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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

IN RE: Petition on behalf of CITIZENS)
OF THE STATE OF FLORIDA to Initiate)
Investigation into Integrity of)
SOUTHERN BELL TELEPHONE & TELEGRAPH)
COMPANY'S Repair Service Activities)
and Reports.)

DOCKET NO. 910163-TL

920260-72

COPY

DEPOSITION OF: JOSE RUGAMA
TAKEN AT THE INSTANCE OF: Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE: Wednesday, July 29, 1992
TIME: Commenced at 2:35 p.m. Concluded at 3:35 p.m.
PLACE: 666 N.W. 79th Avenue Room 642 Miami, Florida
REPORTED BY: JANE FAUROT Notary Public in and for the State of Florida at Large

ACCURATE STENOGRAPHY REPORTERS, INC.
100 SALEM COURT
TALLAHASSEE, FLORIDA 32301
(904) 878-2221

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3 TELEGRAPH COMPANY:4 HARRIS R. ANTHONY, ESQUIRE and
5 PHILLIP CARVER, ESQUIRE
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8 Telegraph Company
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20 COMMISSION:21 JEAN WILSON, ESQUIRE and
22 STAN GREER, Class B Practitioner
23 FPSC Division of Legal Services
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26 REPRESENTING JOSE RUGAMA:

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32 ALSO PRESENT:

33 WALTER BAER, Office of Public Counsel.

34 CARL VINSON, FPSC Division of Communications.

35 * * * * *

I N D E X

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WITNESS:

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CERTIFICATE OF REPORTER 44

1 Florida Public Service Commission relating to Southern
2 Bell's inside trouble reporting practices.

3 And as you are probably aware, Southern Bell
4 conducted its own investigation of trouble reporting
5 practices. That was done under the control of the
6 Legal Department and is privileged, which means that
7 nobody else can obtain the results of that
8 investigation. It's the Company's and no third party
9 can get ahold of it. So, if during the deposition,
10 questions come up that concern that investigation, what
11 you may have said in it or what you may have been told
12 as a part of that, then I'm going to ask you not to
13 answer the questions. I just want you to know so
14 you're not surprised by that if it should come. I
15 imagine it won't, but under the off chance it does. To
16 the extent that you have any knowledge and can answer
17 any of Ms. Richardson's or any of the Staff's questions
18 that they might have that you have knowledge about
19 other than from the investigation, then, of course,
20 you're free to answer those, and you should do so
21 completely and honestly. So, I just wanted to explain
22 all of that to you before we begin. Is that
23 understandable?

24 THE WITNESS: Yes.

25 MR. ANTHONY: Okay. Great. Thanks.

1 MS. RICHARDSON: Okay. Did you have any other
2 comments, Mr. Perez-Gurri, before we start?

3 MR. PEREZ-GURRI: You will be given some
4 instructions in reference to your knowledge about your
5 testimony, whether it's hearsay or personal or
6 otherwise. And I have instructed you before, and I
7 will tell you again now, when you testify I want you to
8 qualify your answers. I want you to let her know when
9 you're testifying from your own personal knowledge, or
10 testifying based on what someone may have told you, or
11 what you may heard from someone else. Do you
12 understand?

13 THE WITNESS: Uh-huh.

14 MS. RICHARDSON: Okay. That's fine with me. And
15 I will skip right on to the "I can't remember"
16 definition. Just so that you and I are clear when we
17 are communicating, and we understand the meaning of
18 that term, "I can't remember" or "I don't recall," that
19 means you have absolutely no memory, it's a complete
20 blank. If there is something hanging out here, and
21 it's not very clear, it's sort of fuzzy, you have some
22 kind of memory. So, "I can't remember," is not an
23 appropriate response to that and you are certainly
24 welcome to expand. "There is something out there. I
25 don't really know for sure what it is," instead of

1 saying, "I can't remember." Is that acceptable?

2 THE WITNESS: I'm not sure I understood your
3 explanation. In fact, I don't remember some -- what
4 are you trying to tell me?

5 MS. RICHARDSON: That you absolutely don't
6 remember anything about it.

7 THE WITNESS: Right.

8 MS. RICHARDSON: Okay. That's clear.

9 DIRECT EXAMINATION

10 BY MS. RICHARDSON:

11 Q Would you please state your name for the record,
12 and would you spell it for the court reporter?

13 A Jose Rugama, J-O-S-E, R-U-G-A-M-A.

14 Q And your address, please?

15
16 Q Is that Miami?

17
18 Q And the zip code?

19
20 Q And what is your present position, Mr. Rugama?

21 A I am Assistant Manager, Safety.

22 Q And is that inside an IMC or with Network or --

23 A That is in Network. It's not in an IMC.

24 Q Okay. Is that for all of Florida or for --

25 A That's for the Central Dade Division.

1 Q Okay. Safety, does that deal with OSHA rules and
2 regulations?

3 A Sometimes, yes.

4 Q Okay. And how long have you held that position?

5 A Since January.

6 Q Of this year, '92?

7 A Uh-huh.

8 Q And what pay grade is that?

9 A Three.

10 Q It's a Pay Grade 3?

11 A Uh-huh.

12 Q And who is your present supervisor?

13 A Bill Lannon.

14 Q And can you spell his last name?

15 A L-A-N-N-O-N.

16 Q And who is his supervisor?

17 A Gary Dennis.

18 Q Okay. And what position did you hold immediately
19 prior to this one?

20 A I was assistant manager on an IMC prior to this
21 one.

22 Q Okay. Which IMC was that?

23 A Central Dade.

24 Q Central Dade.

25 A Uh-huh.

1 Q And how long were you an assistant manager in
2 Central Dade?

3 A About five months.

4 Q That is a short period of time.

5 A Uh-huh.

6 Q Who was your supervisor there?

7 A Roy Whitsett.

8 Q And that's W-H-I-T --

9 A I think it has got two Ss. W-H-I-T-S-S-E-T, or
10 T-T.

11 Q Well, phonetically, as best you can, then. Okay.
12 And what pay grade were you for those three months?

13 A A 3.

14 Q You were a Pay Grade 3?

15 A Uh-huh.

16 Q Was your present position a promotion, then?

17 A No.

18 Q It's just a transfer?

19 A Uh-huh.

20 Q Why were you transferred?

21 A I wanted to get out of the maintenance center.

22 Q And why did you want to get out of the maintenance
23 center?

24 A I never liked working inside.

25 Q Okay. You prefer being out in the open air, then,

1 is that what you're saying?

2 A Uh-huh.

3 Q Are there any other reasons?

4 A No.

5 MR. PEREZ-GURRI: Excuse me. Instead of saying
6 "uh-huh" or "huh-uh," say "yes," or "no."

7 THE WITNESS: Oh, okay.

8 MS. RICHARDSON: And while we are doing
9 clarifying, if I give you a question that you don't
10 understand, you are certainly free to ask me to clarify
11 the question, so that you understand what you're
12 responding to. You're clear on that?

13 THE WITNESS: Okay.

14 MS. RICHARDSON: Okay.

15 BY MS. RICHARDSON:

16 Q What did you do for the Company prior to the five
17 months at the IMC?

18 A I was an assistant manager in a staff type
19 position with different -- Pay Grade 7. I would say the
20 last six or seven years that that is what I have been doing.

21 Q Okay. So that would be around '85, '86, somewhere
22 in that time frame?

23 A About that.

24 Q Around there, around that time?

25 A Uh-huh.

1 Q And what were your responsibilities in that
2 position?

3 A I run the productivity plans, miscellaneous
4 reports, just anything that had to do -- that he wanted me
5 to do, whatever reports or system administration on the
6 Fortune computers. That was various miscellaneous functions
7 having to do with reports and stuff.

8 Q Okay. Was that a management level position, also?

9 A Uh-huh.

10 Q And what was your entry position with the Company?

11 A Lineman.

12 Q Lineman. So you were outside working on telephone
13 poles and installing cable or --

14 A Construction.

15 Q Construction, that kind of thing?

16 A Uh-huh.

17 Q And what date did you start with the Company?

18 A January '67.

19 Q You have been with the Company quite awhile, then?

20 A Yes.

21 Q Are you due to retire soon?

22 A I hope not.

23 Q Hope not. Voluntarily retire? In the course of
24 your employment with Southern Bell over these years since
25 1967, do you have any experience with customer trouble

1 repair report handling?

2 A Yes.

3 Q Okay. Was it the time that -- the five months
4 that you were in the IMC in Central Dade?

5 A Well, I'm not sure what you mean, "experience,"
6 with them. When I was a cable repairman, I handled trouble
7 reports. I mean, that is the basis of everything we do.
8 When I was a cable foreman I also had, you know, employment
9 with them in terms of filling them out, involvement.

10 Q Okay. Any other experiences?

11 A In the test center?

12 Q Yes.

13 A In the test centers, I worked in Red Road prior to
14 '85 for about two years, or prior to '86. I don't recall.
15 Somewhere in the middle '80s.

16 Q Mid-'80s. Are they the only times, then, or do
17 you have any other experience?

18 A Huh-uh, that's it.

19 Q That's it. So, as a cable repairman and a cable
20 foreman working in the Red Road IMC?

21 A Do you want my whole history?

22 Q Just for handling customer trouble reports at any
23 point in time. I'm trying to get a sense of --

24 A I'm not sure what you mean by handling them. When
25 you're not in the field, you don't really handle them. You

1 kind of work on them.

2 Q Okay. I guess what I'm asking for is both working
3 on repairing the troubles at any point where you have any
4 input into the report itself. And that would either be
5 dispatching; deciding whether a disposition or cause code
6 applied to it; clearing it, clearing a trouble report;
7 closing a report; or supervising individuals who do those
8 types of activities, any of that. I'm trying to get a feel
9 for how much experience you have with the Company in that
10 particular area. Are you with me now? Are you clear on
11 what I'm asking?

12 A Uh-huh.

13 Q Now, do you have any further experience than what
14 you have just told me about?

15 A No.

16 Q Okay. Are you familiar with disposition and cause
17 codes as they apply to customer trouble reports? Do you
18 know what a disposition --

19 A I know what a disposition and cause code is. I'm
20 not --

21 Q Okay. Well, I don't expect you to number them for
22 me and tell me what they are. I'm not going to ask you to
23 identify specific ones, necessarily. But you know generally
24 what a disposition code does?

25 A Sure.

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Q Can you tell me when that occurred?

A About three months ago.

1 and you?

2 A Hilda Geer.

3 Q And was it just the three of you?

4 A Uh-huh.

5

6 A Yes.

7

8

9

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11

12 Q Okay. Do you have any information at all about
13 the Company's investigation?

14 A No.

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you?

11

A Huh-uh.

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A I know that there are a lot of people in the Company that were disciplined, yes.

3

4

Q A lot of people in the Company?

5

A Yes.

6

7

Q So, this seems to be sort of a broad or large number of people, then, you get the feeling?

8

A Uh-huh.

9

10

Q Do you have any opinions about why so many people have been disciplined?

11

A No.

12

13

14

A No.

15

16

A No.

17

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24

A I didn't understand the question.

25

Q All right. Let me start again. You don't know

1

2

A Uh-huh.

3

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A I don't know.

7

8

Q Okay. Have you ever heard the use of the term, "backing up the time" in relation to customer repair reports?

9

10

A Yes, I've heard the term "backing up the time."

11

12

Q Okay. And how has it been used? How have you heard it used?

13

A I don't recall a specific instance.

14

15

Q Okay. Do you know about when you heard these terms used?

16

A Here lately.

17

Q Oh, just around recently?

18

A Yes.

19

20

Q But not at any time when you were working in an IMC or working on trouble reports?

21

A No. I don't recall any specific instances of that.

22

23

Q And you have heard them, say, from other employees or from outside the Company or --

24

25

A No. Just we are talking about the term, "backing

1 up the time." This is what we have been talking about, this
2 investigation.

3 MR. ANTHONY: I'm going to instruct you, now, not
4 to talk about what you may have been asked about as
5 part of the investigation. Talking to people outside
6 the investigation, you're free to answer the question.

7 THE WITNESS: I'm talking about things in the
8 Herald and it has been all over.

9 BY MS. RICHARDSON:

10 Q Okay. Do you know of anyone who has backed up
11 repair times on a trouble report?

12 A You mean willful?

13 Q Deliberately backed up repair times on trouble
14 reports?

15 A No, I have no personal knowledge, no.

16 Q Okay. Do you have any secondary or hearsay
17 knowledge of that?

18 A No.

19 Q Have you ever done that yourself?

20 A No.

21 Q Do you know of anyone who has backed up repair
22 times on trouble reports not knowing that it was improper to
23 do so?

24 MR. ANTHONY: Wait a second. I'm going to object
25 to that question, because there has been a lot of

1 testimony that it was proper to back up the time.
2 There has been a lot of testimony in other depositions
3 where it's proper to back up the time. So, your
4 question assumes that it is always improper to do so,
5 and I object to it.

6 BY MS. RICHARDSON:

7 Q Do you know of anyone who has backed up repair
8 times thinking that they were doing it correctly, but it was
9 really improper the way they did it?

10 A No, I have no personal knowledge of that.

11 Q Okay. Have you heard of that happening?

12 A Huh-uh.

13 Q And you have never done this?

14 MR. PEREZ-GURRI: You need to speak up. I'm
15 sorry. You need to speak up instead of shaking your
16 head.

17 THE WITNESS: Oh, okay.

18 BY MS. RICHARDSON:

19 Q And for the record, so you get your name down
20 here, you have not done this?

21 A No, I have not done that.

22 Q Okay. Do you know of any practice or procedure
23 where a maintenance administrator or service technician has
24 been told to call in to a manager to get disposition and
25 cause codes before closing out a trouble report?

1 A I don't recall.

2 Q Okay. Have you heard of that happening?

3 A No, I don't recall that procedure.

4 Q Okay. And you have never done that?

5 A No.

6 Q And you have never directed anyone to do that?

7 A No. You mean, to do it wrong? Is that what we
8 are talking about?

9 Q Let's make a distinction, then, okay? Because
10 you're assuming I meant to do it wrong. Let's break it up,
11 then. Do you know as a procedure?

12 A Well, let me give you a background so maybe you
13 can ask me a question in a way so that I can understand, so
14 you can understand my position.

15 Q Certainly.

16 A I work in the test center from a field
17 environment. I went into the test center at the time where
18 LMOS was being converted from manual boards, in which the
19 trouble reports were up on the board. And we had big wheels
20 with actual papers and numbers, and what have you, that
21 indicated the trouble's parameters. And we converted to the
22 computer system that is basically used now. And at the
23 time, I felt that it was a Chinese fire drill. And if
24 you're asking me were there errors committed at that time,
25 boocoo (phonetic) of errors every day. But if you're

1 telling me that somebody was told to do something wrong, we
2 were told to do things and things got changed, but there was
3 nothing wrong. It was just everybody made mistakes.

4 Q When you say you were told to do things, can you
5 remember some of the things?

6 A No, I don't recall any specific instance. I don't
7 recall of anything being done wrong.

8 Q Well, what were some of the things that you were
9 told to do that you felt were proper?

10 A No. What I'm saying is we don't invent the
11 disposition and cause codes, okay? The disposition and
12 cause codes are given to us by staff, or whatever the
13 procedure is, and they put a little explanation as to what
14 the disposition and cause codes are on our field aid.

15 Q Okay. Then let me try my question again. Do you
16 know of any practice, in your experience, of a manager
17 directing maintenance administrators or service technicians
18 to talk to the manager directly before closing out a trouble
19 report to a disposition or cause code instead of just going
20 by the job aid and doing it themselves?

21 A I don't recall any such practice, no.

22 Q And you have never directed anyone to do that?

23 A No.

24 Q Mr. Rugama, are you familiar with no access and
25 the no access code, the NAS code?

1 A Uh-huh.

2 Q Okay. Do you know of anybody -- or let me ask you
3 this first. What does a no access code do in a trouble
4 report?

5 A It means that you went to the customer's premise,
6 and the customer wasn't there and you marked it as a no
7 access.

8 Q Okay. And what happens to the timing of that
9 report if it is an out-of-service report, does the clock on
10 that timing stop at that point?

11 A I think so, but I'm not 100 percent positive.

12 Q Okay. Do you know of anybody who has used the no
13 access code to stop the clock on a trouble report?

14 A No.

15 Q Have you ever heard of anybody doing that?

16 A I don't recall that being a practice.

17 Q All right. And you have never done that?

18 A No, ma'am.

19 Q And you have never directed people to do that?

20 A No.

21 Q Okay. Do you know whether anyone has ever taken
22 an out-of-service report that's about to go over 24 hours,
23 excluded that report, and then reopened it as a new report
24 in order to finish clearing and closing that report?

25 A I don't recall any such practice.

1 Q Have you ever heard of that being done?

2 A No.

3 Q And you have not done that?

4 A No.

5 Q And you have never directed anyone to do that?

6 A No.

7 Q Do you know what a commitment time is on the
8 trouble report?

9 A That is when we tell the customer by what time we
10 are going to be there.

11 Q Okay. Do you know of anyone who has extended that
12 commitment time without talking to a customer?

13 A No. If we can't be there, we normally should call
14 them and make a -- re-appoint it.

15 Q Okay.

16 A I think that is the way we did it. I really don't
17 recall.

18 Q Okay. So, if you did call them, you think you
19 remember that's what happened, then, is that that
20 appointment time would be changed, after talking to the
21 customer?

22 A I'm trying to remember what that is called.
23 Didn't we call that something?

24 Q Carryover no or CON, maybe?

25 A Carry what?

1 Q Carryover no code or a CON code or C-O-N code?

2 A I don't recall that.

3 Q You don't recall that. Okay. Have you ever heard
4 of anyone changing a commitment time without talking to the
5 customer?

6 A No, I don't recall that.

7 Q Okay. And you have never done that?

8 A No, I haven't.

9 Q And you have never directed people to do that?

10 A No.

11 Q Are you familiar with the rule that out-of-service
12 reports should be cleared within 24 hours?

13 A That is a goal.

14 Q Okay. And the Company attempts to clear all of
15 their out-of-service reports within 24 hours, at least 95
16 percent of the time, is that correct?

17 A That's correct.

18 Q Okay. As an employee for the Company, working
19 with trouble reports, has that been a goal that you have had
20 in your position with the Company?

21 A When I worked in the IMC?

22 Q That would be fine.

23 A I never handled ST dispatch. I handled cable
24 dispatch.

25 Q Okay. Are cables included in that out-of-service

1 trouble base?

2 A Well, it's not whether they are included, it's
3 whether you can physically do it. Most of the trouble that
4 goes to cable, it's very hard to get it within 24 hours.

5 Q Okay. So, would a cable report, then, be an
6 affecting service report?

7 A No. A cable report can be out-of-service,
8 affecting service or -- that was coded out. That has
9 nothing to do with -- a cable report means that it's in the
10 cable.

11 Q Okay. Well, then, are cable reports counted
12 toward that 95 percent index?

13 A That I don't know.

14 Q You don't know if they are included in that count?

15 A Huh-uh.

16 Q Are customer, individual customer residential
17 reports included in that count, do you know?

18 A I don't understand.

19 Q When we look at the out-of-service over 24 hours
20 and the 95 percent index, what gets counted in that?

21 A I really -- you know, I didn't know that when I
22 was in the IMC.

23 Q But you know it now?

24 A No, I don't know it now. I didn't even know it
25 then.

1 Q Okay.

2 A What specific codes get counted in that, I don't
3 know. I know there are some parameters, but I don't know
4 what the parameters are.

5 MR. PEREZ-GURRI: I don't want you guessing.

6 Answer her question, but don't speculate.

7 BY MS. RICHARDSON:

8 Q Okay. Do you know of anyone who has taken
9 affecting service reports and statused them as
10 out-of-service in order to meet that 95 percent index?

11 A I've no recollection of that.

12 Q Have you ever heard of anybody doing that?

13 A No.

14 Q Have you ever done that?

15 A No.

16 Q Have you ever directed anyone to take affecting
17 service reports and status them as out-of-service?

18 A No.

19 Q And I guess I had better make that clear. In
20 terms of taking an affecting service report and statusing it
21 out-of-service, are there times when that is proper to do
22 that?

23 A I guess the trouble -- the trouble is already
24 tested in the test center. I guess it could be, if
25 something was out-of-service -- I mean, affecting service

1 and then it went out-of-service completely, a cable got wet
2 or something; it could be.

3 Q Okay. Then, let me rephrase my question. In
4 terms of an affecting service report, do you know of anyone
5 who has taken affecting service reports and changed them to
6 out-of-service improperly?

7 A No.

8 Q Okay. Have you ever heard of anyone doing so?

9 A No.

10 Q Have you ever directed anyone to do so?

11 A No.

12 Q When you were in the IMC, was it a practice to
13 have directions posted on a blackboard for the day, about
14 how to handle particular customer troubles?

15 A I don't recall.

16 Q Okay. And when you don't recall, you have
17 absolutely no memory whatsoever, there is nothing out here
18 that's even vague for you?

19 A I don't recall any blackboards.

20 Q Okay. Bulletin boards, notice boards of any type?

21 A We have schedules on bulletin boards. I don't
22 recall anything with the instructions that you're talking
23 about.

24 Q Okay. Do you know if anyone has either accused
25 you or reported you for directing individuals to take

1 affecting service reports and turn them to out-of-service
2 reports to build the base?

3 A No, I have no knowledge of anyone accusing me of
4 that.

5 Q Do you know of anyone who has in any way attempted
6 to build that base to meet the 95 percent index?

7 A No, I have no knowledge of that.

8 Q Okay. Have you ever been responsible for
9 attempting to build the base to meet the 95 percent index in
10 any way, shape or form?

11 A No.

12 Q Do you know of anyone who has taken a series of
13 test okay reports -- do you know what a test okay is?

14 A Uh-huh.

15 Q Okay. Who has taken a series of test okay reports
16 and statused them as out-of-service in order to meet the
17 repair index of 95 percent --

18 A No, I don't.

19 Q -- to build the base? Have you ever heard of that
20 being done?

21 A I can't say I remember that, what you just said.
22 I'm not sure I understand what you said.

23 Q All right. Taking a test okay report and
24 statusing it as out-of-service?

25 A If you tested okay, you close it out right then

1 and there. That is the practice. I don't know what --

2 Q Should a test okay be statused out-of-service if
3 it's okay?

4 A If it is test okay it shouldn't be -- you're
5 asking me for things that happened a long time ago.

6 Q I understand that, and I know it's a long time
7 ago. All I ask is that you give it a little thought here,
8 and if you can recall anything, tell me the parts that you
9 recall and that is fine. You know, I understand it happened
10 a long time ago.

11 A No, I don't recall anything about any test okays
12 being statused out-of-service?

13 Q Uh-huh.

14 A No.

15 Q Have you heard of that being done either back then
16 or even more recently?

17 A No.

18 Q Have you ever done that yourself?

19 A No.

20 Q And you have not directed anyone to do so?

21 A No.

22 Q Do you know of anyone who has violated Company
23 procedures for handling customer trouble reports?

24 A No.

25 Q Have you heard of anybody who has violated Company

1 procedures for handling customer trouble reports?

2 A I have no personal knowledge of anybody doing
3 that.

4 Q Okay. Do you have any secondary knowledge, rumor,
5 gossip, anything you may have heard from any other source?

6 A No, I don't.

7 Q Okay. And have you yourself ever violated a
8 Company procedure?

9 A Not knowingly.

10 Q Not knowingly. At this point, maybe thinking back
11 or having someone told you in terms of retraining, for
12 instance, have you ever unknowingly violated a Company
13 procedure?

14 A What do you mean in terms of retraining?

15 Q Well, let's take retraining out of there. Have
16 you ever unknowingly violated a Company procedure for
17 handling a customer trouble report?

18 A If I don't know about it, how could I violate a
19 Company --

20 Q Well, for instance, let me just give you an
21 example and maybe that will make it more clear.

22 A If I don't know that I'm violating, how come I --
23 how are you going to ask me if I know that I'm violating it?

24 Q Well, maybe you did it on -- did something on
25 Monday?

1 A Uh-huh.

2 Q And then on Friday your supervisor ran some check
3 reports or something and found a violation of a Company
4 procedure, and then came and talked to you about it, that is
5 how -- then you later would know that you had violated
6 procedure, but you did it unknowingly at the time. But now
7 you know that you had done it. That is what I mean, somehow
8 or other it was called to your attention later that you had.
9 That is just a possibility.

10 A Well, I don't recall any specific instances in
11 which we did something either -- we made errors. And we
12 have had staff reviews, and they have pointed out the errors
13 to us. I don't know if that is what you're talking about.
14 I mean, whatever those were, we had them all the time.

15 Q The staff reviews were frequent, then?

16 A A couple of times a year. I don't know, every
17 once in awhile they would come by and check on our
18 procedures and make sure -- on everything we do we have that
19 kind of stuff.

20 Q Okay. Do you know of anyone who has used a dummy
21 or a phony employee code in statusing a customer trouble
22 report?

23 A No, I have no personal knowledge of that.

24 Q Do you have any hearsay or secondary knowledge
25 about that?

1 A No, I don't.

2 Q Okay. And you have never done that?

3 A No.

4 Q Do you know of anyone who has used an unassigned
5 employee code in statusing a trouble report?

6 A What is an unassigned employee code?

7 Q An employee code that's within the system. The
8 system would recognize it like LMOS or someone else, but
9 maybe the employee has retired or died and the code is still
10 available because the system would recognize it, but it's
11 presently unassigned to an individual?

12 A No, I don't recall.

13 Q Okay. And have you ever heard of that happening?

14 A No. I'm not exactly sure what you're talking
15 about but --

16 MR. PEREZ-GURRI: Then don't answer the question,
17 if you don't know.

18 THE WITNESS: Okay. I don't know.

19 BY MS. RICHARDSON:

20 Q All right. Do you know what an employee code is?

21 A Yes, I know what an employee code is.

22 Q Okay. Are you clear on what an unassigned code
23 is, now that I've --

24 A It's a code that's presently not being used.

25 Q Right. Okay.

1 A An employee code that is presently not being used,
2 yes.

3 Q And then do you know what I mean when I indicate
4 using it in a trouble report? Is that the part that's -- is
5 that clear?

6 A Yes.

7 Q Okay. Then do you know of anyone who has used an
8 unassigned employee code in a trouble report?

9 A I don't recall.

10 Q And have you ever heard of that being done?

11 A No, I don't recall.

12 Q And you have never done that?

13 A No.

14 Q You ever never directed anybody to do that?

15 A No.

16 Q Do you know of anyone who has used another
17 person's employee code within the trouble report?

18 A No, I don't recall.

19 Q Okay. And have you ever heard of that being done?

20 A No.

21 Q And you have never done that?

22 A No.

23 Q And you have never directed anybody to do that?

24 A No.

25 Q Okay. You said you worked in cable for awhile?

1 A Uh-huh.

2 Q Do you know what multiple cable failure is?

3 A Yes.

4 Q Would you tell me, please?

5 A A cable failure is a more than one trouble,
6 meaning that the cable is getting wet and there are several
7 customer reports involved in there.

8 Q Would two reports be a multiple cable failure?

9 A If they fall probably within a 25 pair count, and
10 if you test around that count and you find out that that
11 count is getting wet, it might be.

12 Q Okay. If you close a cable report to multiple
13 cable failure, do you know if that would exclude it from the
14 out-of-service base, from being counted in the
15 out-of-service-over-24-hours base?

16 A I don't recall that.

17 Q You don't recall that. Do you know of any other
18 disposition codes that might exclude a report from the
19 out-of-service-over-24-hour base?

20 A No.

21 Q Let me try a few on you and see if I can jog your
22 memory. What about lightning? If we had a disposition code
23 of lightning on a report, would that be counted in that
24 out-of-service over 24 hours base or would it be excluded
25 from that?

1 A I don't even know what the lightning was.

2 Q Let's say the problem was caused by a flood, would
3 that count in that 24-hour -- over 24-hour base if it took
4 the Company more than 24 hours to repair that?

5 A I don't recall.

6 Q Okay. What about inside wiring, a person's --

7 A That is not a cable code.

8 Q No, it's not.

9 A I recall that.

10 Q Okay. All right.

11 A Inside wire is definitely not a cable code.

12 Q Okay. If the problem is inside the customer's
13 premises, in the house or in the telephone set, is that
14 problem going to be counted in the
15 out-of-service-over-24-hours base?

16 A No. I really don't know anything about those. I
17 never had anything to do with that.

18 Q Okay. Do you know of anyone using any means
19 whatever to build this out-of-service base in order to meet
20 that 95 percent index?

21 A No, I don't recall.

22 Q Okay. And have you heard of anybody doing
23 anything at all in order to try and meet that index, that 95
24 percent index, anything improper in order to meet that 95
25 percent index?

1 A No, I don't recall.

2 Q Okay. And you, yourself, have never done anything
3 just to meet that index?

4 A No.

5 Q Do you know of anyone who has improperly excluded
6 out-of-service reports when they have gone over 24 hours in
7 order to take them out of that index so the index could be
8 met?

9 A No.

10 Q Do you know of anyone who has falsified a customer
11 repair report?

12 A No.

13 Q At any time?

14 A No.

15 Q Have you ever heard of anyone falsifying a
16 customer trouble report?

17 A No, I don't recall.

18 Q Have you yourself ever falsified a customer
19 trouble report?

20 A No, I don't recall. Oh, me?

21 Q Yes.

22 A No. I recall what I've done. I've never done it,
23 no.

24 Q And you have never yourself?

25 A Right.

1 Q Have you ever directed someone else to falsify a
2 trouble report?

3 A No.

4 Q Do you know of anyone who has falsified any
5 Company record that ends up being reported to the Public
6 Service Commission?

7 A No.

8 Q And you, yourself, have never done that?

9 A No.

10 Q Have you ever instructed employees who work under
11 you not to code any reports out-of-service on any particular
12 day?

13 A No.

14 Q Have you ever instructed employees who work for
15 you to use a specific disposition code? For instance, if
16 there is heavy weather, such as a heavy rainstorm in the
17 area affecting a lot of services, telling employees to use a
18 disposition code for heavy rain as causing problems?

19 A No.

20 MS. RICHARDSON: Mr. Rugama, my questions are
21 finished, and I want to say thank you for coming here
22 today, and for taking the time. I appreciate it very
23 much. The Public Service Commission may have one or
24 two questions for you before you leave, okay? Thank
25 you.

CROSS EXAMINATION

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BY MR. GREER:

Q Mr. Rugama, I have got a couple, and I think Carl has.

understanding you were an assistant manager in Safety in the Central Dade Division beginning in January of '92.

A Uh-huh.

Q Before that assistant manager in the Central Dade IMC for approximately five or six months, before that assistant manager of staff, is that correct?

A I worked in the staff capacity to the division managers, different division managers.

Q Of an IMC?

A Well, the division manager is over everything.

A Did they identify what?

Q Was it for the assistant manager duties that you did or did not do as --

1 Q It appears to me that these duties, that those
2 three positions didn't have a lot to do with trouble
3 reporting, is that correct? The handling of trouble
4 reports?

5 A They have nothing to do with handling trouble
6 reports. The last time I was in an IMC was in -- I don't
7 know, the middle '80s somewhere.

8 Q You didn't manage anybody that dealt with trouble
9 reporting?

10 A Oh, yes, then.

11 Q Back in the mid to early '80s?

12 A Uh-huh.

13 MR. GREER: Okay. That's all.

14 CROSS EXAMINATION

15 BY MR. VINSON:

16 Q Mr. Rugama, you mentioned, I believe it was during
17 the beginning of the period when you worked in the IMC,
18 there was a period where there were many errors being made.
19 Do you recall talking about that earlier?

20 A Uh-huh.

21 Q I was wondering if you could tell us what types of
22 errors those were?

23 A No. It was a generally confusing time, because we
24 were in the process of converting from a manual environment
25 to an automated environment. And I certainly had no idea

1 what was going on. I mean, you know, in that respect she
2 was trying to ask me to recall stuff. I don't recall six or
3 seven years ago what happened. But what I do recall is it
4 was a very confusing environment and a highly stressful
5 time, because of the -- first of all, not being familiar
6 with computers or anything like that, and going to an all
7 computerized environment. And then, you know, it's kind of
8 like you go from a visual environment in which you can see
9 stuff up on a board to a computer now has it, and heaven
10 knows what is in there and how it's going to come out, and
11 it is like changing your whole perception of something.

12 Q Let me ask a different type of question. You
13 mentioned the staff reviews, and that from time to time
14 staff reviews detected errors, did you not?

15 A Well, I was trying to explain to her. She was
16 asking me about errors and miscodings, and whatever. And
17 those -- that is the function of the staff, is to come out
18 and tell us when we are doing something wrong, if we are
19 doing something wrong.

20 Q In any of the staff reviews that you recall, were
21 you or employees under your supervision detected to have
22 made some of the errors?

23 A Errors, yes. We all did errors. What she is
24 talking about, I assume, is something different, right? I
25 assume she is talking about willful stuff that we were

1 doing.

2 Q I'm just talking about errors that would be
3 detected in a staff review, honest errors.

4 A Oh, yes, sure, lots of errors.

5 Q That were discussed in a staff review?

6 A Yes. But not necessarily out-of-services, or
7 anything like that, just general errors. As a matter of
8 fact, there is one, if you want to write it down, that comes
9 to my mind. One time I put out a little form. I forget
10 what it was for, but it had something to do with some
11 tickets. And I put down on that form the date, and I made
12 an explanation as to how to fill it out. Date, I put
13 00-00-00, meaning you have to have six digits. And I recall
14 that about weeks or months later, somebody from staff came
15 over and said, "Hey, you've got a lot of stuff with no dates
16 on it." And I said, what do you mean, no dates?" He said,
17 "Well, somebody is filling out the tickets with 000000."
18 And then I found out there were a couple of guys that took
19 me literally and instead of putting in a six-digit date,
20 they were putting 000000. And that is why I don't ever want
21 to be in an IMC.

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

23 Thank you.

24 MR. ANTHONY: I don't have any. Thank you.

25 (The deposition concluded at 3:30 p.m.)

1 STATE OF FLORIDA, BY THE ABOVE PERSON WHO IS PERSONALLY
2 KNOWN BY ME.

Melanie Y. Bradford
3
4 NOTARY PUBLIC
STATE OF FLORIDA

