numbers would be attached to that
19 particular lead trouble number. And when you closed
20 out the lead trouble number, it automatically statused
21 and closed the rest. That's my understanding. Is that
22 something that you worked with or that you are familiar
23 with?

24 A Yes, I'm familiar with that.

25 Q Okay. So when the cable repair person called

1 in, would he just call in the lead trouble for you and
2 then you would just pull up the lead trouble report on
3 your screen and just close it out? Is that how that
4 works?

5 A Some cases.

6 Q Okay. And then when you status that, cable
7 troubles were statused affecting service on the front
8 end; is that accurate?

9 A Right.

10 Q All right. So they flowed through as
11 affecting service, they were worked, and then they came
12 to you, and when you were clearing them, they still
13 showed affecting service?

14 A Some did.

15 Q Okay. How could you tell the difference
16 then? If you closed the lead trouble and it was
17 affecting service, how could you tell if maybe some of
18 the ones that were attached should have been
19 out-of-service?

20 A You had no way to tell.

21 Q You have no way to tell.

22 A Right.

23 Q Were you ever instructed to check back on the
24 attached troubles to see if maybe some of those were
25 out-of-service and should be closed separately?

1 A No.

2 Q Okay. Do you --

3 A Normally --

4 Q I'm sorry.

5 A Normally, when you're closing out a trouble,
6 you're supposed to test the lines to make sure it's
7 testing okay.

8 Q And do you know if that was done on each
9 individual trouble in that whole group?

10 A No, I don't remember that being done.

11 Q Okay. Would that be your job normally?

12 A If I'm at the dispatch room.

13 Q I was going to ask, or the cable repair
14 person's job?

15 A No.

16 Q Is he supposed to test or you are?

17 A When he's calling in to close out his
18 trouble, I'm supposed to run that phone number in the
19 computer to make sure it's testing okay. If it's not
20 testing okay, he has to go back out there and clear
21 that trouble.

22 Q Okay. So, then, it's not closed; it's still
23 held open.

24 A Right. It's held until he called back to
25 clear the trouble.

1 Q Okay. I guess one last question on that. Do
2 you know, then, that when you close out the leading --
3 whether or not when you close out the leading trouble,
4 would that -- if we had a out-of-service attached to
5 it, would that change the status on those
6 out-of-service or would it stay the same? Do you know
7 if it would have an effect?

8 A I don't know.

9 Q Okay. If it was over 24 hours and the cable
10 people called in to clear, and you said, I believe,
11 that cable troubles generally were no dial tone, is
12 that --

13 A Right.

14 Q Okay. Were you instructed by any of your
15 foremen to leave those as affecting service or to
16 change those to out-of-service because there was no
17 dial tone?

18 A There were times we left them as affecting
19 and there were times we closed them out out-of-service.

20 Q Okay. If it was under 24 hours you were told
21 to do it out-of-service, is that --

22 A Affecting.

23 Q Okay. If it was over 24 hours, how were you
24 statusing it?

25 A I can't remember the status code.

1 MS. RICHARDSON: Okay. Ms. Thomas, I don't
2 think I have any further questions for you, unless
3 maybe one of these people jogs my memory. Okay. But I
4 really appreciate your being here --

5 A You're welcome.

6 Q And your taking the time to talk to us. The
7 Public Service Commission may have one wore two
8 questions for you.

9 EXAMINATION

10 BY MR. VINSON:

11 Q Ms. Thomas, I have a few questions for you.
12 We talked about several different supervisors or
13 foremen, I believe you called them.

14 A Yes.

15 Q I was wondering if we could run through them
16 one at a time and try to determine what their title
17 was, and the period of time that you worked under these
18 gentlemen?

19 A I can't remember dates, I'm sorry.

20 Q Okay. How about if we try to establish the
21 exact period of time that you served as a maintenance
22 administrator.

23 A It would have been in the '80s.

24 Q Okay. '80s. Can you guess a year or do you
25 recall the year?

1 A No, I don't.

2 Q Okay. In telling you, as you indicated that
3 these foreman did, to status a trouble report a certain
4 way, did they ever indicate who gave them the
5 instructions that this would be done?

6 A No.

7 Q Did any other employees question them at the
8 time as to why this should be done against the regular
9 procedures?

10 A Yes. Yes.

11 Q And what answers did these gentlemen give?

12 A This is a direct order.

13 Q Okay. Did they indicate from whom that order
14 came?

15 A No, they did not.

16 MR. ANTHONY: I'm going to object to the
17 question because there's nothing in the record to
18 indicate that there was an order to them. As I
19 understand your testimony, Ms. Thomas, you're saying
20 they were giving you a direct order. Is that right?

21 WITNESS THOMAS: Yes.

22 Q (By Mr. Vinson) So, although they indicated
23 that there was some direct order, they didn't indicate
24 from whom this order may have come?

25 MR. ANTHONY: I'm going to -- because I think

1 that's mischaracterizing what she said.

2 MR. VINSON: Let me withdraw the question.

3 MR. ANTHONY: Why don't we go ahead and clear
4 it up? This is an important point. Well, go ahead,
5 I'll get to it later. Go ahead.

6 Q (By Mr. Vinson) During the time that these
7 instructions were given to code trouble reports
8 different from the established procedures, was there a
9 certain time of the month that this would occur?

10 A Mostly weather condition; rainy season when
11 we had so many troubles we couldn't get to them; some
12 cable failures.

13 Q Okay. Was there a time during the month, say
14 the early part of the month, the middle part or the end
15 of the month that this was more likely to occur?

16 A I can't remember.

17 Q Okay. I may have tried to cover this in my
18 earlier question and just misunderstood. You do not
19 recall the titles that and
20 held

21 A They are all foremen, so I guess that would
22 be first level.

23 Q Okay. First level. So they were assistant
24 managers, perhaps?

25 A Assistance managers, yes, sir. They keep

1 changing titles.

2 Q Do you recall the name of the operations
3 manager, any operation manager that you served under
4 during your time as an MA?

5 A I'm trying. I can't remember.

6 Q Do you recall the name of any maintenance
7 center manager that you served under?

8 A I can't remember.

9 Q And I believe in response to one of
10 Ms. Richardson's questions, you referred to having
11 asked about it?

12 A Yes.

13 Q About his instructions? What did you say
14 that his response was?

15 A A direct order.

16 MR. VINSON: Those are all the questions I
17 have.

18 MS. RICHARDSON: Could we maybe just have her
19 clarify the dates, or the Company can clarify when she
20 was actually an MA, so that we could get some --

21 MR. ANTHONY: You can send us some discovery
22 on it.

23 MS. RICHARDSON: All right.

24
25

EXAMINATION

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

BY MS. WILSON:

Q Ms. Thomas, Let me ask you, the foreman who gave you direct orders and other MAs direct orders to engage in these various types of activities as to affecting-service instead of out-of-service, fictitious reports and backing up times, was it your feeling that they had received this direction from higher up to give you a direct order to engage in these activities, or did you think that this was something that originated with them? It sounds like it was kind of widespread among the foremen.

A I really don't know. I questioned, but --

Q When they told you this was a direct order, they didn't indicate to you that this was a Company policy that you were to follow?

A No. No. When you got a direct order, you didn't question that no further.

Q Did you feel that you would be in jeopardy of losing your job, perhaps, or being disciplined if you didn't follow this order?

A Yes. That's what a direct order means.

Q But your indication of that was that you were told it was a direct order?

A Yes.

1 Q Were there any other threats made or --

2 A No.

3 Q But it was understood that, in fact,
4 disciplinary action could follow?

5 A Exactly.

6 Q Did the other MAs believe this also?

7 A Yes.

8 Q Could you give me the names of the other MAs
9 who were given instructions to engage in these types of
10 activities to the best of your knowledge?

11 A Let me think a moment. It's been so long
12 again. Hardy Stevens, Iris Brown, Oserlean Rainey

13 Q Could you attempt to spell that?

14 A O-S-E-R-L-E-A-N, Rainey, R-A-I-N-E-Y

15 Marilyn McGee, Jerry Little. That's all I
16 can remember right now.

17 MS. WILSON: That's all the questions I have.

18 MR. VINSON: I have another question.

19 FURTHER EXAMINATION

20 BY MR. VINSON:

21 Q Did you believe that these instructions from
22 your foreman violated any of the guidelines for ethics
23 and ethical behavior that you had been given upon being
24 hired by the Company?

25 A Yes.

1 Q Do you recall a booklet entitled something to
2 the effect of "Your Personal Responsibility"?

3 A Yes.

4 Q And did you believe that those instructions
5 violated the contents of that document?

6 A Yes.

7 MR. VINSON: Those are the only questions I
8 have.

9 EXAMINATION

10 BY MR. ANTHONY:

11 Q Ms. Thomas, I just have one more two
12 questions to follow up on.

13 A Okay.

14 Q Did or any of the other foremen
15 ever tell you that these direct orders they gave to you
16 came from anybody higher than them?

17 A No. They would never say.

18 Q So you have no reason to believe that they
19 did come higher, you just don't know

20 A I don't know, right.

21 Q Did they ever tell you that the reason they
22 were giving these orders was to avoid paying a 24-hour
23 rebate if a trouble was out-of-service for more than 24
24 hours?

25 A No.

1 Q Is that your assumption for why they were
2 telling you to do that?

3 A Yes.

4 MR. ANTHONY: Thank you. That's all I have.

5 (Whereupon, the deposition was concluded at
6 11:50 a.m.)

7 - - - - -

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 This is to certify that I, NADINE THOMAS, have
 2 read the foregoing transcription of my testimony, Pages
 3 7 through 45, 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.

7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

 NADINE THOMAS

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

 NOTARY PUBLIC

State of _____

My Commission Expires:

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

FLORIDA)
:
COUNTY OF LEON)

CERTIFICATE OF OATH

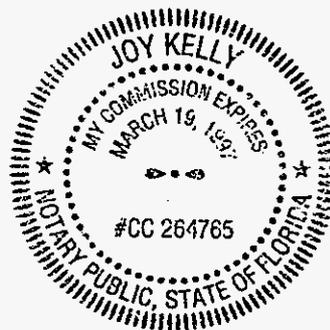
I, the undersigned authority, certify that
NADINE THOMAS personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this

29 day of April, 1993.



JOY KELLY
Notary Public - State of Florida



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

3
4 I, JOY KELLY, Official Commission Reporter
and Registered Professional Reporter,
5 DO HEREBY CERTIFY that I was authorized to
and did stenographically report the foregoing
deposition of NADINE THOMAS;

6 I FURTHER CERTIFY that this transcript,
7 consisting of 47 pages, constitutes a true record of
the testimony given by the witness.

8 I FURTHER CERTIFY that I am not a relative,
9 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.

10 DATED this 29 day of April,
11 1993.

12 
13 JOY KELLY, CSR, RPR
14 Chief, Bureau of Reporting
15 Telephone No. (904) 488-5981

16 STATE OF FLORIDA)
17 :
18 COUNTY OF LEON)

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

21 
22 Patricia A. Church
Notary Public - State of Florida

23 

1 This is to certify that I, NADINE THOMAS, have
 2 read the foregoing transcription of my testimony, Pages
 3 7 through 45, 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.

7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Nadine Thomas

 NADINE THOMAS

Sworn to and subscribed before me this

17 day of May, 1993

Nancy E. Olesen

 NOTARY PUBLIC

State of Florida

My Commission Expires:

