

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 910727-TL

In re: Investigation into SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY'S complaine with Rule 25-4.110(2), F.A.C., Rebates.

FILED: 04/28/93

DEPOSITION OF: FREDRICK SAUERS
TAKEN AT THE INSTANCE OF: The Staff of the Florida Public Service Commission
PLACE: 605 West Garden Street Pensacola, Florida 32501
TIME: Commenced at 12:20 p.m. Concluded at 1:15 p.m.
DATE: Monday, May 10, 1993
REPORTED BY: Michael J. Wierzbicki, CP, CRMS Registered Professional Reporter

1 APPEARANCES:

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5 Counsel.

6 JEAN R. WILSON, Staff Counsel, Stan L. Greer, Engineer
7 and Terrill Booker, Engineer, 101 East Gaines Street,
8 Fletcher Building, Room 226, Tallahassee, Florida 32399,
9 Telephone No. (904) 487-2740, appearing on behalf of the
10 Florida Public Service Commission.

11 ROBERT G. BEATTY, Esquire, 150 West Flagler, Suite
12 1910, Miami, Florida 33130, Telephone No. (305) 530-5564,
13 appearing on behalf of Southern Bell.

14 E. BRIAN LANG, Esquire, 41 North Palafox Street,
15 Pensacola, Florida, 32501, Telephone No. (904) 432-4143,
16 appearing on behalf of Fredrick Sauers.

17 ALSO PRESENT:

18 EARL POUCHER
19
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S T I P U L A T I O N

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

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

1 WHEREUPON,

2 FREDRICK SAUERS

3 was called as a witness and, after having been first duly
4 sworn, was deposed and testified as follows:

5 EXAMINATION

6 BY MS. RICHARDSON:

7 Q Mr. Sauers, would you please state your name,
8 and spell it for the court reporter?

9 A Fredrick L. Sauers, last name is S-a-u-e-r-s.

10 Q And your address, please?

11 A

12 Q And the phone number?

13 A

14 Q And are you represented by an attorney here
15 today?

16 A Yes, I am.

17 MS. RICHARDSON: I'll ask him to please put his
18 appearance on the record.

19 MR. LANGSTON: My name is Brian, B-r-i-a-n,
20 Lang, L-a-n-g. I'm an attorney with Mann, Lang &
21 Staples. Office is located at 41 North Palafox,
22 Pensacola, Florida.

23 MS. RICHARDSON: And let's go ahead and get a
24 phone number, if you wouldn't mind.

25 MR. LANGSTON: 432-4143, and Area Code 904.

1 MS. RICHARDSON: Thank you.

2 Q (By Ms. Richardson) Mr. Sauers, what's your
3 present position with the company?

4 A Service technician.

5 Q And how long have you held that position?

6 A I'm really not sure. I've held several titles.
7 This one probably, this is just a guess, in the mid
8 seventies, '75, '76, somewhere in there.

9 Q So you have been a service tech for quite a
10 number of years then?

11 A Yes, ma'am.

12 Q And has all of that time been in Pensacola?

13 A Yes.

14 Q Have you talked to anybody other than your
15 attorney or an attorney for the company about your deposition
16 here today?

17 A No, ma'am.

18 Q Has anyone advised you that you would not be
19 disciplined based upon whatever answers you gave here today?

20 A Yes, ma'am.

21 Q Has anyone advised you of the possible criminal
22 penalties for perjury if you perjure your testimony here
23 today?

24 A No, ma'am.

25 Q I keep forgetting to say this. If at any point

1 you have a question about a question that I've raised, then
2 you may certainly ask me to explain it. If at any point you
3 need to go off the record and talk to your attorney, you may
4 certainly do that. Just tell me you want to go off the
5 record, and we'll stop the court reporter.

6 A Okay.

7 Q Have you given a statement to the company at all
8 about the investigation?

9 A Recently?

10 Q At any time.

11 A I was interviewed by the company several years
12 ago; is that what you're speaking of?

13 Q Yes. Is this what, '91?

14 A Internal investigation, I guess you would call
15 it.

16 Q Do you remember when this one?

17 A I couldn't tell you the exact date, no.

18 Q But about two years ago now?

19 A About two years ago, maybe three. I'm really
20 not sure.

21 Q Was that in Pensacola?

22 A Yes.

23 Q And do you know who you talked to at that time?

24 A There was a guy from security, I couldn't tell
25 you his name, and there was a female attorney, and I could

1 not tell you her name either.

2 Q Was she working for the company?

3 A I believe so, but I'm not sure on that either.

4 Q Did you have an attorney present?

5 A No, I did not.

6 Q Did you have a union person present?

7 A No, I don't believe so. I don't recall anybody
8 in there, other than myself.

9 Q And those other two people?

10 A And the other two people, correct.

11 Q Can you tell me who your first-level manager is
12 at present?

13 A My immediate boss?

14 Q Yes.

15 A Frank Porter, Frank J. Porter.

16 Q And how long has Mr. Porter been your
17 supervisor?

18 A Oh, gosh. A long time. I really couldn't tell
19 you exactly how long he's been my boss. He's been my boss
20 several times.

21 Q So he kind of comes in and out as a first-level
22 manager for you?

23 A Well, I've changed crews and changed areas
24 several times over the years. And he's been my boss in one
25 area, and then I went to a different crew and had another

1 boss, and had Frank again.

2 Q Can you tell me who else has been your
3 first-level manager or your immediate supervisor?

4 A Let's see. Ray Kinne, Helen Grantham, Frances
5 Clark, a new guy, I can't even think of his name right now.
6 Wilson is his last name. I can't -- J. B., James B. Wilson.
7 I know I'm probably leaving some out. Those are the only
8 ones I --

9 Q And I'm going to ask you to do the same thing
10 with the second-level managers.

11 A Second-level manager right now is Fred Hunter,
12 F. W. Hunter.

13 Q And who was it before Mr. Hunter?

14 A Best I remember, it was Bill Humphreys, but I
15 may be missing one there. I'm not sure. I think it was the
16 last one.

17 Q Who's your operation manager?

18 A My operations manager, that would be the big
19 guy; right?

20 Q I guess district manager might be-

21 A (Interposing) John St. Amant.

22 Q And how long has he been your operation manager?

23 A I'm not sure. Several years, I believe.

24 Q Who was it before Mr. St. Amant?

25 A I'm really not sure.

1 Q Do you know who your union representative is?

2 A My union president would be Michael Sakalarios.

3 Q What about your union representative in your
4 area of work, where you work?

5 A I have no idea. You mean like a job steward or
6 something of that nature?

7 Q Yes, a job steward.

8 A I don't know. I couldn't tell you.

9 Q Have you ever heard the phrase backing up the
10 time?

11 A Yes.

12 Q And what does it mean for you?

13 A What does it mean to me personally?

14 Q Yes.

15 A It would mean just exactly what it says, backing
16 up the time.

17 Q Are you familiar with the requirement that the
18 company complete out-of-service reports within 24 hours at
19 least 95 percent of time?

20 A Yes, I am.

21 Q And how long have you known that?

22 A I'm not sure how long I've known that. It's
23 been a hot topic for at least the last couple years.

24 Q Since this investigation started?

25 A I've been made more aware of it since the

1 investigation started.

2 Q But before then, it was a hot topic with getting
3 the report cleared?

4 A Before then I was aware of it.

5 Q Are you aware that customers are due a rebate if
6 their service is out more than 24 hours?

7 A I was not aware of that until just recently.

8 Q And how did you find out about that?

9 A My wife's a service rep, topic popped up.

10 Q Just general employee conversation or staff
11 meeting?

12 A General after-work talk.

13 Q Have you heard of backing up clearing time on
14 trouble reports?

15 A In what -- what way do you mean now?

16 Q Do you know of anyone who has backed up a
17 clearing time on an out-of-service trouble report in order to
18 meet that 24 hours?

19 A I have no direct knowledge of anybody that's
20 done that. Anything I've ever heard would be just strictly a
21 hearsay type thing.

22 Q Okay. And what have you heard?

23 A Well, I mean, just regular office talk, I've
24 heard that it happens. But as far as actually hearing
25 somebody do it or seeing somebody do it, I've not been

1 involved in anything like that.

2 Q And have you heard of that being done in
3 Pensacola?

4 A Yes, I have.

5 Q And have you-

6 A (Interposing) That's the only place I worked,
7 that would be the only place I would hear it.

8 Q I'm going to show you a document, Mr. Sauers,
9 and this is called Citizens' Third Set of Interrogatories
10 dated June 6, 1991, Item Number 1. An interrogatory is a
11 written question. We put our question down in writing, and
12 we mail it to the company. And the company puts their answer
13 in writing, and they mail it back to us. So that's what this
14 is. And, essentially, we've asked the company to identify
15 certain employees who have knowledge about backing up times
16 on trouble reports.

17 A Uh-huh (indicating affirmatively).

18 Q

19

20

21

22

23 Okay?

24 A Okay.

25 Q So what I'd like to do is take a minute and let

1 you go off the record and let you read it, and then off the
2 record if you have any questions for your attorney or me or
3 whatever, we can discuss that. And then when we get back on
4 the record, the first question is:

5 Okay?

6 (A discussion was held off the record.)

7 Q (By Ms. Richardson)

8 A Yes, it is.

9 Q And I'd like to know what information you may
10 have about backing up clearing times.

11 MR. BEATTY: Objection, it's been asked and
12 answered.

13 You may respond.

14 A I have no direct information, no direct
15 knowledge.

16 Q (By Ms. Richardson) Along with this hearsay,
17 whose names have you heard about backing up time?

18 A That subject's been so long ago, I couldn't give
19 you specific names or specific times.

20 Q Was this maybe late eighties, four or five years
21 ago?

22 MR. BEATTY: Objection, it's been asked and
23 answered, at least to the extent the witness has
24 indicated no recollection as to specific times.

25 A Any contact with anybody like that would've been

1 prior to us going on our personal computer terminals.

2 Q (By Ms. Richardson) You mean the CAT?

3 A Right, right. And that's been a long time. And
4 as far as remembering exactly who, exactly when, exactly
5 what, which it was all hearsay and speculation anyway, I
6 would have no direct knowledge of anything like that.

7 Q Have you ever been given an instruction from a
8 manager to back up a clearing time to insure that it doesn't
9 go over 24 hours?

10 A No, I have not, no, absolutely not.

11 Q Has a manager ever talked to you about when you
12 clear reports, for example, kind of keep track of time, but
13 if it falls within 15, 30 minutes of 24 hours, it's okay to
14 go ahead and clear it out earlier?

15 A I've never had a supervisor tell me anything
16 like that.

17 Q I'm going to show you another document, Mr.
18 Sauers. This one is Southern Bell's Response to Preliminary
19 Order Number PSC 930263 PCOTL entered on February 19, 1993.
20 It was filed by the company on April 1, 1993 in the
21 consolidated rate case docket. And there's a Fred L. Sauers
22 listed as Number 513 on this document.

23 Is that your name? There's 650 people listed,
24 but are you Number 513?

25 A Best of my knowledge.

1 Q Have you seen this document?

2 A Have I seen that document?

3 Q Uh-huh (indicating affirmatively).

4 A I've seen this page, and I've seen that page.

5 Q And you had a chance to read Paragraph 2 and all
6 of the information?

7 A Yes, yes.

8 Q By your name appears Number 11, and Number 11
9 indicates that you may have some information about improper
10 preparation of trouble reports or improper activities
11 generally, and I'd like to know what information you have.

12 A What do you mean by improper activities
13 generally?

14 Q Handling trouble reports in a manner that, based
15 on your training and experience, you knew or felt to be
16 improper.

17 A Well, I'll tell you like I told the people on
18 the internal investigation, I have no-

19 MR. BEATTY: (Interposing) Just a minute,
20 please.

21 THE WITNESS: Okay.

22 MR. BEATTY: The substance of the internal
23 investigation is privileged.

24 THE WITNESS: Okay. Got you.

25 MR. BEATTY: So at least through your counsel, I

1 would request that you not provide any information
2 with respect to that.

3 Q (By Ms. Richardson) However, if you know
4 information before you got to the internal investigation,
5 before you got to giving your statement, I'd like to know
6 what you know.

7 A I have no direct knowledge.

8 Q I'd like to know whatever information you have.

9 A Anything that I have would just be hearsay.

10 Q I'd like to know that, Mr. Sauers. That's
11 permissible for me to ask questions about hearsay, about what
12 you've heard.

13 A There's always been shop talk, always been
14 lunchtime talk of backing up troubles, of backing up times,
15 and of things of that nature happening. I mean, I've -- I've
16 heard it for a long time. Now, I haven't heard it in the
17 last few years, but prior to the internal investigation I
18 have heard some talk of some stuff that's supposedly gone on,
19 some times have been backed up, some jobs closed out, things
20 of that nature.

21 Q Okay. And when you've heard this information,
22 was it imparted in such a way that you felt that it had
23 actually occurred?

24 A There's as good a chance that it happened as
25 there is that it didn't happen.

1 MR. BEATTY: Therefore, I would object to the
2 speculation.

3 Q (By Ms. Richardson) Well, were these comments
4 made in a joking manner or were they made as though it had
5 happened?

6 A No, it wasn't a joking manner. That it had
7 happened; I mean, it was just -- you know, just regular old
8 work talk.

9 Q By your name also appears intimidation or
10 pressure, Number 17, and I'd like to know what information
11 you have about intimidation and pressure.

12 A Okay. On intimidation, in regards to the same
13 subject, backing up times, there was a group meeting, and I
14 can't tell you the exact time, the exact place or whatever,
15 but the only time that throughout my career I've ever had
16 mentioned by any supervisor, and this was in a group meeting
17 with all the groups of all the service techs, it was
18 suggested that -- I don't remember the exact wording.

19

20

21

22

23

24

25 that.

1 Q And on that instruction, based on that
2 instruction, what was your understanding that you were
3 supposed to do?

4 A My understanding was that he wanted me to make
5 the 24-hour commitment, whether I made it or not. That's
6 what the implication -- that's the way I took the
7 implication. That's the way everybody that I talked to after
8 the meeting took it.

9 Q And do you know if anybody actually acted on
10 that instruction?

11 A I can't speak for anybody else. All I can speak
12 for is myself.

13 Q Did you?

14 A And, no, I have not.

15 Q Do you know if anyone spoke to
16 upper-level manager about this instruction?

17 A I don't know what happened after that.
18 wasn't around here too long after that, so, you know, it was
19 not too long after we had that meeting that the rumors
20 started flying about the people in South Florida that were
21 fired, and the investigation that started down there. And
22 the next thing you knew, there was an investigation up here,
23 but I think by that time was already gone.

24 Q Retired or-

25 A (Interposing). I'm not sure. I don't know.

1 not a friend of mine, so I don't know. I mean, I
2 haven't -- you know, I haven't spoken to him since he left
3 the company, so whatever his reasons for leaving were, I
4 wouldn't know.

5 Q Do you know of anyone who has been disciplined
6 for improper handling of trouble reports?

7 A Golly, no, not that I can think of.

8 Q Were you ever threatened with discipline if you
9 didn't follow instructions that you felt were improper?

10 A No.

11 Q Have you been disciplined for your handling of
12 trouble reports?

13 A No.

14 Q Have you ever had occasion to file a formal
15 grievance about managers' instructions for handling trouble
16 reports?

17 A No.

18 Q Do you know of anyone who has?

19 A No, not to my knowledge.

20 Q Do you know of any informal grievances?

21 A No, and I've been a job steward. I've never
22 been involved in any grievances concerning trouble reports or
23 anything like that.

24 Q You said you've been a job steward. When were
25 you a job steward?

1 A I couldn't tell you exactly what years. It was
2 -- it was during the mid to late seventies. I was -- well,
3 let me think. I probably resigned that position in '83 or
4 '84, and I probably held it for, I don't know, four or five
5 years prior to that.

6 Q Do you know of anyone who protested to Mr.
7 Humphreys about these instructions?

8 A No, not directly. I'm trying to think who my
9 boss was at the time, and I can't even -- I couldn't tell you
10 who my immediate supervisor was at the time. I know those of
11 us who were in the meeting couldn't believe it. I mean, you
12 know, we were in total shock that it was ever even
13 insinuated, you know, to a big group of people like that. It
14 just caught me way off guard.

15 Q Do you know the date of the meeting with
16

17 A No, I couldn't give you a specific date.

18 Q You said about when the CAT's came out, and they
19 came out about '88, didn't they?

20 A Yeah. It seems like I was on my second terminal
21 at the time, which was not the original hand-held yellow one,
22 but the first one that we had that was more of a laptop type.
23 I couldn't tell you the exact year.

24 Q Do you know if is still in
25 Pensacola or if he's moved?

1 A Last time I saw him was at the boxing match
2 downtown, that's been a couple years ago. I don't know.

3 Q Who all was at that meeting with

4 A It was a big meeting, I mean, you know, all the
5 work groups were there.

6 Q All the work groups?

7 A All the work groups.

8 Q How many work groups are there in Pensacola?

9 A I'm not sure how many there were at that time.
10 They've changed so much over the years. We've had big
11 groups, little groups, medium-sized groups, so, you know, I
12 couldn't tell you if we were in ten five-man crews or five
13 ten-man crews at the time, it could go either way.

14 Q Were they all ST's or were there some other
15 managers besides Mr.-

16 A (Interposing) Yeah, service techs and their
17 managers.

18 Q And all the managers too?

19 A Uh-huh (indicating affirmatively).

20 Q And was chairing this meeting?

21 A Uh-huh (indicating affirmatively).

22 Q What was his position at the time?

23 A

24 Q Uh-huh (indicating affirmatively).

25 A He was second-level supervisor. He was my boss'

1 boss. I think he may have been over the test center at that
2 time too. I think he might have had inside and outside at
3 that time.

4 Q Would that have put him in the same position as
5 Mr. St. Amant?

6 A No, it was in the same position now that Fred
7 Hunter has.

8 Q Okay. That somewhat helps me.
9 Where was Hunter, Mr. Hunter, at this point; was
10 he there?

11 A I don't remember Mr. Hunter being there.

8

12 Q Do you know if Mr. Mann was there?

13 A No, I don't remember Mr. Mann being there
14 either.

15 Q Was Mr. St. Amant there?

16 A I don't remember Mr. St. Amant being there.

17 Q As an ST, do you also clear and close reports?

18 A Yes.

19 Q That's part of your job?

20 A Yeah, clear, close, install.

21 Q Do you use certain disposition and cause codes
22 to do that?

23 A Every day.

24 Q Can you just generally tell me what a
25 disposition code is?

1 A A disposition code?

2 Q Just general description of it.

3 A Generally, that tells which piece of the actual
4 network you worked on, whether it was a service wire, inside
5 wire, cable.

6 Q And what about cause codes, what do they
7 generally tell you?

8 A They tell you exactly what happened, lightning
9 hit it, car hit it.

10 Q Customer-

11 A (Interposing) Corrosion, customer cause, right.

12 Q Do you know if there are certain disposition and
13 cause codes that would exclude an out-of-service report from
14 that index?

15 A No.

16 Q In other words, not count as a miss by the
17 company?

18 A No.

19 Q Have you had occasion where a manager has
20 directed you to use certain weather cause codes when the
21 weather code didn't apply?

22 A I've heard of that happening. I have never
23 actually had my immediate supervisor -- are you referring to
24 like maybe showing some out to a lightning cause or something
25 of that nature?

1 Q Yes.

2 A I've heard of that, but now that's strictly been
3 hearsay shop-talk type thing. I have never been told that.
4 I guess I've probably been fortunate there. I've had some
5 jerk-offs for boss, but they've all been pretty straight-up
6 jerk-offs, you know.

7 Q And when you say you've heard of that being
8 done, you mean in other work groups in Pensacola?

9 A I've -- I've -- yeah, I've heard of it being
10 done in other work groups, and it's probably been done in my
11 work group by some of the guys, but as far as having direct
12 knowledge of it, I don't have direct knowledge of it. I've
13 never been told to do it.

14 Q Have you heard any managers' names associated
15 with using that lightning code?

16 A No, no, never have.

17 Q Do you have the ability to status out of service
18 on your CAT?

19 A To change a status on a trouble?

20 Q From service affecting to out of service on your
21 CAT.

22 A If it's there, I don't know about it. I
23 wouldn't know how to do it.

24 Q Well, let's go back to before CAT, before you
25 had the CAT terminal.

1 A Okay.

2 Q Did you ever have occasion to change a
3 service-affecting report to an out of service once you had
4 already been out to look at it?

5 A You mean to call a maintenance administrator and
6 change the status of it?

7 Q Uh-huh (indicating affirmatively).

8 A I can't think of an instance where that would be
9 necessary.

10 Q Let me give you a hypothetical question then.

11 A Okay.

12 Q An example. Let's say it comes in as a noise
13 report, is that out of service or service affecting or do you
14 know?

15 A I wouldn't know how to status that.

16 Q Do you know what out of service is?

17 A Out of service is don't work.

18 Q No dial tone?

19 A Absolutely not useable as far as I -- you know,
20 that's always been my understanding.

21 Q Now, let's get a report that comes in from the
22 customer and he can use it, but he can't really hear very
23 well because there's a lot of static, and that comes to you
24 as a service-affecting report and you get dispatched on it.

25 A Okay.

1 Q When you get out there, you find that the phone
2 is absolutely dead, there's no dial tone, there's nothing.

3 A Okay.

4 Q Would you then attempt to get that report
5 restatued as out of service?

6 A I've never had-

7 MR. BEATTY: (Interposing) Objection to the
8 form of the question as leading.

9 MS. RICHARDSON: It's a hypothetical.

10 MR. BEATTY: Objection to the form of the
11 question as leading.

12 Q (By Ms. Richardson) Go ahead.

13 THE WITNESS: May I answer the question?

14 MR. BEATTY: Yes.

15 MR. LANG: You can answer the question.

16 A I've never had an occasion to do anything like
17 that. I mean, I got it as a trouble, I go out there and I
18 fix it, and I close it to whatever it was. I've never been
19 told to change a status on a trouble by an inside foreman or
20 an outside foreman, either one.

21 Q (By Ms. Richardson) Let me ask you about those
22 inside wire codes.

23 A Okay.

24 Q When you work on inside wire, do you have to
25 charge your time in a different manner than when you work

1 outside?

2 A So far as the --

3 Q Tariffed and detariffed.

4 A -- field reporting codes that we work on?

5 Q Yes.

6 A Yes.

7 Q And when you work on inside wire problems -- no,
8 that's not what I want to ask. Let me change this question.

9

9 Have you had a supervisor stress with you that
10 on a particular occasion that out-of-service reports should
11 be closed to inside wire when you knew that it wasn't really
12 an inside wire problem?

13 A No, no. Quite the opposite's been true there.
14 I've been told since day one, especially by my boss I have
15 now, Frank Porter, to not show anything to detariff that's
16 not detariffed and regulated that's not regulated. That's a
17 real hot item with him.

18 Q Can you exclude reports?

19 A Exclude reports?

20 Q Uh-huh (indicating affirmatively).

21 A What do you --

22 Q When you either with a CAT -- do you know?

23 A I have excluded reports before where they've
24 been -- like you get a report that there's a drop down, and
25 you get out there and it's not our drop, it's Cox Cable or

1 something of that nature. Now, there was at one time a code
2 to exclude, and I'm not sure that it's there anymore, but I
3 have called in and had stuff like that excluded when it's not
4 been our plan.

5 Q It's not Southern Bell's wire, in other words?

6 A Exactly, exactly. But that's the only
7 circumstance that I'm ever aware of excluding any reports.

8 Q Do you know of anyone who has excluded
9 out-of-service reports?

10 A No.

11 Q Have you ever heard of that being done?

12 A No. I hear some stuff, but I don't think I've
13 ever heard of that one.

14 Q Have you ever had occasion to have a manager
15 tell you, "Don't close out any out of services before you
16 talk to me"?

17 A Don't close out an out of service before-

18 Q (Interposing) "Before talking to me," the
19 manager telling you that.

20 A No.

21 Q Have you ever had a manager tell you to check
22 with him for particular codes and statusing before you close
23 out?

24 A No. The only time that I can recall ever being
25 told to check with a manager on anything job related like

1 that is on missed appointments with a business on new
2 service, like I get out there, can't provide service because
3 of an engineering problem, a cable problem or something like
4 that. I've always been told to check with my manager or go
5 through the engineers and things of that nature before we
6 tell that business we can't connect service. That's the only
7 time I can think of off the top of my head that I've ever
8 been told to contact a manager about anything to do with an
9 order or trouble.

10 Q Do you know what a no-access report is?

11 A A no-access report?

12 Q Or no access, what's no access?

13 A No access is nobody's home.

14 Q But you have been there?

15 A Yeah.

16 Q You've actually been dispatched?

17 A Yes.

18 Q And do you notify the customer that you were
19 there?

20 A Yeah, you leave a tag, right.

21 Q Do you know whether or not that no access stops
22 that 24-hour repair clock?

23 A I have no idea.

24 Q Do you know of anybody who's no accessed reports
25 without dispatch?

1 A No.

2 Q Do you know of anybody who has taken
3 out-of-service reports, just a group of out-of-service
4 reports, and just no accessed them because they were about to
5 go over 24?

6 A Gosh, no, haven't heard that one either.

7 Q Do you know of anybody who's taken
8 out-of-service reports that were close to going out over 24,
9 closing them, and then reopening them as employee-originated
10 reports in order to clear a close?

11 A No, never heard of anything like that.

12 Q Do you know of anybody who's recorded an
13 extension of an appointment time with a customer without
14 calling the customer?

15 A I do not directly know. Now, that's a hearsay
16 item there. I've heard talk of things of that nature
17 happening.

18 Q Here in Pensacola?

19 A Yes.

20 Q Can you place this in a time of within a couple
21 years?

22 A I would say I hadn't heard anything along those
23 lines -- I'm trying to think back when we started getting so
24 hot and heavy on our work reports, and I guess that's
25 probably been two years. It's been a while since I've heard

1 anything like that, but I have heard of incidents like that.

2 Q And did that involve the use of a 222 code?

3 A I've heard that code before mentioned. I don't
4 know what it is or what it does.

5 Q So you have never been instructed to use a 222
6 code?

7 A No, I've never been instructed to use a 222, but
8 I have heard the terminology, and I've heard of troubles
9 being 222, and I've seen remarks on a dispatch before where
10 it's been input on one of the screens on my CAT terminal 222,
11 and they usually have the previous day's date on it.

10

12 Q And is that report-

13 A (Interposing) And usually an employee code that
14 goes with that.

15 Q Is that a report that you had worked the
16 previous day or someone else had worked?

17 A No, it's a new dispatch to me, it's a brand new
18 dispatch, I've just received it. And when I'm flipping
19 through looking at the remarks, it'll show 222, and usually
20 the previous day's date, and either the clerk's name or the
21 clerk's code, which I think they use 600 codes.

22 Q 600 cause codes?

23 A No, no, no, no. That's their employee codes.

24 Q Oh, employee codes.

25 A Like my code number is 329, and the ones in the

1 maintenance center, I believe, all begin with six. But so
2 far as who's 602 and who's 616 and things of that nature, I
3 couldn't tell you.

4 Q When you're out working and you receive a
5 dispatch and you know you're not going to make that
6 appointment time, are you given instructions for how to
7 handle that?

8 A I've never been given specific instructions on
9 how to handle that.

10 Q Do you know if you're supposed to-

11 A (Interposing) Work to when you're finished, and
12 close it out when you're through.

13 Q If you're going to miss the appointment, do you
14 know if you're supposed to contact the customer, let them
15 know you're not going to be there at the time you said?

16 A I haven't had to do that ever since -- ever
17 since we had paper copies of orders and things of that
18 nature. That's been a long time. The time I'm speaking of
19 is when I was in a regular installation crew and all I did
20 was installations, and I got a stack of orders in the morning
21 and they had commitment times on them, and I was responsible
22 for that stack of orders. I get my jobs now one at a time
23 over the CAT terminal. And even between the time I got the
24 stack orders and the CAT terminal they were all one at a
25 time, so I would never have an occasion to call a customer on

1 a missed commitment.

2 Q Well, have you heard of anybody change that
3 appointment time on a report without contacting that
4 customer?

5 A No, I never had knowledge of that happening
6 directly. It would be -- you know, that would be just
7 strictly a hearsay thing. And I can't even remember
8 specifically that ever coming up, you know, shop-talk type
9 thing.

10 Q With the CAT, you don't really control dispatch
11 with that, do you, or is there any way you can control
12 dispatch with the CAT?

13 A No, I don't think so. My understanding of the
14 CAT and what I see on the -- oh, shoot, what are they called?
15 DCWS's, which is a summary from the -- of the previous day's
16 work or whatever, that stands for Display Craft Work Summary.
17 My understanding of how that works, the time is printed on
18 that DCWS when you pick up the trouble, and when you call in
19 and close it out. My understanding is there's no way to
20 change either of those two times. It's there.

21 Q Before the CAT system came in, do you know
22 whether or not the MA's were responsible for loading a
23 dispatch time for you?

24 A I don't know it to be a fact, but I would have
25 to assume so, yes.

1 Q Do you know of anyone who has backed up the
2 dispatch time in order to show it being dispatched, the
3 trouble being dispatched, before that commitment?

4 A No, I don't -- I've never had that said to me
5 before today. If it's happened, it's --

6 Q Do you deal with test-OK reports?

7 A Test-OK reports?

8 Q Uh-huh (indicating affirmatively).

9 A I get them occasionally, yeah. As a matter of
10 fact, the one I was just on before I came here was a test-OK.

11 Q Do you know of anyone who has taken test-OK
12 reports and closed them as out of service in order to meet
13 that 24 index.

14 Q I don't have any direct knowledge of anything
15 like that.

16 Q Have you heard of that being done?

17 A It's quite possible it gets done. Then again,
18 that would be a hearsay speculation thing. The one I was
19 just on I showed to have found okay. That's an 0900-600.

20 Q Do you know of anyone who has falsified a
21 customer record?

22 A Falsified a customer record?

23 Q Trouble report, put false information on a
24 customer trouble report.

25 A I don't work with anybody that's in a position

1 to do anything like that, I don't think, so --

2 Q Do you know anybody who's created a fictitious
3 trouble report?

4 A Oh, okay. We want to hit a nerve there, don't
5 we? I've had -- I've been questioned -- okay. Here we go.
6 I've been questioned about jobs before that I've never been
7 on. Is that what we're talking about possibly?

8 Q Somebody else using your employee code?

9 A Yes, ma'am.

10 Q And tell me about that.

11 A Well, I can't recall the specifics, because it's
12 been a long time ago, but on several occasions I've gotten
13 repeat reports. We used to get print-outs on repeat reports,
14 and I've received print-outs on repeat reports in the past
15 that I just damn sure ain't never been on. Pardon me. And,
16 you know, I've often questioned how did my number get on this
17 report. On one of them, I remember specifically, and it
18 seems like Ray Kinne was my boss at the time, he tried to run
19 the thing down, and I don't think he was ever able to figure
20 it out either, but on one of the repeat reports that I was
21 given when he was my boss, I was off.

22 Q You weren't even at work that day?

23 A I wasn't even at work, no. So that does stick
24 out in my mind. I mean, that is -- somebody somewhere had to
25 put my number on something on a day when I wasn't even here.

11

1 Q And did you protest somebody using your number
2 or-

3 A (Interposing) well, I was concerned about it,
4 yes. That's why I took it to to my boss.

5 Q And was Mr. Kinne able to resolve the problem?

6 A I don't remember the details exactly. Like I
7 say, it's been a long time since Ray's been my boss. He's in
8 the maintenance center now, and he's been in there probably
9 five years, maybe even longer. But I don't think he was ever
10 able to come up with a real specific answer as to who did it
11 or why they did it or how it got that way.

12 Q And this repeat report, would that be an
13 out-of-service report?

14 A I don't remember the details. That's one of the
15 things that they measure a lot, repeat reports. And at that
16 time, it must've been a hot issue for them to be giving us
17 the print-outs every week.

18 Q Have you heard of any problems with having
19 enough ST's to do the work clearing all the out-of-service
20 over 24?

21 A Have I heard of any problems?

22 MR. BEATTY: Objection to the form of the
23 question, it's ambiguous.

24 Q (By Ms. Richardson) You can answer.

25 A I know it's a problem. I don't have to hear it.

1 Q You know personally that there's just not enough
2 ST's to get the out of services cleared?

3 A Certain times of the year, it seems that way to
4 me, I should say. Let me back up on that. Sometimes it
5 seems to me like we're short-handed.

6 Q In the past, let's say from mid eighties to
7 1990, has there been a decrease in the number of ST's
8 available to do the work?

9 MR. BEATTY: If you know.

10 A Well, let me see. We lost a bunch of guys
11 through retirements and whatnot. We had some construction
12 guys come in and backfill them, so, really, we've kind of
13 basically stayed even through those years. And we may have
14 wound up on the negative side. I don't know for a fact.
15 Through those years it seems to me like we lost more than we
16 gained, but that's just me talking. That's not cold, hard,
17 chiseled-in-stone facts.

18 Q (By Ms. Richardson) Did you ever have managers
19 speak in your presence or in group meetings or just around
20 employees about not being able to get the number of ST's he
21 needed in order to keep up with the out-of-service over 24?

22 A I've heard many bosses complain about not having
23 enough to do the work and having to work short-handed.

24 Q Have you ever heard of them discussing ways to
25 get around not having enough people and still meet the

1 out-of-service over 24?

2 A No, no. Their usual remedy for that is to
3 schedule us six days, daylight to midnight, which that's an
4 exaggeration, let me clarify that.

5 Q Has overtime increased or decreased since 1988;
6 do you know?

7 A I would say it's increased, personal opinion.

8 Q Have you ever heard the phrase building the
9 base?

10 A No.

11 Q This is going to take you back to your
12 conversation with or the meeting that
13 as in.

14 A Okay.

15 Q Did you know whether or not when
16 made the comment that now that we have our CAT's, we have
17 control -- he said something similar to that, that may not be
18 an exact phrasing.

19 A Right.

20 Q Do you know if before you had the CAT's that the
21 MA's were handling the time, the clearing times; is that what
22 was talking about?

23 A When we were on a call in, on a call-in basis?

24 Q Uh-huh (indicating affirmatively).

25 A Yes, they were the ones that input the times

1 prior to that.

2 Q Do you know from your understanding of what
3 says that the MA's were routinely backing up times?

4 A That was the implication.

5 MR. BEATTY: Objection, that calls for
6 speculation.

7 Q (By Ms. Richardson) But that was the
8 implication?

9 A That was the implication I got, yes.

10 Q Have you ever been asked to help sell services
11 or products for the company?

12 A Gosh, it's been a long time ago, but, yes, long
13 time ago, prior to '84.

14 Q You haven't been involved in sales since 1984?

15 A None that I remember. I'm not much of a
16 salesman, so usually that stuff's in one ear and out the
17 other.

18 Q Ever participated in any sales programs for
19 prizes, points, awards?

20 A Back prior to '84 when we were still in the
21 telephone set market, there was a big push for the design
22 line telephone sets, and there were prizes and points, things
23 of that nature, with that sales program.

24 Q But after '84, you don't remember selling wire
25 maintenance plans or stuff like that?

1 A No. We were always -- God, I don't -- if we
2 were, I don't remember it. I'm sure there's been sales
3 programs, but, like I say, I've --

4 Q Do you know anybody who has participated in
5 sales with the company, done well with it?

6 A Not to my direct knowledge, no.

7 Q Have you ever heard of any manager in Southern
8 Bell setting up a separate room with phones and putting Craft
9 people in there just to do phone calling to customers in
10 sales?

11 A No, I've never seen or heard anything like that.

12 MS. RICHARDSON: Mr. Sauers, I want to thank you
13 for your time. I appreciate you coming today. There
14 may be some questions from some other people around
15 the table before you go, but I just want to thank you
16 myself.

17 THE WITNESS: Okay. Anything else?

18 MR. GREER: I've got one.

19 EXAMINATION

20 BY MR. GREER:

21 Q Mr. Sauers, did you say you were aware of no
22 access, what no access meant?

23 A Yeah, right.

24 Q In your opinion, do you believe it's proper to
25 no access a trouble that hasn't been dispatched?

1 A Do I believe it's proper to no access -- no.

2 MR. GREER: That's all I have.

3 EXAMINATION

4 BY MR. BEATTY:

5 Q With regard to the situation that you've related
6 to us regarding the use of your employee code while you were
7 out, do you know whether that was an intentional act or not?

8 A No, I do not. It could've been totally
9 accidental, but I --

10 MR. BEATTY: That's all I have, sir.

11 THE WITNESS: Okay.

12 MS. RICHARDSON: I have a follow-up to that
13 then.

14 RE-EXAMINATION

15 BY MS. RICHARDSON:

16 Q You indicated that there was more than one
17 occasion when your employee code had been used?

18 A Yes, there were several occasions, and I was not
19 the only one that had that happen during that same little
20 small time frame there when Ray was my boss.

21 Q When Mr. Kinne was your boss?

22 A Right. And it was not just involved in my work
23 group either. There were several people I talked to in other
24 work groups that had had similar situations.

25 Q Then based on the information you have about

1 that, do you feel that all of those misuses were totally
2 accidental?

3 MR. BEATTY: Objection, speculation.

4 A I was just fixing to say, that would be
5 speculation on my part, but it's strange that it happened
6 like it did and it doesn't happen anymore.

7 Q (By Ms. Richardson) So it could have been done
8 intentionally?

9 MR. BEATTY: Objection, speculation.

10 A It's possible.

11 MS. RICHARDSON: Okay. Thank you, Mr. Sauer.

12 Mr. Lang, did you have any?

13 MR. LANG: Just to clarify, there was a comment
14 made to us earlier by the representative of the
15 company, Nancy White, that under no circumstances
16 would there be any type of disciplinary repercussions
17 as a result of him giving this statement under oath by
18 the company. Is that my understanding as well?

19 MR. BEATTY: That only relates to the
20 relationship between this gentleman, your client, and
21 the company, and that is correct.

22 MR. LANG: Thank you.

23 MS. RICHARDSON: Thank you, Mr. Lang.

24 WHEREUPON, the deposition was concluded.

25

