

In re: Complaint by BellSouth Tele-)
Communications, Inc., Regarding)
The Operation of a Telecommunications)
Company by Miami-Dade County in)
Violation of Florida Statutes and)
Commission Rules)

DOCKET NO. 050257-TL

**DEPOSITION OF LAUREN STOVER
DATED NOVEMBER 3, 2006**

FINAL EXHIBIT NO. 206

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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

DOCKET NO. 050257-TL

In re: Complaint by Bellsouth Tele-
Communications, Inc., Regarding
The Operation of a Telecommunications,
Company by Miami-Dade County in
Violation of Florida Statutes and
Commission Rules

DEPOSITION
OF
LAUREN STOVER

COPY

100 S.E. 2nd Street
Suite 1200
Miami, Florida

Friday, November 3, 2006
9:40 a.m. - 10:30 a.m.

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A P P E A R A N C E S

(Telephonic)
Public Service Commission:
Adam Teitzman, Esq.
Dale Bys Kennedy
Rick Moses

For BellSouth Telecommunications:

MARTIN B. GOLDBERG, ESQ.
Lash & Goldberg LLP
100 S.E. Second Street
Suite 1200
Miami, Florida 33131

For Miami Dade County:

DAVID S. HOPE, ESQ.
Office of the County Attorney
111 N.W. First Street
Suite 2810
Miami, Florida 33128

Also Present: Dorian Denburg, Esq.
BellSouth, Legal Department

I N D E X

| | | |
|---------------|--------|-------|
| Witness | Direct | Cross |
| LAUREN STOVER | 4 | |

E X H I B I T I N D E X

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1 MR. GOLDBERG: Martin Goldberg for
2 BellSouth Telecommunications. Also present for
3 BellSouth is Dorian Denburg, and we are here to
4 take a deposition in Docket No. 050257-TL before
5 the Florida Public Service Commission in Re: The
6 complaint by BellSouth Telecommunications
7 regarding operation of a Telecommunications
8 Company by Miami-Dade, County in violation of
9 Florida Statutes and Commission Rules. That is
10 the style of the proceeding, of course.

11 Mr. Hope, do you want to announce your
12 appearance and who is here on behalf of the
13 County?

14 MR. HOPE: Yes. Thank you.

15 David Stephen Hope, Assistant County
16 Attorney on behalf of Miami-Dade County. With
17 me are Lauren Stover, who is going to be the
18 corporate representative for segment one of the
19 deposition. Pedro Garcia, who is going to be
20 the corporate representative for segments two
21 and three of the deposition. And also in
22 attendance, not in the room, but in attendance
23 is Ricardo Fernandez.

24 MR. GOLDBERG: Mr. Teitzman, can you
25 hear us well enough?

1 MR. TEITZMAN: I can hear you fine.
2 David came in a little bit faint.

3 MR. GOLDBERG: Mr. Teitzman, do you
4 want to put on the record who is there on your
5 end of the line?

6 MR. TEITZMAN: Adam Teitzman. Dale Bys
7 Kennedy and Rick Moses.

8 MR. GOLDBERG: Thank you very much.
9 Before we proceed with the deposition, I'm going
10 to ask the court reporter to please swear the
11 witness.

12 THEREUPON:

13 LAUREN STOVER,
14 a witness named in the notice heretofore filed,
15 having been first duly sworn, deposes and says as
16 follows:

17 DIRECT EXAMINATION

18 BY MR. GOLDBERG

19 Q. Good morning, Ms. Stover.

20 A. Good morning.

21 Q. Thank you for attending the deposition this
22 morning.

23 If I could have you just state your full
24 name and spell your last name for the record.

25 A. Sure. My name is Lauren, L-a-u-r-e-n,

1 Stover, S-t-o-v-e-r. My title?

2 Q. Yes, please.

3 A. I'm the Assistant Aviation Director for
4 Miami-Dade Aviation Department and I oversee security
5 and communications which is, I know, a strange
6 combination.

7 MR. GOLDBERG: Thank you.

8 Before I proceed a little bit further,
9 Adam do you mind if ask can you hear Ms. Stover
10 well enough?

11 MR. TEITSMAN: Yes, we can.

12 Q. Before we get into the substance of the
13 deposition, let me just ask you have you had your
14 deposition taken before?

15 A. I don't believe I have. I may have been
16 involved in one with the Miami Herald years ago
17 probably. I think I have. I had to testify for some
18 files and records at the Herald so let me answer that
19 I believe I was.

20 Q. Okay. But since it's been a while let me
21 go over some of the ground rules and I think this will
22 assist everybody as we go forward today.

23 A deposition is simply a series of
24 questions that I will ask you and you will respond to
25 each question and provide an answer. I ask while you

1 are answering the questions if you would try and keep
2 your voice up, particularly because we have some
3 participants here by phone and that you try and wait
4 for me to finish my question before you answer and
5 then I will wait for you to finish your answer before
6 I ask the next question. The reason being is because
7 we have a court reporter who can only take down one
8 voice at one time and we have to have as good a record
9 as possible at the end of the deposition. Is that
10 okay with you?

11 A. Understood.

12 Q. Okay. The next ground rule is that because
13 you are under oath, it's important that all the
14 answers that you provide be truthful and complete and
15 not misleading in any manner.

16 And in order to ensure that you fulfill
17 that obligation, if at any time during this deposition
18 I ask questions that maybe vague or ambiguous or you
19 don't understand, I would like you to just simply tell
20 me "Look, I don't understand the question, could you
21 reask it," and I will certainly reask the question
22 because the most important thing is that you
23 understand the question before you answer it.

24 A. Okay.

25 Q. Is that fine with you?

1 A. Yes, that's fine.

2 Q. You, as a County employee, you are here at
3 deposition represented by an attorney for the County,
4 Mr. Hope, and I want to make it clear that if at any
5 time during the deposition you want to take a break to
6 speak to Mr. Hope or you're unclear about any issues
7 and you want the advice of your counsel, please feel
8 free to let me know and we'll accommodate you with
9 respect to that request. Is that okay?

10 A. That's fine.

11 Q. Do you have any questions about the process
12 as we proceed forward?

13 A. Not at the moment.

14 Q. Great. The first question that I am going
15 to ask you is just a followup on the title that you
16 provided and that is can you just explain to me, No.
17 1, when you started in your current position and then
18 secondly what your day-to-day responsibilities are?

19 A. Sure. I started March 13, 2006 and I am
20 responsible for overseeing the day-to-day operations
21 of the security program of Miami International
22 Airport, particularly the issuance of ID badges to
23 airport workers; ensuring that the airport is in
24 compliance with all federal regulations; assuring that
25 I control access to the airfield and that I am

1 overseeing terminal security.

2 And more recently now cargo security and
3 also programs that are security related. So anything
4 security related impacting Miami International Airport
5 or the County's general aviation airports.

6 In addition to that, I also oversee all of
7 the communications functions of Miami International
8 Airport involving internal and external relations as
9 it pertains to news media, trade journals.

10 Also responsible for the coordination of
11 all events at Miami International Airport, special
12 events, tours as well as filming, television and any
13 types of film productions. That's about it.

14 Q. Thank you.

15 Is there anybody that you report to? Who
16 do you report to at the airport?

17 A. I report to on security matters deputy
18 director named Bruce Drum and on security and
19 communications matters, media relations issues the
20 director, Jose Abreu.

21 Q. Is there anybody responsible for security
22 at the airport above Mr. Drum that you just mentioned?

23 A. Ultimately the director is responsible for
24 all operations. But Mr. Drum is more direct hands-on.

25 Q. Before we go back to your responsibilities

1 day-to-day and your participation here as corporate
2 representative for the County, let me just ask you
3 prior to March 13 of 2006 when you began in this
4 position, where were you employed?

5 A. With the Department of Homeland Security.

6 Q. How long were you with the Department of
7 Homeland Security?

8 A. For three years.

9 Q. What was your position there?

10 A. I wore a few different hats. I was hired
11 in February, it was 2003, by the Transportation
12 Security Administration, which was under the
13 Department of Transportation at the time to stand up a
14 regional communications function within the
15 Transportation Security Administration and a week
16 later we merged under the Department of Homeland
17 Security. So I was appointed as the regional director
18 for public affairs for the Department of Homeland
19 Security for the southeast region, which resulted in
20 my working with the Coast Guard, Immigration and
21 Customs enforcement and all of the DHS components to
22 coordinate public relations for the southeast region.

23 We were not regionalized at the time under
24 Homeland Security but the secretary, Secretary Ridge
25 felt it would be important that there were field

1 people across the country that the media could contact
2 on Homeland Security issues. So I was honored to be
3 appointed and I did both jobs; TSA and Homeland
4 Security. Kind of doing that now.

5 Q. Prior to your position with the Department
6 of Homeland Security, how were you employed?

7 A. Good question. I was at Miami
8 International Airport and I was the associate director
9 for public affairs and the manager of public affairs.
10 I was with Miami airport, started in 1994 as an
11 associate director and then let's see in 2000, right
12 after 9-11 I became manager. I don't know if that's
13 critical.

14 Q. In total, how many years were you at the
15 airport at that time?

16 A. 1994 to 2003. So nine years. I would say
17 nine years.

18 Q. Just for the record, those nine years were
19 1994 to 2003?

20 A. Yes, sir.

21 Q. During those nine years, did you have any
22 involvement concerning provision of telecommunications
23 or more particularly shared tenant services out at the
24 airport?

25 A. Other than I utilized the phone system. I

1 wasn't involved in any of the activities that were
2 more telecommunications oriented.

3 Q. Were you involved in any of the
4 negotiations or discussions on the County's side in
5 deciding to purchase the telecommunications facility
6 and STS operations from NextiraOne, which purchase
7 occurred in 2002?

8 A. No.

9 Q. I have seen correspondence in the 1999/2000
10 time frame concerning the purchase of Nextira's assets
11 in the telecommunications facility where you were
12 copied. Do you know why you were copied? Do you
13 recall having any involvement in meetings leading up
14 to that purchase?

15 A. No.

16 MR. HOPE: Object to form.

17 A. No. That wasn't my area.

18 Q. So even though you may have been copied on
19 correspondence, as you sit here today, you have no
20 personal knowledge concerning that transaction, is
21 that correct?

22 A. Correct. And as an executive in the
23 aviation department, it is frequent that we are copied
24 on a lot of different transmissions that don't exactly
25 pertain to our area of jurisdiction. It's like a

1 group E-mail list that they send and so we get a lot
2 of E-mails.

3 MR. GOLDBERG: I'm going to hand you
4 now what I have marked as Exhibit 1 for purposes
5 of this deposition. It is the second re-notice
6 of taking deposition that brings us here today.

7 I'm handing a copy to Mr. Hope and
8 David, I have previously sent copies of the
9 exhibits that I thought I was going to use this
10 morning up to the PSC so the PSC staff has
11 copies right now.

12 MR. HOPE: That's fine.

13 (Thereupon, Second Re-Notice was marked as
14 Exhibit 1 for Identification.)

15 Q. Ms. Stover just for record purposes, are
16 you here pursuant to the second re-notice of taking
17 deposition to appear as the corporate representative
18 of the County with respect to paragraph 1 as it's
19 outlined in the notice?

20 And that is to speak about, "The
21 information contained in the affidavit of Mark Forare
22 submitted by Miami-Dade County in support of its
23 motion to dismiss?"

24 A. Yes.

25 Q. Can you tell us what you have done leading

1 up to this deposition to prepare for the deposition
2 this morning?

3 A. I've read documentation that was provided
4 to me by our legal counsel with regard to --

5 Q. Actually, let me just stop you. One thing
6 that I am not going to ask for during this deposition
7 nor do I want you to disclose to me any communications
8 that you have had with your legal counsel.

9 A. Okay.

10 Q. So other than communications you've had
11 with Mr. Hope or other County attorneys, can you tell
12 us what you have done to prepare for this deposition?

13 A. I've read the materials that I thought were
14 pertinent to understand.

15 Q. Can you recall what materials you read?

16 A. Now this is getting a little technical for
17 me because I'm not an attorney, but I tried to read
18 the complaint and I read the deposition of Mark Forare
19 or his statement, that of Pedro Garcia and some of the
20 transmissions. I have read this, the complaint.

21 Q. Just for the record, you're looking at some
22 documents you have in your possession?

23 A. Right. A lot of the documents.

24 Q. A lot of the documents, okay.

25 Anything else of significance that you have

1 relied on in your preparation for today?

2 A. Nothing.

3 Q. Have you taken it upon yourself or have you
4 taken it upon yourself to have any discussions with
5 anybody else at the airport in order to prepare to
6 respond to questions this morning?

7 A. No. Actually I felt I should just come as
8 I am with the knowledge that I have to answer any
9 questions pertinent to security and operations rather
10 than to prepare for any answers. I rather just be --
11 if you ask me a question, I'll answer it based on my
12 knowledge, not my research.

13 Q. Okay. Yo have brought another person with
14 you to the deposition today. Could you tell us who
15 that is and why he is here?

16 A. Yes. That is Ricardo Fernandez. He is the
17 division director for security under my division and
18 he is here as a resource in the event that I'm not
19 able to provide you with critical information that you
20 need that we could use him as a backup.

21 Q. Thank you.

22 Let me show you what I have marked as
23 Exhibit No. 2 for purposes of this deposition and ask
24 you whether you've had an opportunity to review this
25 document?

1 A. No. This is the first time seeing this.
2 (Thereupon, Document was marked as Exhibit
3 2 for Identification.)

4 Q. Let me just put some background on the
5 record and David feel free to correct me if I misstate
6 anything just to put this document in context also for
7 the PSC staff.

8 During our discovery in this case we asked
9 the County to produce all documents that supported its
10 contention, and this was in request 11 and 12 in our
11 first request for production of documents. All
12 documents that supported the County's contention that
13 STS concessions, restaurants and other County
14 customers necessary for the safety and efficient
15 transportation of passengers through the airport.

16 We also asked for all documents to support
17 the County's contention that STS was necessary for
18 evacuations that Mr. Hope had outlined in his argument
19 to the Public Service Commission at the motion to
20 dismiss hearing.

21 And what the County produced, Ms. Stover,
22 in response to those two requests was one document,
23 one document only which is the document I've marked as
24 Exhibit 2. And even though you haven't seen it
25 before, given your position and the information

1 contained in the affidavit of Mr. Forare, I'm going to
2 ask you questions about the information contained on
3 this document. That okay with you?

4 A. Sure. Yes.

5 Q. This indicates number of examples over from
6 the period of November '04 through July of '05 a
7 number of incidents at the airport where either an
8 evacuation was necessary or the establishment of a
9 safety zone or I guess some concourses being shut
10 down. Is that correct?

11 A. It appears to be.

12 Q. If I were to ask you about the July 11 '05
13 incident which is depicted up at the top where it
14 says, "CTX machine at Concourse H revealed a possible
15 I.E.D. The area was evacuated. Bomb squad responded
16 and cleared the items, which were slipper shoes and an
17 iPod."

18 Do you have any personal knowledge with
19 respect to that incident and how the area was
20 evacuated?

21 A. No.

22 Q. And would your answer be the same that you
23 don't have any personal knowledge and have not
24 obtained any knowledge for purposes of the deposition
25 concerning any of these incidents?

1 A. It's very likely that I would have
2 knowledge based on my role with the Department of
3 Homeland Security and Transportation Security
4 Administration as the spokesperson for the agency as
5 an incident would unfold, but not having the
6 opportunity to read this entire list right now, I
7 couldn't tell you just by a glance. But it's likely
8 that I would have had involvement as a DHS
9 representative.

10 Q. Okay. My question is going to be more
11 focused on, you know, the operations at Miami
12 International Airport, not as such national TSA or
13 Department of Homeland Security perspective.

14 A. Okay.

15 Q. Let's just summarize. I'm trying to ask
16 the questions in a general fashion, given your
17 experience, knowledge of Miami International Airport
18 operations, it seems that all these incidents
19 involved, as I said before, either an evacuation or a
20 concourse being shut down or a safety zone
21 established. Can you tell me what role the County's
22 STS operations would have in any of these incidents
23 where an area of the airport was evacuated?

24 MR. HOPE: Before you answer can you
25 explain to her when you use the acronym STS what

1 you're referring to?

2 THE WITNESS: Thank you.

3 Q. For record purposes, when I use the acronym
4 STS, I'm referring to shared tenant services, which is
5 a telecommunications service provided by Miami-Dade
6 County out at the Miami International Airport.

7 A. Yes. When we have an incident at a
8 checkpoint our Operations Control Room, which is the
9 nerve center of our airport where incidents are
10 coordinated is contacted. We use a four digit number
11 to contact the OCR. All of our communications with
12 police, fire, all of our responses are coordinated
13 through the STS using the four digit code.

14 So if they require security, they would
15 call me very quickly on my line or if we needed police
16 there, we would dial 7676 -- 7373 for fire, 7575. So
17 we're able to quickly call who we need to call to
18 respond to and also we use radios as well.

19 Q. Okay.

20 A. I guess we are all kind of tied into the
21 system that we use.

22 Q. Let's see if I can break it down
23 step-by-step.

24 A. Okay.

25 Q. When a person at a checkpoint has an issue,

1 for example this occurred 7-11-05, do they necessarily
2 need to use the STS system to contact security or the
3 Operations Control Room?

4 A. I'm not really certain on the STS's
5 procedures at the checkpoint, but I know that
6 within -- because they maybe talking to their
7 supervisor and the supervisor may call their IORC,
8 which is Integrated Operations Response Center. But
9 they do call our OCR and then the OCR from that point
10 dispatches the personnel based on the STS system.

11 Q. If there is an incident somewhere at the
12 airport, the initial call to the OCR, which is your
13 Operations Control Room, am I correct that would be a
14 four digit call?

15 A. Yes, sir.

16 Q. Then once the call goes to the Operations
17 Control Room, would you agree that then they may need
18 to call other people at the airport, whether it be
19 fire or rescue to respond?

20 A. Yes. But again, I haven't been around long
21 enough as security director for these incidences to
22 really have the experience to speak.

23 Q. For the OCR to communicate to any and all
24 other entities at the airport that's necessary to
25 respond to a security incident, do they need to use a

1 four digit dialup?

2 A. It's more efficient for them. If they are
3 calling various parties, they are on the system, they
4 don't have to take the time to dial ten numbers as
5 opposed to four.

6 And when you're involved in an emergency
7 situation in a Category X airport such as Miami, it's
8 best to dial directly quickly and get to your party.

9 Also among other entities that are working
10 this, if I have to call and I'm not sure if I'm
11 answering your question Marty, but if I need to call
12 the airside operations, I could just dial the four
13 digit number very quickly to get the gate assignment
14 to find what aircraft is on such a gate and that's how
15 we're able to coordinate the information very quickly.

16 Also we have, and I maybe going outside of
17 your question, but I'd rather give you more than less,
18 the news media. The news media monitors the radios
19 and the minute they hear an incident at Miami
20 International Airport, they are calling us immediately
21 within seconds that they hear the scanners of the
22 police radios. Therefore, I'm in a scramble to try
23 and gather that information.

24 So it's much more easier, if you will, if I
25 just pick up the phone and dial quickly the four digit

1 number to -- whether it's police, fire or whoever I
2 have to reach. It's a convenience and it's one that
3 cuts a little time for us than to have to dial a ten
4 digit number.

5 We also have the caller ID which enables us
6 to detect where the call is coming from.

7 Q. Okay. So what I hear you saying is for the
8 airport to respond appropriately and efficiently to
9 any incident, security incident at the airport, the
10 STS, the use of the STS is through the four digit
11 dialing sequence, is that correct?

12 MR. HOPE: Object to form. You can
13 answer.

14 A. Yes.

15 Q. And you mentioned emergency caller ID. Let
16 me ask you about that. How does that work?

17 A. Based on the current threats today as we
18 know them with the intelligence information that we
19 have, our largest threat right now is in four areas;
20 is Man PADS, which is the Man Portable Air Defense
21 Systems; terminal attacks, such as suicide bombers,
22 highjackings and explosives to take down an aircraft.

23 Within the terminal structure we have
24 concerns that an individual could come into the
25 terminal, a suicide bomber and detonate themselves

1 during peak travel times, i.e. El Al. We are one of
2 four airports where El Al operates our risk factors
3 are increased. By that we are addressing that
4 vulnerability by training employees on behavior
5 pattern recognition. Anyone sees anything suspicious
6 or an unattended bag is to call the four digit police
7 station for immediate response and we need to respond
8 to unattended bags under five minutes as per the
9 regulations of the Transportation Security
10 Administration. So we're held to a certain timeline
11 of response within our airport to unattended bags and
12 also for behavior pattern recognition.

13 So to answer your question, if there is a
14 tenant in one of our concessions that sees something
15 unusual, they have that four digit option to
16 immediately call in, and then we know where the call
17 is coming from.

18 Or if we get an individual in the airport,
19 and we have over 80,000 people there a day, that
20 decides they want to pick up a phone somewhere and
21 place a threat, we will be able to trace back based on
22 that number.

23 Q. Okay. Where does the caller ID show it up?

24 A. You could see it on your phone and then I
25 would have to defer to our telecommunications people

1 to tell me specifically about the tracing of that.

2 Q. But I would assume does it show up in the
3 Operations Control Room so the Operations Control Room
4 can identify where the call is coming from?

5 A. I'm not going to speculate, but I would
6 think that they could. They have the same telephone
7 system that we all do. If a call is placed to OCR,
8 I'm fairly certain they would see that number.

9 Q. Now that's if a caller ID that comes in off
10 the four digit dialing, correct?

11 A. I think so. I'm not sure I'm understanding
12 your question.

13 Q. My question is -- let me ask the question.
14 If you can answer I'd appreciate it. If, for example,
15 somebody were to call the Operations Control Room with
16 a seven digit number instead of four digit number,
17 would caller ID still work for purposes of security
18 and safety at the airport?

19 A. I can't answer that question.

20 Q. Going back to my initial question, I want
21 to make sure we've completed the answer. I was asking
22 for you to identify any and all roles which the STS
23 system plays, shared tenants service, plays in the
24 provision of adequate safety and security for the
25 passengers at the Miami International Airport and now

1 you've described for us the four digit dialing
2 capability and how that is important in your view and
3 you've identified the caller ID function.

4 Are there any other roles that the STS
5 service plays in the provision of adequate safety and
6 security of the airport?

7 A. Other than the four-digit dialing that can
8 be accomplished between the entities that operate
9 there and I think I've answered that for you.

10 Q. Yes.

11 A. Because I want to make sure that's on the
12 record that it's important that fire, police and the
13 various components that come together to operate the
14 airport can communicate on this system. Other than
15 that, I'm not aware of anything else outside the
16 benefits of that.

17 Q. Are you familiar with the term or what a
18 PBX is?

19 A. You know what, I was and I just saw it in
20 an E-mail the other day.

21 Q. Let me ask you this question: Do you
22 understand that the four digit dialing all occurs
23 behind the PBX switch as it relates to the STS system
24 at the airport?

25 A. I'm not aware of that.

1 Q. That's something that you would have to
2 defer to maybe Mr. Garcia on?

3 A. Thank you. Yes.

4 Q. Fair enough.

5 A. I'm feeling slightly ignorant.

6 Q. Just to identify it back to Exhibit 2, we
7 have all these incidents of evacuations or concourses
8 being shut down. How does the airport evacuate an
9 area or shut down a concourse? Is it by overhead loud
10 speaker? How do you get notice out to the passengers?

11 A. Basically we physically maneuver the
12 passengers away from an area that we are establishing
13 a perimeter if we have an object or an item our
14 terminal operations staff will come in and work with
15 police so that we can push people back. So that's
16 done more manually, not so much with the STS system
17 per se other than to, you know, those of us in
18 executive offices are scrambling to call each other on
19 the phone and making sure we have staffing in place.

20 I will give you for example Marty, there is
21 some kind of a bridge or telephone number that I'll
22 dial into with the TSA when I have an incident and
23 might I give you an example of recently that took
24 place last week.

25 We had a possible I.E.D. at Concourse A at

1 the checkpoint. The item tested positively for
2 triacetone triperoxide, and the individuals were
3 picked up by behavior pattern recognition. So we
4 detained them. We set up a safe zone in this area.

5 I immediately dialed into a net, I think
6 it's called a net, I'm not certain of the name, but
7 where we were getting information. And while that was
8 taking place I was dialing four digits to either
9 police to see if we could run the names of the
10 individuals. I would be making calls to our security
11 folks to make sure -- to our terminal folks to make
12 sure there is terminal people there because there is
13 problems. So that's kind of how I was using our phone
14 system during that incident.

15 Q. When you reference your security folk, who
16 particularly are you referencing?

17 A. Rick Fernandez, the person that works with
18 me.

19 Q. Are these all internal people?

20 A. Internal.

21 Q. Available through the four-digit dialing?

22 A. Exactly.

23 MR. GOLDBERG: Thank you.

24 Let me hand you what I'll mark as
25 Exhibit No. 3 for purposes of this deposition

1 and for the record I guess they have copies,
2 this is the affidavit of Mark Forare and David I
3 have a copy for you.

4 MR. HOPE: Thank you.

5 (Thereupon, Forare Affidavit was marked as
6 Exhibit 3 for Identification.)

7 Q. I assume, Ms. Stover, you've had an
8 opportunity to review this document in preparation for
9 your deposition this morning, correct?

10 A. Yes, I read it last week.

11 Q. I'm going to just go through a number of
12 statements contained within the affidavit and ask you
13 followup questions about them.

14 A. Sure.

15 Q. First of all, do you know why Mr. Forare
16 left employment of the airport?

17 A. I believe he retired.

18 Q. Did you take his position or is it a
19 different position?

20 A. I took his position and someone else's
21 position. So I've taken the role of two executive
22 positions.

23 Q. Congratulations.

24 A. Yeah. And condolences I think.

25 Q. Let me direct your attention to paragraph 2

1 the first sentence where it says, "MIA has its own
2 fire and rescue, police and emergency personnel and
3 systems." My follow-up question on that is when he
4 says, "Miami International Airport has its own fire
5 and rescue, police and emergency personnel systems,"
6 is that a stand-alone department for police, fire and
7 rescue that belongs solely to the airport or is that
8 an extension of Miami-Dade County's, you know, police,
9 fire and rescue?

10 A. The fire department operates solely for the
11 purposes of responding to any incidents out of the
12 Miami International Airport. The police department is
13 responsible solely for any activities within the
14 airport district, boundaries. Both of these County
15 agencies solely serve the operations of Miami
16 International Airport. To do other would be a
17 diversion of revenue from the Federal Aviation
18 Administration.

19 The Aviation Department funds both of the
20 operations of those units even though they are County
21 departments. And I believe with the fire department
22 we have a memorandum of understanding and with police
23 we will probably be entering into a memorandum of
24 understanding for them as well. So we have dedicated
25 fire and police units that are operating exclusively

1 for Miami International Airport.

2 Q. The next sentence says: "These emergency
3 and security services are all connected to and
4 integrated in the shared airport system." How are
5 they connected and integrated other than the four
6 digit dialing that you have referenced, if there is
7 any other?

8 A. This would be a question for Mr. Garcia.
9 But they are connected where they can each communicate
10 with each other using the STS system four digit
11 dialing. How they are technically connected, I cannot
12 answer that. I think that's more of a
13 telecommunications question.

14 Q. The notice of today's deposition did ask
15 that you appear and you were designated to appear as
16 the person with the most knowledge, information
17 contained in Mr. Forare's affidavit.

18 The next statement goes into the caller ID
19 and so forth. So again, are you saying it would be
20 better that I ask Mr. Garcia instead of you on the
21 next sentence in paragraph 2?

22 MR. HOPE: Object to form.

23 A. These emergency and security services are
24 all connected to and integrated in the shared airport
25 system. I can answer that affirmatively.

1 But to tell you technically how they are
2 connected would be a question if you want to get into
3 the technicalities of that, I would say you can speak
4 to an -- I would question whether Mark Forare knew the
5 technicalities how something is connected per se. But
6 literally, yes, we are connected. We are able to
7 communicate with one another and all of these services
8 are shared.

9 Q. Paragraph 3 says, "All MIA concessionaires,
10 vendors and tenants are required to make immediate
11 notification of unattended bags and suspicious
12 incidents/persons via telephone to MIA operations
13 center and actively participate in the evacuation plan
14 or bomb threat search if invoked."

15 First question is when you use the word
16 "required," is there a policy? Is there a mandate?
17 How are all the tenants required to notify the airport
18 via telephone?

19 A. Before they are given any airport ID badges
20 they attend a training course that gives them
21 information on how they are to operate within the
22 airport environment. Miami International Airport
23 again is a Category X airport at high risk for any
24 types of events that may take place against the
25 airport. We hold our employees to a high level of

1 standard with regard to security. Security is not a
2 spectator sport.

3 Q. Let me interrupt you because you're not
4 responding to my question. The sentence says, "MIA
5 concessionaires, vendors and tenants are required to
6 make immediate notification." My question is how is
7 that mandated? Is it by policy? What goes out?

8 A. It's in an ID form that when they fill out
9 to get their ID badge. There is list of things there
10 that they agree to contractually before they sign that
11 they are willing to accept an ID badge. And it's also
12 provided to them in SIDA training. They are told
13 through the SIDA training. SIDA is Security
14 Identification Display Area. In the training that
15 employees get, they know they need to call when there
16 is unattended bags.

17 Q. You're using the term "employees." This
18 affidavit we're talking about various tenants such as
19 the shoe shine operator out there or the various
20 restaurants or the numerous stores that have just been
21 put up.

22 A. Right. I consider them employees.

23 Q. You consider them employees?

24 A. Yes.

25 Q. Well, are they employed by the County? Are

1 they?

2 A. They are employees working at the airport.
3 We have 35,000 airport employees that are receiving
4 money in exchange for the service they provide,
5 whether it be serving coffee or shining a shoe or
6 whatever they are doing.

7 And if they have an airport ID, they have
8 an obligation and they will know that by receiving
9 that ID that they sign that they will report
10 unattended bags.

11 Q. So the Kerry's Ice Cream owner who is
12 working day in and day out you will consider an
13 airport employee?

14 A. Yes, sir.

15 Q. So now that I understand how you're using
16 that terminology and I appreciate it, let me ask you
17 though are there particular instructions that they are
18 given as to what telephone call they are supposed to
19 make or how they are supposed to make that call?

20 A. I would hope that all of the employees that
21 are operating at the airport would know to call the
22 police department or OCR. Whether they do know that
23 or not, I haven't taken a survey of every employee
24 that they do know what to do. But it is my hope that
25 they would know that they would call our Operations

1 Control Room. At least their supervisor should know
2 that.

3 Q. Again, how do they get to the Operations
4 Control Room?

5 A. If they are on shared tenant services, they
6 call the 0385 number.

7 Q. If they are not an STS customer of the
8 County, how are they required to report?

9 A. Well, if they find something that requires
10 immediate response and they are not on that, then they
11 would need to dial 911 and go outside the County and
12 describe whatever it is, and I don't know how it gets
13 routed from there.

14 Q. So you're not aware of if a non-Miami
15 airport STS customer were to call or wanted to make an
16 emergency call or notify the airport of an incident,
17 you're not aware of how that would take place?

18 A. No. I haven't had firsthand knowledge of
19 that particular example of an incident.

20 Q. If I could ask you to turn to the second
21 page, which is actually page 3 of this document, the
22 affidavit. The second sentence from the top of the
23 page says, "The current notification network is a
24 telephone tree using this STS system." I just want to
25 ask you for the record, can you explain that

1 statement?

2 A. No, I'm not familiar with that. And I
3 honestly feel a little handicapped with these
4 questions because of the limited time that I have been
5 working at the airport. Maybe if I had more years of
6 experience in my current capacity I could better
7 answer a lot of these questions.

8 But again, the current notification network
9 is a telephone tree using the STS system. I would
10 defer to the communications people who would be the
11 experts in that area that could answer that question
12 for you.

13 Q. When you read this affidavit in preparation
14 for the deposition this morning, did you raise any
15 concerns that you may not have and you maybe
16 handicapped or not have the experience or knowledge
17 necessary to answer questions about the information
18 contained in this affidavit since you were being
19 appointed the corporate representative to respond to
20 these type of questions?

21 A. I believe I can respond to the questions
22 regarding security, and I'm confident that I'm able to
23 do that. But with regard to the technicalities of the
24 system, I do believe we have the appropriate corporate
25 rep here that could answer those questions, Marty, and

1 I believe Pedro Garcia could answer those that I
2 couldn't.

3 Q. There is a statement, No. 4, the first
4 sentence in paragraph 4 that reads, "MDAD operates the
5 STS system to maximize the safety and security of the
6 traveling public." From your knowledge and experience
7 and in addition to the four digit dialing that you
8 have already testified to, are you aware of any other
9 ways in which the STS system maximizes the safety and
10 security of the traveling public as is stated in this
11 document?

12 A. Well, it enables us to be able to know
13 where calls come from. If it's within the airport
14 from that STS network that would help us in response
15 so it's an added benefit.

16 Q. Any other benefits other than the four
17 digit dialing and the caller ID?

18 A. Nothing that I have encountered as yet but
19 ask me next year.

20 Q. Well, I also want to rely on your
21 experience as you've stated with the Department of
22 Homeland Security, TSA, being with the Miami
23 International Airport for nine years. And again let
24 me ask the question.

25 Other than the four digit dialing and the

1 caller ID, are there any other reasons why the STS
2 system would maximize the safety and security of the
3 traveling public?

4 A. It would enable us to respond more quicker
5 to an incident. Okay you're shaking your head, so you
6 understand where I'm going with that.

7 Q. That goes back to the four digit dialing?

8 A. Yes, four digit dialing enables us to have
9 a quicker response. It enables us to stay within the
10 network and know where the calls are coming from. It
11 heightens the security and response time for us to be
12 able to respond to an incident.

13 Q. Let me ask you this question: Given your
14 experience and following up on that answer, are the
15 customers that don't have Miami's STS service such as
16 those customers that are provided service by BellSouth
17 or other telecommunication entities, are they at any
18 disadvantage from a security standpoint or safety
19 standpoint out at the Miami International Airport?

20 A. Well, obviously if they are not able to
21 pick up the phone and call in a four digit number
22 right into OCR and get an immediate dispatch they are
23 going to have to go to a 911 system which would end up
24 taking them outside the peripheral of our operations.
25 It would be a slight disadvantage I would think.

1 Q. Do you think that is a material
2 disadvantage in the world of providing security?

3 MR. HOPE: Object to form.

4 A. I was saying I'm a BellSouth customer and
5 if I need some emergency services in my home, 911
6 works well for me. I don't want to sound like I'm
7 against BellSouth in anyway at all.

8 Q. This isn't an issue in that way. The
9 question goes to do you think given your extensive
10 experience and knowledge, is there a disadvantage that
11 a BellSouth customer faces in terms of obtaining
12 proper security and safety at the airport because they
13 are not on the four digit dialing and they may have to
14 dial a seven digit number or 911 number?

15 A. Well, the response could not be as quick as
16 it would be had they known to pick up the phone within
17 our system. If they have to go outside, then it
18 relies on the 911 and the routing and the contacting
19 and the dispatch from wherever and the communications.
20 It just doesn't happen as quickly.

21 Also one other thing, and I don't know if
22 this is a benefit of the STS, but I can tell you
23 another thing that I'm capable of doing with our phone
24 system in terms of having multiple people on the line
25 in a conference call setting where we need to get

1 five, six people on the phone to have a discussion.
2 We are a very large airport. We are spread out.
3 We're not all together in the offices. So we have
4 people in seperate locations. So if we have a
5 situation we need to discuss, rather than to have a
6 meeting, we get on the telephone and we conference
7 call each of us in. Now whether that's a benefit of
8 the STS I'm not aware of, but it is a function that
9 enables me to be able to get people on the line to
10 discuss something.

11 For example construction. We have a lot of
12 construction at the airport. So if I have some
13 vibrations going on in the ramp that's causing the
14 security checkpoint to shake and then it's alarming
15 and people's bags are alarming like there is bombs in
16 there when it's construction causing the equipment to
17 shake, then I'll get on the phone with the
18 construction person and get facilities people on the
19 line and security person and TSA person and the six of
20 us are on the call trying to resolve how we can do
21 this.

22 Getting American Airlines on the line and
23 being able to decide when is your next flight going
24 out, can reroute them to another gate. We get gate
25 assignments so we're all on the phone. Now I don't

1 know if that's an STS benefit, but it certainly helps
2 us.

3 Q. Let me go back to what we were speaking
4 about before in terms of the distinction between
5 Miami-Dade County as a shared airport system customer
6 at the airport or a BellSouth or other customer.

7 Do you believe the difference between
8 having to dial four digits and perhaps on BellSouth's
9 side having to dial 911 or a seven digit number is a
10 material difference as it relates to that tenant's
11 safety and security at the airport?

12 A. Can you define material difference?

13 Q. I'm going to leave that to your experience
14 and knowledge in the security field.

15 A. I believe it's a disadvantage for people to
16 have to call outside of the airport circle if they
17 have an incident that we can respond to within the
18 airport using a four digit system.

19 Q. Do you think that would negatively impact
20 their ability to be safe and secure at the airport?

21 A. It could.

22 Q. Given your answer, are you aware of any
23 action that the airport has taken in terms of
24 addressing that issue, if the airport has believed in
25 any of the years previous to today and your testimony

1 here at this deposition, that that is an -- let me ask
2 this question.

3 Has the airport identified that as an area
4 of security concern?

5 A. I'm not aware of that and I haven't as of
6 yet in the nine months, eight months I've been there.

7 Q. Were you aware of that security concern at
8 all during the nine years you were at the airport?

9 A. No. Again, that would be more of a
10 telecommunications oriented. We all kind of work
11 together. So I would think telecommunications would
12 have a little bit more insight into that.

13 Q. Have you encountered or are you aware of
14 any difference in emergency response to Miami STS
15 customers as opposed to a non-Miami STS customer?

16 A. I haven't been involved in any type of
17 response with regard to your question. I haven't been
18 involved personally by any response from a customer
19 who had to dial ten digits that was working within
20 Miami International Airport.

21 MR. GOLDBERG: Adam, we're just
22 checking our notes.

23 MR. HOPE: Did you want to take a short
24 break?

25 MR. GOLDBERG: We have no further

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questions for Ms. Stover.

MR. HOPE: Did the PSC want to ask questions?

MR. TEITZMAN: This is Adam. We have no questions.

MR. GOLDBERG: Mr. Hope has indicated he doesn't have any questions, so I think this portion of the deposition is concluded.

Adam, do you mind if we just put you on mute while we change witnesses and maybe take a five-minute break?

MR. TEITZMAN: Five-minute break sounds fine.

MR. GOLDBERG: Thank you.

MR. HOPE: I'll explain to her the whole reading.

MR. GOLDBERG: Why don't you just answer to everybody.

MR. HOPE: Absolutely.

(Thereupon, the deposition was concluded)

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LAUREN STOVER

Sworn to and subscribed before
me this _____ day of _____, 2006.

Notary Public in and for
the State of Florida at Large.

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CERTIFICATE OF COURT REPORTER

STATE OF FLORIDA:

SS.

COUNTY OF BROWARD:

I, Carla D. Smith, RMR and Notary Public in and for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the deposition of LAUREN STOVER a witness called by BellSouth in the above-styled cause; that the witness was first duly sworn by me; that the reading and signing of the deposition were waived by the witness; that the foregoing pages, numbered 1 to 44, inclusive, constitute a complete record of my stenographic notes.

I further certify that I am not an attorney or counsel of any of the parties, nor related to any of the parties, nor financially interested in the action.

Dated this 10th day of November, 2006.

Carla D. Smith

CARLA D. SMITH, RMR
Notary Public - State of Florida

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CERTIFICATE - REPORTER NOTARY OATH

THE STATE OF FLORIDA)
COUNTY OF BROWARD)

I, Carla D. Smith, RMR and Notary Public for
the State of Florida, certify that LAUREN STOVER
personally appeared before me and was duly sworn.

WITNESS my hand and official seal this 10th
day of November, 2006.

Carla D. Smith

CARLA D. SMITH, RMR
Notary Public - State of Florida

Carla D. Smith



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FILE

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Complaint by BellSouth Tele-)
Communications, Inc. Regarding)
The Operation of a Telecommunications) DOCKET NO. 050257-TL
Company by Miami-Dade County in)
Violation of Florida Statutes and)
Commission Rules)

EXHIBIT
1
11-3-06 CS

SECOND RE-NOTICE OF TAKING DEPOSITION

To: Adam Teitzman, Esq.
Staff Counsel
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Murray A. Greenberg, Esq.
Miami-Dade County Attorney
David Stephen Hope, Esq.
Assistant County Attorney
Miami-Dade County
Attorney's Office
Aviation Division
P.O. Box 592075 AMF
Miami, Florida 33159-2075

Jean L. Kiddoo, Esq.
Danielle C. Burt, Est.
Bingham McCutchen LLP
3000 K Street NW, Suite 300
Washington, D.C. 20007-5116

PLEASE TAKE NOTICE that the undersigned attorney will take the deposition of Miami-Dade County's designated Person or Persons With the Most Knowledge of the following:

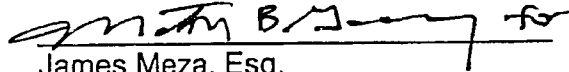
- (1) the information contained in the Affidavit of Mark Forare submitted by Miami-Dade County in support of its Motion to Dismiss (which affiant Miami-Dade County has advised has retired and is no longer employed by Miami-Dade County);
- (2) the role, if any, of Miami-Dade County in the provision of telecommunications services to airport security; and
- (3) the role, if any, of the provision of telecommunications services in the safe and efficient transportation of passengers and freight through the airport facility at Miami International Airport.

on **Friday, November 3, 2006 at 9:30 a.m.** at the offices of Lash & Goldberg, LLP, Bank of America Tower, Suite 1200, 100 Southeast 2nd Street, Miami, Florida 33131. The oral examination will continue from day to day until completed. This deposition is being taken for the purposes of discovery or for such other purposes as are permitted under the rules

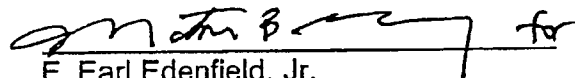
of the Florida Public Service Commission.

Respectfully submitted:

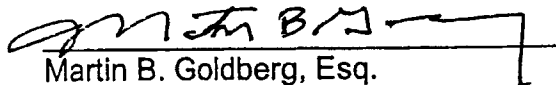
BELLSOUTH TELECOMMUNICATIONS, INC.



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Sharon R. Liebman, Esq.
c/o Nancy H. Sims
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Tallahassee, Florida 32301
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Bank of America Tower, Suite 1200
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Miami, Florida 33131
(305) 347-4040

cc: Kresse & Associates Court Reporters

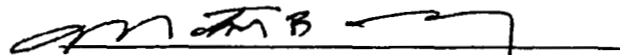
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was faxed and mailed this 17 day of October 2006, to:

Adam Teitzman, Esq.
Staff Counsel
Florida Public Service Commission
Division of Legal Services
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Jean L. Kiddoo, Esq.
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Aviation Division
P.O. Box 592075 AMF
Miami, Florida 33159-2075


MARTIN B. GOLDBERG

| Date | Case Number | Incident | Description |
|-----------|-------------|------------------------------------|--|
| 7/11/05 | 346194-D | CTX/IED | CTX machine at Concourse H revealed a possible I E D. The area was evacuated, Bomb Squad responded and cleared the items, which were slipper shoes and a IPOD. |
| 2/12/05 | 76012-D | Information | CTX machine at concourse D revealed possible I. E. D. components. Safety zone established Bomb Squad cleared the item which was a Geology GPS device |
| 1/21/05 | 36608-D | CTX Alert | Four components were observed in the CTX machine at Concourse F. The area was evacuated, Bomb squad responded and cleared the items, which were a cell phone, popcorn jar, batteries and a pan |
| 1/12/05 | 21562-D | CTX Alert | CTX machine at concourse F revealed items consistent with an I.E.D. and the concourse was shut down and area evacuated. Bomb Squad cleared the items, which were fishing equipment, pool cleaning equipment and batteries |
| 12/14/04 | 659136-C | CTX Alert | CTX machine at Lower H-2 revealed what appeared to be blasting caps. The area was evacuated and Bomb Squad cleared the item which was non-explosive |
| 9/25/04 | 513612-C | Information | CTX machine at Concourse F alerted to a large mass of explosive materials. The area was evacuated, Bomb Squad cleared the item which was a bag of sand and a child's electronic toy |
| 8/16/04 | 441535-C | CTX Alert In-Transit Inspection | CTX machine at Concourse E revealed components consistent with an I.E.D. Lower Concourse E was closed due to location of the item. Bomb checklist completed and attached |
| 7/17/2004 | 385594-C | CTX Alert | While screening a passenger at Mexicana Airlines, TSA discovered a hunting knife along with an inert grenade. The area was cleared of passengers and workers. The items were secured. The passenger had declared the items to the airlines prior to screening and was allowed to continue on the flight. |
| | | | |
| 4/15/05 | 191284-D | Fire | A fire was ignited from construction welding on the A.O. A. The smoke caused evacuation of upper and lower Concourse A and B. Safety zone established |
| 4/5/05 | 173304-D | Fire | A conveyer belt fire at Concourse G cause the evacuation of the upper and lower levels of Concourse G and H. Safety zone established. |
| 12/4/04 | 6558770-C | Information | An electrical fire occurred at Concourse E area evacuated without incident. Safety zone established |
| 12/2/04 | 675757-C | Suspicious Incident | Concourse G and H were evacuated due to pepper spray affecting the AC system. |
| 11/12/04 | 601131-C | Flex Response | A Firearm image was observed through the X ray machine at Concourse E. Concourse E was evacuated and safety zone established. Concourses A through D were closed. Investigation revealed the image was a test image. |



BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Docket No.: 050257

In re: Complaint by BellSouth)
Telecommunications, Inc. Regarding)
The Operation of a Telecommunications)
Company by Miami-Dade County in)
Violation of Florida Statutes and)
Commission Rules)

MIAMI-DADE COUNTY'S NOTICE OF FILING AFFIDAVIT OF MARK FORARE

Miami-Dade County (the "County"), by and through its undersigned counsel, pursuant to Fla.R.Civ P. 1.510(C), gives notice of filing the affidavit of Mark Forare. This affidavit is in support of its Motion to Dismiss filed in response to the Complaint by BellSouth Telecommunications, Inc. ("BellSouth").

Respectfully submitted,

ROBERT A. GINSBURG
Miami-Dade County Attorney
Aviation Division
P.O. Box 592075 AMF
Miami, Florida 33159-2075
(305) 876-7040 / FAX (305) 876-7294
Tel: (305) 375-5151
Fax: (305) 375-5634

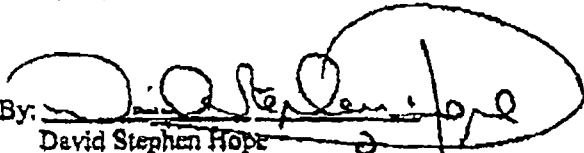
By: 
David Stephen Hope
Assistant County Attorney
Florida Bar No. 87718

EXHIBIT
tabbler
3
11-3-06 CS

These notifications and participation require access to the MIA shared tenant services ("STS") telecommunications network. The current notification network is a telephone tree using this STS system. MDAD analyzes and compiles statistics on the number of notifications made for evacuation and bomb threat alerts assessment.

4. MDAD operates the STS system to maximize the safety and security of the traveling public. Because the shared system allows emergency and security personnel to immediately identify the originating entity and the telephone extension, the airport is better equipped to address emergencies and other dangerous situations. MIA concessionaires on the STS system, like newsstands, food and beverage establishments, and drug stores, are connected to the system for these reasons. MIA personnel are not able to predict where an emergency situation might arise and must be able to address situations that threaten the safety and security of passengers or aviation personnel, whether they occur at an airline reservation desk or at the shoe shine

Docket No. 050257
Page 4.

st nd. In this era of heightened security and concerns over airport safety, MIA emergency and
se rurity personnel must have the ability to rapidly respond to threats wherever they occur.

FURTHER AFFIANT SAYETH NAUGHT.

Mark Forare
Mark Forare

S worn to and subscribed before me at Miami, Miami-Dade County, Florida this 27th
day of May, 2005, by Mark Forare

- Who is personally known to me
- Who produced identification: _____
Type of identification

Elena Jovanov
Signature of Notary Public
State of Florida at Large

Elena Jovanov
Print, type or stamp name of notary public

My Commission Expires:

