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EXHIBITS

3	<u>Number:</u>	<u>Identified</u>	<u>Admitted</u>
4	12 (Elsewi) (Composite) CLASS Pre-Test Study Questionnaire; 5 Follow-Up Questionnaire; Focus 6 Group Discussion Guide; Focus Group Privacy Discussion	356	431
7	13 (Radin) - Call Tracing Plan Summary	462	485
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12	17 (Kurtz) Position Statement of 13 Central Telephone Company on Caller ID	532	552
14	18 (Kurtz) Staff No. 1, Excerpts 15 From Mr. Kurtz's October 24, 1990 Deposition	549	552
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EVENING SESSION

1  
2 MR. PARKER: We call Dr. Sue Elseewi.

3 - - - - -

4 SUE L. ELSEEWI

5 appeared as a witness on behalf of General Telephone  
6 Company of Florida and, after being first duly sworn,  
7 testified as follows:

## DIRECT EXAMINATION

8  
9 BY MS. CASWELL:

10 Q Please state your name and business address  
11 for the record?

12 A My name is Dr. Sue W. Elseewi. My address is  
13 one GTE Place, Thousand Oaks, California.

14 Q By whom are you employed?

15 A GTE Tel Ops.

16 Q In what capacity?

17 A I'm sorry?

18 Q Go ahead.

19 A Market Research Staff Administrator.

20 Q Have you filed direct testimony in this  
21 proceeding?

22 A Yes. I have.

23 Q Are there any exhibits appended to your  
24 direct testimony?

25 A Yes. There are.

1 Q Have these exhibits been premarked as SWE-1  
2 through SWE-4?

3 A I'm sorry. I don't have those numbers on  
4 mine.

5 CHAIRMAN WILSON: They have.

6 MS. CASWELL: I think Tom has got them.

7 WITNESS ELSEEWI: Yes. They have.

8 MS. CASWELL: Mr. Chairman, I would like to  
9 have these exhibits marked for identification.

10 CHAIRMAN WILSON: All right. We'll give  
11 those a Composite Exhibit No. 12.

12 (Exhibit No. 12 marked for identification)

13 Q (By Ms. Caswell) Do you have any additions  
14 or corrections to make to either your direct testimony  
15 or the exhibits appended thereto, Doctor?

16 A Yes. I do. On Page 3 of the direct  
17 testimony, Line 13, there is a typographical error.  
18 That date should read 1989, not 1988.

19 Q And if I were now to ask you the questions  
20 contained in your direct testimony, would your answers  
21 remain the same?

22 A Yes. They would.

23 Q Are these answers true and correct to the  
24 best of your knowledge?

25 A Yes. They are.

1

2

3

4

MS. CASWELL: Chairman Wilson, we request that Dr. Elseewi's direct testimony be inserted into the record as though read.

5

6

CHAIRMAN WILSON: Without objection it will be so inserted into the record.

7

8

Q (By Ms. Caswell) Dr. Elseewi, have you filed rebuttal testimony in this proceeding?

9

A Yes, ma'am, I have.

10

11

Q Are there any exhibits appended to your rebuttal testimony?

12

A No. There are not.

13

14

Q Do you have any additions or corrections to make to your rebuttal testimony?

15

A No. I do not.

16

17

Q If I were to now ask you the questions contained in your rebuttal, would your answers remain the same?

18

19

A Yes, they would.

20

21

Q Are these answers true and correct to the best of your knowledge?

22

A Yes, ma'am, they are.

23

24

MS. CASWELL: We request that Dr. Elseewi's rebuttal testimony be inserted into the record as

25

1

2

3

4

MS. CASWELL: Chairman Wilson, we request that Dr. Elseewi's direct testimony be inserted into the record as though read.

5

6

CHAIRMAN WILSON: Without objection it will be so inserted into the record.

7

8

Q (By Ms. Caswell) Dr. Elseewi, have you filed rebuttal testimony in this proceeding?

9

A Yes, ma'am, I have.

10

11

Q Are there any exhibits appended to your rebuttal testimony?

12

A No. There are not.

13

14

Q Do you have any additions or corrections to make to your rebuttal testimony?

15

A No. I do not.

16

17

18

Q If I were to now ask you the questions contained in your rebuttal, would your answers remain the same?

19

A Yes, they would.

20

21

Q Are these answers true and correct to the best of your knowledge?

22

A Yes, ma'am, they are.

23

24

MS. CASWELL: We request that Dr. Elseewi's rebuttal testimony be inserted into the record as

25

1 though read.

2                   CHAIRMAN WILSON: Without objection, it will  
3 be so inserted into the record.

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## 1 DIRECT TESTIMONY OF DR. SUE W. ELSEEWI

2 DOCKET NO. 891194-TL

3

4

Q. Please state your name and business address.

5

6

A. My name is Dr. Sue W. Elseewi, and my business  
7 address is One GTE Place, Thousand Oaks, CA 91362.

8

9

Q. By whom are you employed and what is your posi-  
10 tion?

11

12

A. I am employed by GTE Telephone Operations as Staff  
13 Administrator in Market Research.

14

15

Q. Briefly state your educational background and  
16 business experience.

17

18

A. I graduated from the University of California,  
19 Riverside in 1975 with a Bachelor of Arts degree in  
20 Sociology and in Political Science, and from the  
21 same university in 1976 with a Master of Arts  
22 degree in Political Science. I received a doc-  
23 torate in Political Science in 1980, also from the  
24 University of California, Riverside. I taught  
25 various courses in Political Science at Chaffey

1 College as lecturer and assistant professor through  
2 1986. I joined GTE in 1987 as a Market Research  
3 Analyst, was promoted to Senior Analyst in 1988,  
4 and to my current position as Staff Administrator-  
5 Consumer Market Research in 1989. I have had  
6 primary responsibility for research in custom local  
7 area signalling service since July 1988.

8  
9 Q. What are your current responsibilities?

10  
11 A. I am responsible for planning, designing, adminis-  
12 tering and analyzing market research, including  
13 market trials for SS7 SmartCall(sm) service, as  
14 well as other market research in the consumer  
15 area.

16  
17 Q. What is the purpose of your testimony in this  
18 proceeding?

19  
20 A. My testimony addresses the matter of whether the  
21 public interest will be served in making calling  
22 number identification ("CNID") services available  
23 to the public. Specifically, it examines consumer  
24 attitudes toward these offerings, focusing partic-  
25 ularly upon privacy concerns associated with number

1 forwarding and the relationship between these  
2 concerns and the perceived desirability of CNID.  
3 My findings and conclusions are based upon data  
4 obtained through surveys assessing consumer opinion  
5 prior to and following a recent trial of GTE  
6 SmartCall services, including CNID, in Elizabeth-  
7 town, Kentucky.

8  
9 Q. Please explain the methodology employed in gather-  
10 ing the data upon which your testimony is based.

11  
12 A. Prior to the introduction of SmartCall services in  
13 <sup>1989</sup>~~1988~~, GTE conducted a pre-trial survey of consumer  
14 attitudes regarding the desirability of custom  
15 local area signalling services, as well as possible  
16 privacy concerns associated with these offerings.  
17 This concept survey included interviews with 100  
18 respondents in Elizabethtown, Kentucky and 200 in  
19 Lexington, Kentucky. The interviews were conducted  
20 by telephone in August 1989 by an independent  
21 calling center in Provo, Utah. (The questionnaire  
22 used in the interviews is appended to my testimony  
23 as Elseewi Exhibit 1.) No significant difference  
24 in results emerged between the two locations.

1 A follow-up study was undertaken a year later in  
2 Elizabethtown, after respondents there had been  
3 exposed to SmartCall services for five weeks.  
4 Between August 8 and 17, 1989, telephone interviews  
5 were conducted with 100 respondents from each of  
6 four test cells for a total of 400 interviews.  
7 (The follow-up questionnaire is appended to my  
8 testimony as Elseewi Exhibit 2.) This quantitative  
9 research was followed by qualitative research  
10 consisting of focus group discussions held on  
11 August 27 and 28, 1989.

12  
13 Q. Why is this study unique?

14  
15 A. This study is unique among published data on custom  
16 local area signalling services in that attitudes  
17 toward the concept of the features and of privacy  
18 were benchmarked and may be compared to determine  
19 the impact of the use of the services upon consumer  
20 attitudes.

21  
22 Q. Please describe the manner in which the actual  
23 trial was conducted.

1 A. One thousand participants were recruited utilizing  
2 a randomly generated listing of all Elizabethtown  
3 residents included in the master billing file.  
4 Respondents were solicited by telephone and random-  
5 ly placed in one of four test cells. The free  
6 trial began on July 1, 1990.

7  
8 Q. What services were included in the trial?

9  
10 A. New SmartCall features offered in the trial  
11 included Automatic Busy Redial, Automatic Call  
12 Return, Call Tracing Service, Call Block, VIP  
13 Alert, Special Call Forwarding, Special Call Accep-  
14 tance and Calling Number Identification. Existing  
15 SmartCall services, i.e., Call Forwarding, Call  
16 Waiting, Speed Calling, 3-Way Calling and Cancel  
17 Call Waiting were also made available to trial  
18 participants.

19  
20 Q. Please describe the composition of the test cells.

21  
22 A. The four cells, each containing approximately 250  
23 respondents, fell into the following categories:

24 Test Cell I - Service only (12 SmartCall  
25 Features).

1           Test Cell II - Service and SmartCall Phone.

2                     (The SmartCall phone activates

3                     11 of the SmartCall features.)

4           Test Cell III - Service, SmartCall Phone and

5                     Calling Number Identification

6                     service.

7           Test Cell IV - Service and Calling Number

8                     Identification service.

9  
10   Q.   Was your research study designed to elicit informa-  
11           tion about consumer attitudes regarding privacy  
12           issues as they have come to be associated with  
13           number forwarding?

14  
15   A.   Yes. Both the pre-trial and follow-up surveys  
16           employed a series of questions designed to deter-  
17           mine both latent and explicit attitudes toward  
18           privacy issues associated with number forwarding.  
19           Each of the available services was described, after  
20           which respondents were asked: "Overall, what  
21           advantages, if any, do you see in these new  
22           services?" The next question asked: "What  
23           disadvantages do you see in these services?" Only  
24  
25

1 one percent of the respondents in the 1989 pre-  
2 trial interviews spontaneously mentioned loss or  
3 invasion of privacy. No respondents in the follow-  
4 up survey spontaneously expressed a privacy  
5 concern.

6  
7 As a further attempt to capture latent feelings  
8 about number forwarding, respondents were asked:

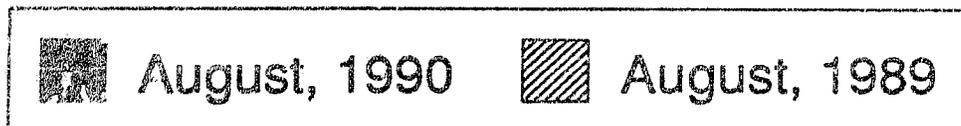
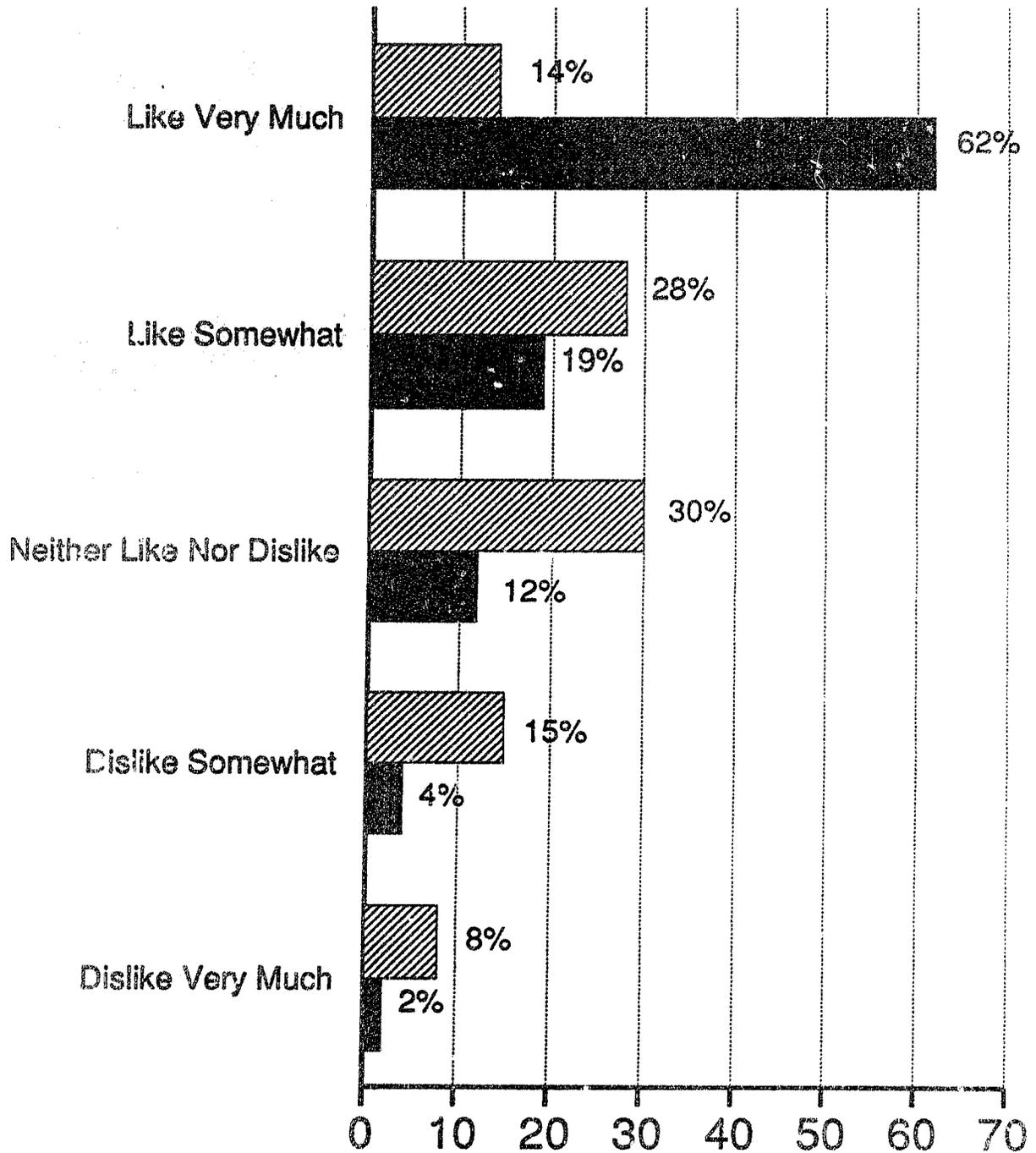
9  
10 "In order for some of these new  
11 services to work, the person who is  
12 receiving a call will know the phone  
13 number of the party who is calling  
14 them. Which of the following state-  
15 ments best describes your feeling  
16 about the caller's number being made  
17 available to the person who is being  
18 called?"

19  
20 The responses are displayed in the following  
21 chart.

# Feeling About Number Forward <sup>366</sup>

Q.37c-3 (1990)

Q.46c-3 (1989)



1 As can be seen, a dramatic shift occurred in  
2 attitudes toward number forwarding following  
3 exposure to this technology. The bulk of the  
4 answers in 1989 fell into the "neither like or  
5 dislike" (30%) and "like somewhat" (28%) cate-  
6 gories. However, after using the services, the  
7 majority of responses fell into the "like very  
8 much" category (62%).

9  
10 Likewise, dislike of number forwarding diminished  
11 from 23% of respondents to 6% after experience with  
12 the system. The minority of respondents who  
13 answered "dislike the idea" were then asked the  
14 open-ended question: "And why do you dislike this  
15 idea?" In 1989, the primary reason given was  
16 "don't want people knowing my number" (10% of  
17 sample), followed by "of no use to me" (4%) and  
18 "intrudes on privacy" (4%).

19  
20 In 1990, just under 2% mentioned invasion of pri-  
21 vacy, with the same proportion stating: "I don't  
22 want my phone number given out."  
23  
24  
25

1 Respondents were then presented explicitly with the  
2 privacy issue in the following manner:  
3

4 "There is some disagreement over how  
5 these new services might affect  
6 one's privacy."  
7

8 (a) Those who feel these  
9 services protect one's  
10 privacy say:

11 - The person being called  
12 has a right to know who is  
13 calling into their home.

14 - Also, they say that  
15 these services discourage  
16 obscene and prank tele-  
17 phone calls by allowing  
18 one to return, block, or  
19 even trace these calls.  
20

21 (b) On the other hand, those  
22 who believe the services  
23 might be a violation of  
24 one's privacy say:  
25

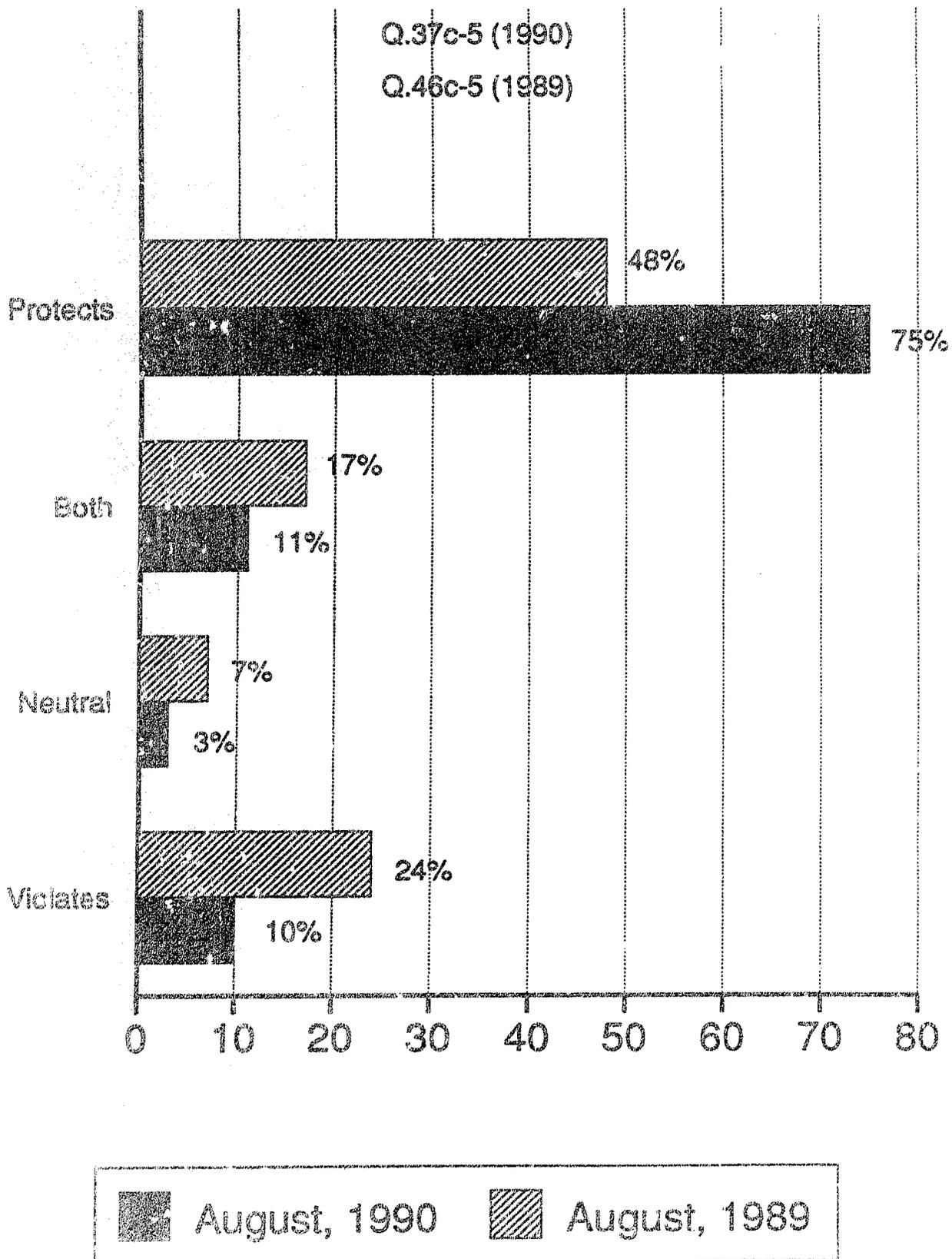
1 - These services might  
2 discourage calls from  
3 people who want to protect  
4 their identities, such as  
5 hot line users, police  
6 tipsters, or those who  
7 have unlisted telephone  
8 numbers.

9 - Also, they say that  
10 businesses could record  
11 customers' numbers, and  
12 could use them for sales  
13 calls, or sell lists of  
14 those telephone numbers to  
15 other sales people.

16  
17 Now having heard both of these  
18 points of view, do you feel these  
19 new services protect one's privacy  
20 or violate one's privacy?  
21

22 Both the arguments (a) and (b) and the answer  
23 sequence were rotated to avoid order bias. Results  
24 are presented in the following chart.  
25

# Calling Number Forward Protects/Violates Privacy



1        These results show a dramatic shift in public  
2        opinion following use of CNID. Although nearly  
3        half of the respondents in the pre-trial survey  
4        felt the number forwarding protected privacy, this  
5        belief rises to three-quarters of respondents after  
6        exposure to the service. Likewise, there is an  
7        even more precipitous decrease among those who feel  
8        number forwarding is a violation of privacy.  
9        Nearly one in four agreed with the argument that  
10       this feature violates privacy in the 1989 concept  
11       test. However, after use of the SmartCall service,  
12       only one in ten agreed with the argument that  
13       number forwarding is a violation of privacy.

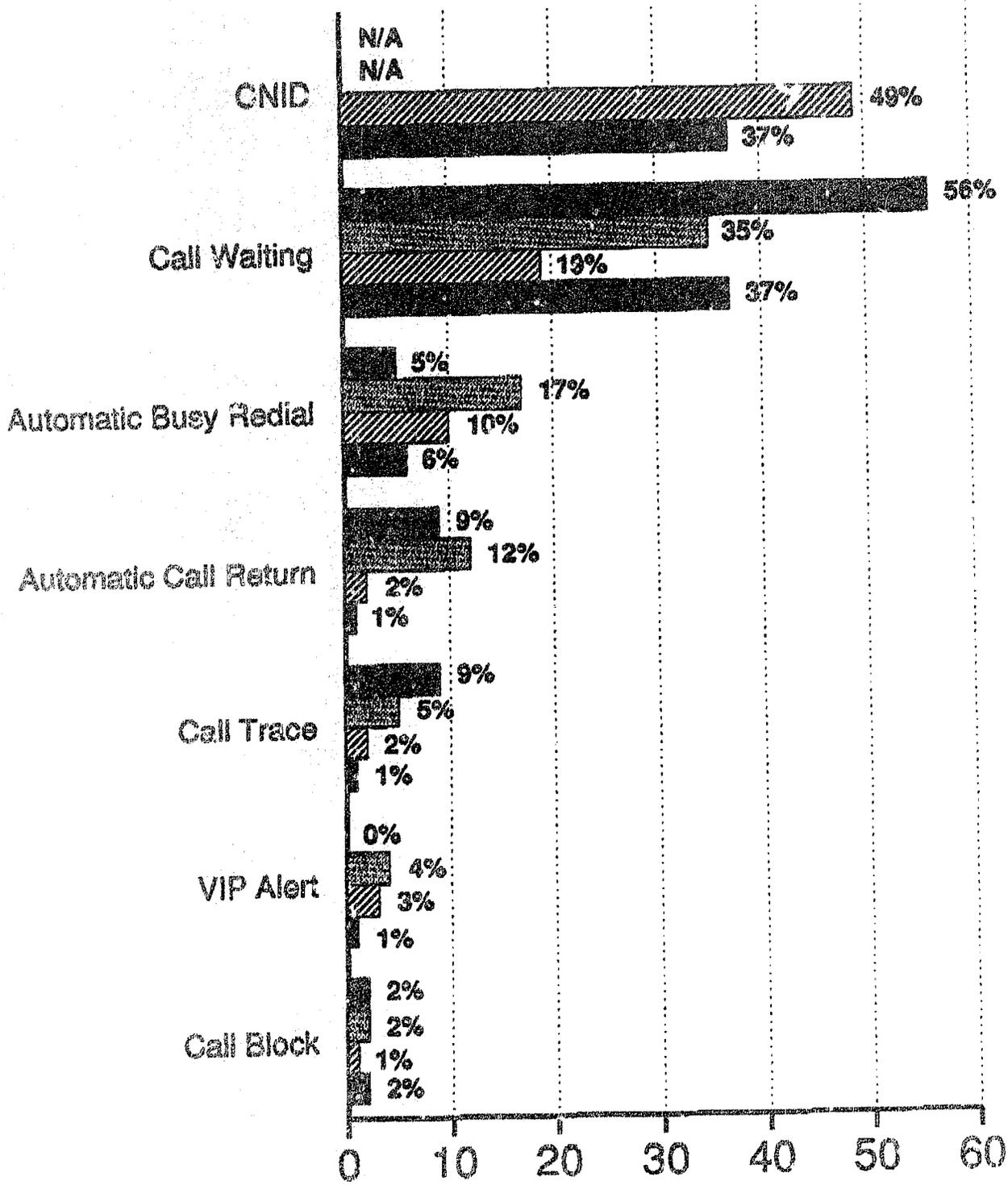
14  
15    Q.    According to survey results, which of the new  
16        services included in the trial was most popular  
17        with subscribers?

18  
19    A.    Calling Number Identification was overwhelmingly  
20        the most popular feature among those who had it.  
21        In addition, CNID was the most frequently used  
22        feature and the most likely to be subscribed to.  
23        These findings are detailed in the following  
24        charts.

25

# FAVORITE FEATURE BY TEST CELL 372

Q.30b - First Mention



Note: Special Call Forward and Special Call Acceptance - Less than 1%.



## SMARTCALL FEATURES

### Mean Usage Per Week

Caller Identification	23
Call Waiting	10.4
Speed Calling	4.1
Automatic Busy Redial	3.5
Automatic Call Return	2.4
3-Way Calling	.9
Call Forwarding	.6
Special Call Acceptance	.4
Cancel Call Waiting	.4
Special Call Forwarding	.2

\*Call Trace            11% used  
 Call Block            17% programmed for use  
 VIP Alert            21% programmed for use

1 Q. Please elaborate upon the focus groups you  
2 mentioned earlier.

3  
4 A. The focus groups were discussions conducted in  
5 accordance with a printed guide. (The guide is  
6 attached as Elseewi Exhibit 3.) The group discus-  
7 sions supplemented the earlier interviews in that  
8 they allowed exploration of consumer reactions to  
9 the SmartCall features in a deeper, though less  
10 easily quantifiable, way. There were four focus  
11 groups, one for each of the test cells described  
12 earlier. Group members were recruited from the  
13 trial participants who had not been interviewed in  
14 the quantitative survey. The discussions were  
15 conducted on August 27 and 28, 1990, by an indepen-  
16 dent moderator contracted by GTE.

17  
18 Q. Were the results of the quantitative research  
19 reflected in the focus groups?

20  
21 A. Yes. Qualitative research reinforced the quantita-  
22 tive research findings. There was little sponta-  
23 neous discussion of the privacy issue. The focus  
24 guide raised this concern in a like manner to the  
25 survey research. (See guide, Exhibit 3 at 6.)

1 Most individuals had not considered privacy to be  
2 an issue to that point. Moreover, the majority  
3 would not mind their own number being forwarded,  
4 despite their understanding that some persons might  
5 have privacy concerns. (The privacy section of the  
6 focus group report, prepared by an independent  
7 contractor, is attached to this testimony as  
8 Elseewi Exhibit 4.)  
9

10 Q. Were those who had tested the CNID service more or  
11 less likely to believe that calling number identi-  
12 fication protects privacy than those who had not  
13 been included in the CNID trial group?  
14

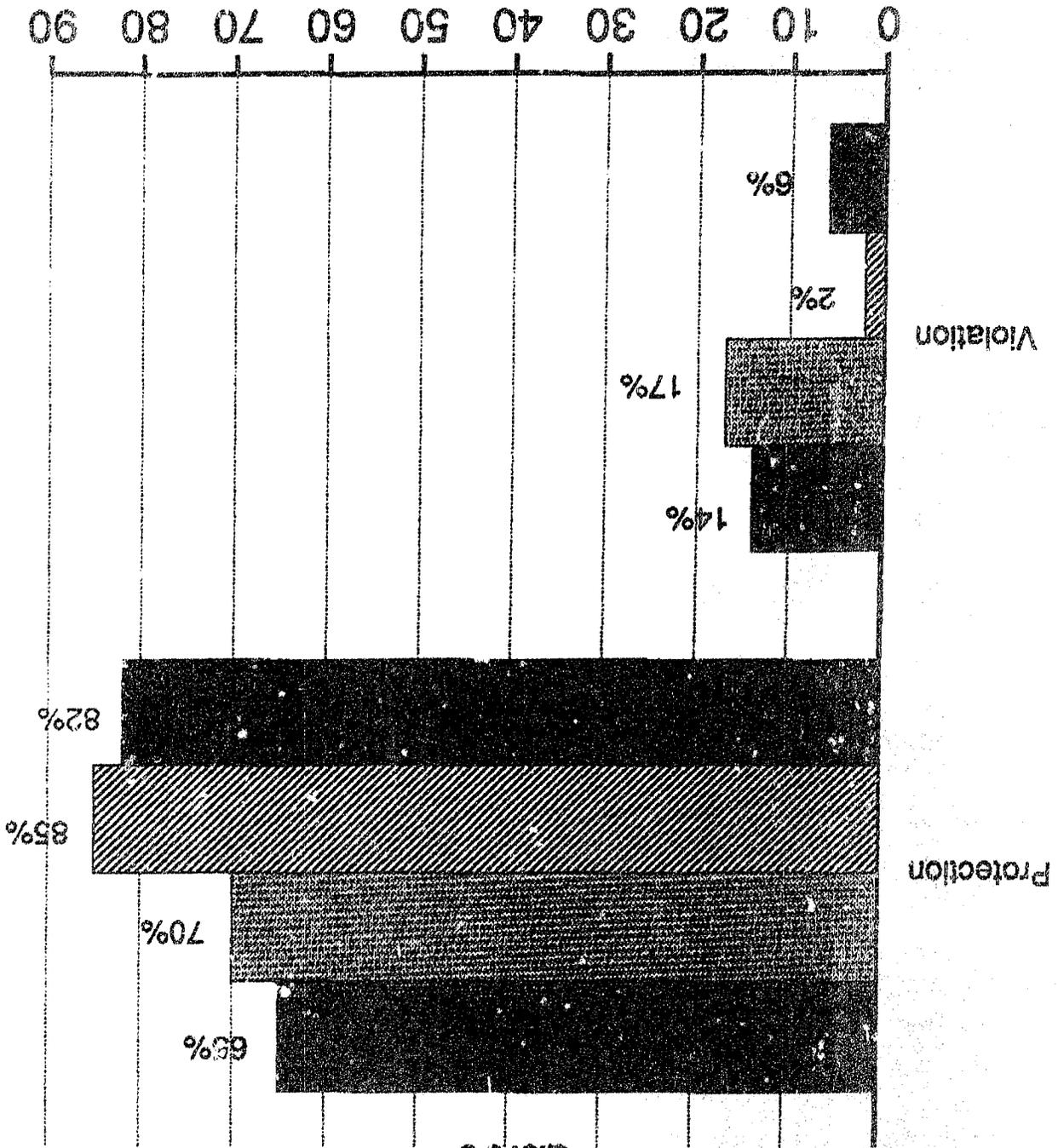
15 A. Yes, those with CNID display units were signifi-  
16 cantly more likely to believe that the new services  
17 protect privacy. Eighty-two percent of those with  
18 CNID believed that the new services protect privacy  
19 compared to 68% of those who did not have CNID.  
20 The following chart presents a breakdown of privacy  
21 views by test cell.  
22  
23  
24  
25  
26

# Protection Or Violation Of Privacy

376

## By Test Cell

0.376-5



1 Q. What percentage of CNID trial participants  
2 described themselves as being likely to continue to  
3 subscribe to CNID if it is priced at \$7.00 per  
4 month?

5

6 A. As the following chart shows, fifty-five percent of  
7 respondents who had CNID said they were very or  
8 somewhat likely to subscribe at the conclusion of  
9 the trial.

10

11

12

13

14

15

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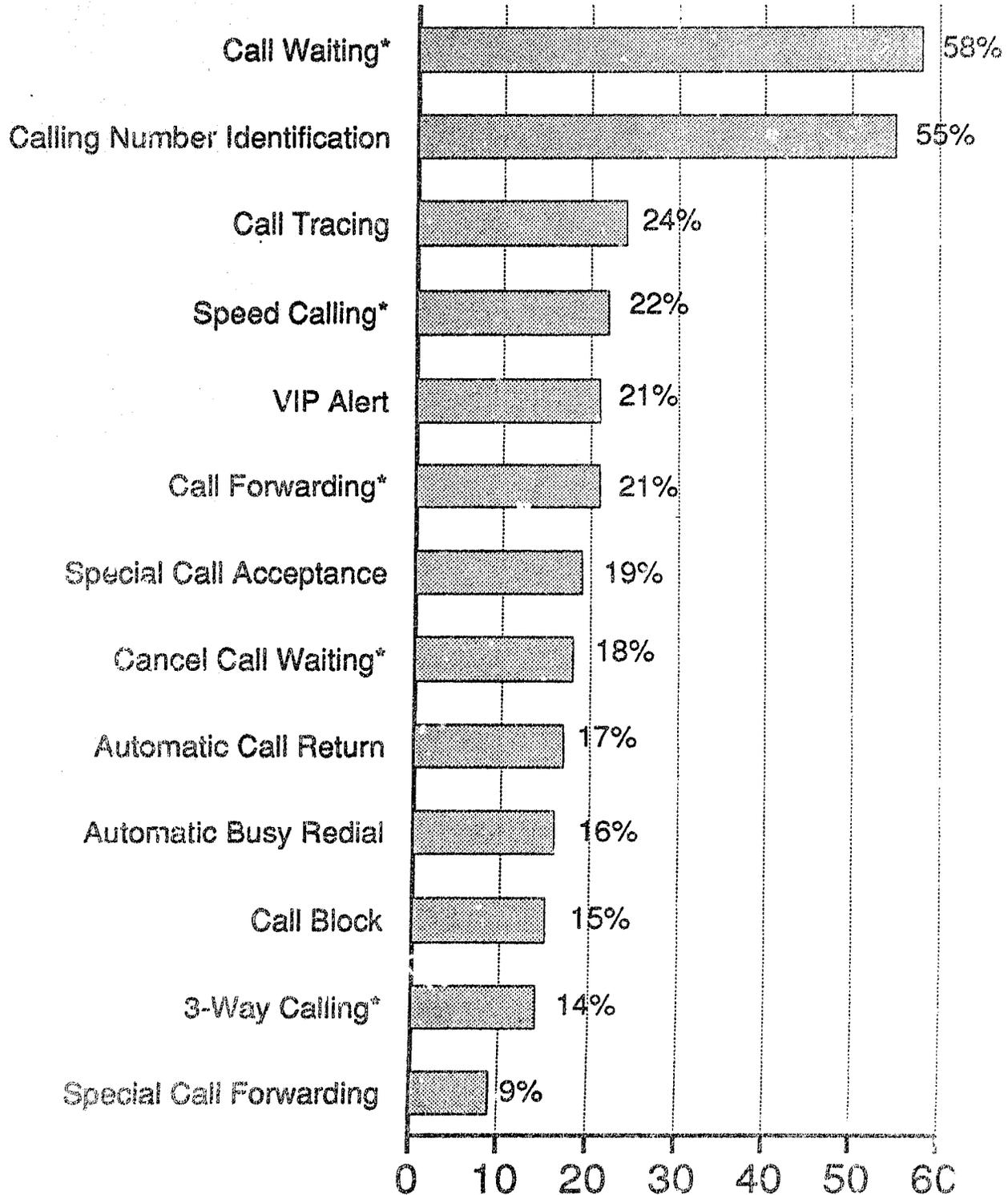
23

24

25

# Smart Call Features Subscription Intent <sup>378</sup>

% Very/Somewhat Likely to Subscribe



\*Base did not subscribe before trial

1 Q. What do you believe are the most pertinent conclu-  
2 sions to be drawn from your results?

3  
4 A. The most salient conclusion to emerge is that  
5 consumers want Calling Number Identification  
6 service. The public itself should be considered to  
7 be the best indicator of the public interest. The  
8 majority of users believe that CNID protects their  
9 privacy, citing the "peace of mind" they feel with  
10 the service. Even when consumers are made aware of  
11 potential privacy impacts, they remain enthusiastic  
12 about the service, believing that the positive  
13 aspects outweigh the negative.

14  
15 My research shows that Calling Number Identifica-  
16 tion is a service that consumers desire to an  
17 extent equal to that of Call Waiting, the other  
18 highly popular SmartCall feature. The two are  
19 parallel in another sense. Those who have Call  
20 Waiting are aware of the potential irritation of  
21 the service. However, they choose to subscribe  
22 because Call Waiting allows them to more effec-  
23 tively control and manage their calls. CNID,  
24 despite some potential irritation, fulfills this  
25 same important function.

1 Q. Does this conclude your testimony?

2

3 A. Yes, it does.

4

5

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## REBUTTAL TESTIMONY OF DR. SUE W. ELSEEWI

DOCKET NO. 891194-TL

1  
2  
3  
4  
5 Q. Please state your name and business address.

6  
7 A. My name is Dr. Sue W. Elseewi, and my business  
8 address is One GTE Place, Thousand Oaks, CA 91362.

9  
10 Q. By whom are you employed and what is your posi-  
11 tion?

12  
13 A. I am employed by GTE Telephone Operations as Staff  
14 Administrator in Market Research.

15  
16 Q. Briefly state your educational background and  
17 business experience.

18  
19 A. I graduated from the University of California,  
20 Riverside in 1975 with a Bachelor of Arts degree in  
21 Sociology and in Political Science, from the same  
22 university in 1976 with a Master of Arts degree in  
23 Political Science. I received a doctorate in  
24 Political Science in 1980 also from the University  
25 of California, Riverside. I taught various courses

1 in Political Science at Chaffey College as lecturer  
2 and assistant professor through 1986. I joined GTE  
3 in 1987 as a Market Research Analyst, was promoted  
4 to Senior Analyst in 1988 and to my current posi-  
5 tion as Staff Administrator-Consumer Market  
6 Research in 1989. I have had primary responsibili-  
7 ty for research in custom local area signalling  
8 service since July 1988.

9  
10 Q. Have you previously filed direct testimony in this  
11 proceeding?

12  
13 A. Yes. I have previously submitted pre-filed testi-  
14 mony on behalf of GTE Florida in Docket No. 891194-  
15 TI.

16  
17 Q. What is the purpose of the additional testimony  
18 which you offer at this time?

19  
20 A. The purpose of this testimony is to rebut testimony  
21 filed by Dr. Mark Cooper on behalf of Public  
22 Counsel regarding consumer reaction to Caller I.D.

1 Q. Specifically, what shortcomings did you find in the  
2 studies cited by Dr. Cooper?

3  
4 A. On page 12 of his filed testimony, Dr. Cooper  
5 states that "The number of telephone subscribers  
6 who find [Caller I.D.] troubling equals or exceeds  
7 the number who find the service interesting or  
8 valuable." No empirical evidence is cited to  
9 support this conclusion. Research conducted by GTE  
10 in Kentucky demonstrates that this conclusion is  
11 contrary to fact, as the proportion of consumers  
12 who express privacy concerns has decreased dramati-  
13 cally in Elizabethtown, Kentucky since introduction  
14 of the service. Further, the number of those who  
15 wish to subscribe to CNID far exceeds those  
16 expressing privacy concerns.

17  
18 An Equifax poll is cited later on the same page in  
19 support of an assertion concerning public concern  
20 about Caller I.D. I believe that this poll  
21 utilizes unsound methodology by asking "leading"  
22 questions. The Equifax question was as follows:

23  
24 "A new telephone service, Caller  
25 I.D. is available in some states.

1 People with this service will be  
2 able to see the telephone number of  
3 the person calling them. Do you  
4 think telephone companies should be  
5 allowed to sell this service to  
6 people who want to buy it, or not?"

7  
8 "The Equifax Report on Consumers in  
9 the Information Age", 1990, p.78,  
10 Atlanta, GA.

11  
12 Rather than determining what the respondent thinks  
13 of Caller I.D., or if there are inherent privacy  
14 concerns associated with the service, the respon-  
15 dent is presented with an essentially negative bias  
16 as to whether telephone companies should be allowed  
17 to sell it or not. The phraseology of the question  
18 suggests that there is something threatening about  
19 the service. Further the respondent is led to only  
20 two alternatives: "Yes," the telephone company  
21 should be allowed to sell the service; or "No," the  
22 company should not be allowed to sell it. Even  
23 though preceded by this bias, in excess of half the  
24 respondents felt that the service should be allowed  
25 (55%, compared to 43% who said no).

1 Again, when further pursuing the question by pre-  
2 senting arguments for and against Caller I. D., a  
3 basic principle of research was violated in that  
4 the arguments were not rotated, i.e., presented to  
5 half the respondents with the pro argument coming  
6 first and to the other half with the con argument  
7 coming first. Instead, the last argument heard  
8 prior to asking the question was that Caller I.D.  
9 was a "bad" idea. This is an example of order bias  
10 and may well incline respondents toward answering  
11 with the most recent thought presented to them,  
12 i.e., Caller I.D. is bad. This is a methodological  
13 error which should always be avoided in conducting  
14 objective research.

15  
16 I submit that the phrasing of the questions in the  
17 Equifax poll is biased; that the lack of rotation  
18 order introduces yet another bias; that the results  
19 are therefore suspect and have no implications for  
20 views on privacy.

21  
22 Dr. Cooper also cites an informal poll from Glamour  
23 magazine. Such polls of self-selected respondents  
24 necessarily reflect the extremes of opinion as only  
25 those with intensely held opinions are likely to

1 take the effort to respond. The Glamour poll thus  
2 should not be considered reflective of public  
3 sentiment.

4  
5 The Pennsylvania Exhibit presented on page 19 is  
6 highly misleading and misrepresents the available  
7 data. In actuality only 5% of respondents felt  
8 there were "many occasions" in which they would  
9 mind forwarding their number. Thirty-one percent  
10 felt there were "a few occasions in which they  
11 would mind forwarding their number and 63% said  
12 there were "no occasions" in which they would mind  
13 forwarding their number.

14  
15 Seventy-eight percent of the non-published respon-  
16 dents felt it was an excellent or good idea that  
17 the service be offered. Only three percent felt  
18 that it was a poor idea.

19  
20 Dr. Cooper presents a chart on page 15 of his  
21 testimony to substantiate his views that "a large  
22 segment of the population feels that forwarding the  
23 outgoing number will decrease privacy". See Cooper  
24 prefiled testimony at 14. A more objective inter-  
25 pretation of this table is that three-quarters of

1 all respondents perceive that number forwarding  
2 produces no change or an increase in privacy.  
3 These percentages are even higher among those who  
4 are likely to subscribe to the service and those  
5 who currently have non-published listings.  
6

7 On the other hand, receiving the incoming number is  
8 perceived by 9 of 10 respondents as increasing  
9 their privacy or having no effect upon privacy.  
10 These results corroborate GTE findings which demon-  
11 strated that those with experience with CLASS  
12 services felt that these services enhanced their  
13 privacy. See Elseewi prefiled testimony.  
14

15 The New Jersey Bell table cited on page 17 of Dr.  
16 Cooper's testimony is an interpolation of data  
17 garnered from different questions. Although it is  
18 true that as high as 59% of non-published customers  
19 expressed concern about display of their phone  
20 number, the vast majority of these same respondents  
21 felt that it was a good or excellent idea for New  
22 Jersey Bell to offer the service.  
23  
24  
25

1 In summary, Dr. Cooper has juxtaposed data to  
2 obfuscate the point that one can be aware of pri-  
3 vacy concerns and still feel that Calling Number  
4 I.D. is a service that should be offered.

5  
6 Q. Have you any remarks regarding Dr. Cooper's conten-  
7 tion that Call Tracing or Call Block are substi-  
8 tutes for Caller I.D.?

9  
10 A. Yes. GTE research in Kentucky among users of all  
11 services indicates that Caller I.D. is preferred  
12 over Call Tracing and Call Block, which are  
13 perceived as imperfect substitutes for Caller I.D.  
14 Eighty-three percent of respondents had programmed  
15 no numbers for Call Block. Only 11 percent ever  
16 tried Call Tracing.

17  
18 Focus group discussions indicated that, generally,  
19 consumers correctly perceived Call Tracing as a  
20 service to resort to only when the threatening  
21 nature of the call mandated legal intervention.  
22 Respondents felt that Caller I.D. (and among those  
23 who did not have Caller I.D., Automatic Call  
24 Return) more aptly met their needs to handle  
25 nuisance calls.

1 Automatic Call Return can fulfill this function  
2 only if invoked immediately after receiving a call,  
3 and cannot enjoin future calls. Call Block can  
4 screen out future calls only if it is immediately  
5 employed. However, this alternative requires the  
6 customer to subscribe to the two services whose  
7 combined costs exceed Caller I.D. and whose utility  
8 is less than Caller I.D. in ordinary circum-  
9 stances.

10  
11 Additionally, suggesting Call Tracing or Call Block  
12 are substitutes for Caller I.D. places the burden  
13 on the consumer to use clumsy methods for dealing  
14 with the nuisance situation. Call Block, for  
15 instance, requires programming. GTE research shows  
16 that the more complex the requirement for customer  
17 action, the less likely the customer is to use the  
18 service. For this reason, passive services such as  
19 Call Waiting or Caller I.D. are preferred by the  
20 customer.

21  
22 Q. Dr. Cooper's testimony implies that there is  
23 consumer concern about number forwarding. You  
24 have personally stated that the empirical basis  
25 for this contention is lacking. Do you have any

1 data which addresses consumer concern about number  
2 forwarding?

3  
4 A. Yes, I do. Preliminary data from a follow-up study  
5 of test respondents in Elizabethtown, Kentucky  
6 indicates that less than one in five (19%) feel  
7 there are ever times when they would not want their  
8 telephone number revealed to the person they are  
9 calling. Of this minority who would not want their  
10 number revealed on certain occasions, half said  
11 this would apply to only 1 to 10 percent of the  
12 calls they place. The types of calls to which the  
13 restriction applied were primarily to stores and  
14 businesses.

15  
16 Q. Have you any information pertinent to consumer  
17 desire for Call Blocking?

18  
19 A. Yes. Test respondents in Kentucky were asked how  
20 often they would use a service to block their  
21 number from being sent forward if the service were  
22 available at no charge. Only a small percentage of  
23 respondents would make frequent use of a blocking  
24 service if it were free. Three-quarters of respon-  
25 dents said they would invoke such a service never

1 (45%) or less than once a month (29%) even if it  
2 were free.  
3

4 Q. Do you have any concluding observations regarding  
5 Dr. Cooper's testimony?  
6

7 A. Yes. The hypothetical problems of abuse cited by  
8 Dr. Cooper have not occurred in the New Jersey  
9 experience. See Cooper prefiled testimony at 8-11.  
10 See also BPU Docket No. TT88070825, Six Month  
11 Report; Pennsylvania Docket No. R-891200, Respon-  
12 dents Statements No. 2 (Fortescue): "Hypothetical  
13 concerns expressed before the introduction of  
14 Caller I.D. have not materialized." Neither have  
15 any of these theoretical concerns been evidenced in  
16 the CLASS Market Trial in Elizabethtown, KY.  
17 Indeed, concerns about privacy have decreased as  
18 users overwhelmingly feel Caller I.D. protects  
19 their privacy.  
20

21 I submit there is little need among the public at  
22 large for Calling Number Delivery Blocking. Rather  
23 the small numbers of persons expressing concern  
24 could best be served by operator assisted calls.  
25

1 calling cards, public phones or GTE's proposed  
2 Protected Number Service.

3  
4 Q. Does this conclude your testimony?

5  
6 A. Yes.

7  
8  
9  
10  
11  
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23  
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25

1 Q (By Ms. Caswell) Dr. Elseewi, would you  
2 please summarize your direct testimony at this time?

3 A Yes. The purpose of my testimony was to  
4 address the question of consumer opinion toward CLASS  
5 services.

6 MR. PARKER: Doctor, could you slow down,  
7 please? Thank you.

8 A GTE has recently held a market trial of CLASS  
9 services in Elizabethtown, Kentucky. GTE Market  
10 Research conducted a series of studies prior to, during  
11 and at the conclusion of that market trial among both  
12 participants and nonparticipants of the trial. In each  
13 of these studies, respondents were asked a series of  
14 questions to determine their attitudes toward the  
15 so-called privacy question.

16 Results indicate that prior to the  
17 introduction of CLASS, around half felt that CLASS  
18 might protect privacy while one-quarter felt it might  
19 violate privacy. After using the services,  
20 three-quarters felt that CLASS protects privacy while  
21 only one of ten felt it might violate privacy. The  
22 view that CLASS protects privacy rose to in excess of  
23 four of five respondents among those who had Caller ID.

24 Caller ID was overwhelmingly the most popular  
25 service among the CLASS features and more than half of

1 those who tested Caller ID reported they were likely to  
2 subscribe to Caller ID at the conclusion of the trial.

3 Thus, contrary to Dr. Cooper's assertion that  
4 CNID appeals to a minority, GTE research indicates that  
5 Caller ID is as popular as Call Waiting among those who  
6 have experienced it.

7 The specter of mass public outcry over Caller  
8 ID has also failed to materialize in this test  
9 community. Research among nontrial participants  
10 indicates that the vast majority who are aware of CLASS  
11 are favorable toward the services and a clear majority  
12 perceive CLASS to constitute a protection of privacy.  
13 In summary, potential problems cited by the opponents  
14 of the service have failed to materialize.

15 I would also like to briefly address Dr.  
16 Cooper's rebuttal testimony directed toward the GTE  
17 research. As in his direct testimony, --

18 MR. BECK: I would object. The witness, I  
19 believe, just said that she wants to address somebody  
20 else's rebuttal testimony? In other words, she wants  
21 to give live surrebuttal? That's not permitted under  
22 the Commission's procedures.

23 MR. PARKER: The purpose of this summary was  
24 to address those points raised in Dr. Cooper's  
25 rebuttal.

1 MR. BECK: That's not prefiled testimony.  
2 She can't summarize something that is not in the  
3 record.

4 CHAIRMAN WILSON: I understand. That's not  
5 prefiled testimony.

6 MR. PARKER: That is the purpose of this  
7 portion of her summary is to address his criticisms of  
8 her testimony, which is contained in his rebuttal  
9 testimony. That is correct.

10 CHAIRMAN WILSON: We don't ordinarily do  
11 that, right?

12 MR. PARKER: Well, I've seen it done and I've  
13 seen it not done.

14 CHAIRMAN WILSON: And you are arguing here  
15 today that it be done?

16 MR. PARKER: That is correct.

17 CHAIRMAN WILSON: Mr. Beck, you're arguing  
18 that it not be done?

19 MR. BECK: Oh, absolutely. If GTE Florida  
20 wishes to file surrebuttal testimony and give people a  
21 chance to prepare, that would be one matter. You know,  
22 they could have sought to have done that.

23 This is, first of all, being presented in the  
24 guise of a summary of something that wasn't even  
25 presented, so it's certainly not summary. It's an

1 attempt to have verbal surrebuttal testimony on the  
2 stand without giving the parties an opportunity to  
3 prepare.

4 COMMISSIONER BEARD: Can I complicate things  
5 by simplifying them? Is this something that would  
6 normally be done under cross anyway?

7 MR. PARKER: Probably our cross of Dr.  
8 Cooper, that's correct.

9 MR. BECK: I'm just objecting to their  
10 attempting to.

11 CHAIRMAN WILSON: I sustain the objection and  
12 ask that you skip over that portion of your summary.

13 WITNESS ELSEEWI: Fine. Turning to the  
14 summary of my own rebuttal testimony to Dr. Cooper, I  
15 addressed the fact that, in advocating his point of  
16 view, Dr. Cooper has taken liberties by juxtaposing  
17 data, summing results of dissimilar questions, taken  
18 numbers and questions out of context, ignored data  
19 contrary to his position, and generally manipulated  
20 data to support that position.

21 I recognize that Dr. Cooper is arguing a  
22 point of view; nevertheless, based upon our research, I  
23 believe that the views he expresses are representative  
24 of only a tiny minority and that the interests of the  
25 vast majority of consumers are best met by allowing

1 unfettered calling number identification. CLASS and  
2 its derivative, Caller ID, constitute the leading edge  
3 of technology, the next wave of telecommunications  
4 advances which will allow consumers to better manage  
5 their calls.

6           Research indicates that Caller ID will  
7 eventually rival Call Waiting in popularity and allow  
8 consumers a greater sense of security and privacy in  
9 their homes. I would, thus, submit that the Commission  
10 should be guided in their decision by public opinion,  
11 which is that the majority perceives CLASS services to  
12 provide a protection of their privacy.

13           MS. CASWELL: The witness is available for  
14 cross examination.

15           MR. BECK: Is Southern Bell not asking any  
16 questions?

17           CHAIRMAN WILSON: Do you have any questions?

18           MR. FALGOUST: I do have a couple. I will be  
19 glad to go now or after Public Counsel.

20           MR. BECK: I would traditionally -- we let  
21 the people, at least recent practice, to have the  
22 people who might tend to be friendly toward the witness  
23 to go first, and, plus, the Commissioner --

24           CHAIRMAN WILSON: I'm going to start at that  
25 end of the table and work my way down, which is what my

1 tradition has generally been.

2 COMMISSIONER BEARD: It's becoming  
3 increasingly difficult to tell who is going to be  
4 asking the friendly questions, also.

5 CHAIRMAN WILSON: We need a lawyer ID system  
6 for friendly and unfriendly questions.

7 CROSS EXAMINATION

8 BY MR. FALGOUST:

9 Q Dr. Elseewi, hello. My name is David  
10 Falgoust representing Southern Bell.

11 With respect to research methodology, what  
12 would you say has more validity, surveys done in  
13 anticipation of a service offering or surveys done  
14 following exposure to that offering, and why?

15 A I'm sorry, sir. I missed one word, one of  
16 the initial phrases of that question. Could you repeat  
17 it?

18 Q With respect to research methodology, what  
19 would you say has more validity, a survey done in  
20 anticipation of a service offering or a survey done  
21 following exposure to the service, and why?

22 A There is a place for each kind of survey.  
23 Traditionally, one would go in and do concept tests  
24 prior to the introduction of a product to have some  
25 ideas as to the benefits that consumers might perceive

1 of it, the projected penetration rates, et cetera,  
2 demand.

3 The survey that is undertaken after the  
4 actual introduction of a product will obviously give  
5 you a much better read because of public opinion  
6 because you're not dealing with an amorphous concept  
7 but, rather, with the product itself. So you can get a  
8 better understanding of the product and people's  
9 feelings toward that product.

10 Q Do I understand that to mean that the  
11 post-service survey would be more valid than the  
12 pre-service survey?

13 A Yes. Indeed, it would give you a much better  
14 idea of public opinion toward that service or product.

15 Q Now, with respect to the issues that you  
16 address in your testimony, specifically concerning the  
17 customer reaction to Caller ID service, have you done  
18 original research?

19 A Yes, sir, I have. Are we speaking just of  
20 CLASS services?

21 Q Yes, ma'am.

22 A I would estimate that I have written seven  
23 questionnaires, just off the top of my head, seven  
24 survey questionnaires for six different locations  
25 throughout the United States; that I have designed the

1 complete survey; I administered that survey, and  
2 written up the results, the analysis, of those surveys.  
3 Just for CLASS alone.

4 Q Do you have an opinion as to what the  
5 implications on the validity of your result might be  
6 between having done original research or merely having  
7 compiled and analyzed secondary material?

8 A Secondary material is not capable of giving  
9 one the full understanding, I should think, of public  
10 opinion, because you're using someone else's data and  
11 you may interpret it as you wish. I would think that  
12 original research would be much closer to evaluating  
13 public opinion.

14 MR. FALGOUST: That's all I have, Mr.  
15 Chairman.

16 CROSS EXAMINATION

17 BY MR. MATHUES:

18 Q Hello, Dr. Elsewi. I'm Steve Mathues. I  
19 represent the Department of General Services. I just  
20 have a few questions for you, please, ma'am.

21 Are you aware of any survey, and, if so, have  
22 you taken it into consideration, which focuses on the  
23 specific needs of state and local government  
24 communications with regard to Caller ID?

25 A No, sir, I'm not aware of such a survey.

1           Q     In your rebuttal testimony, on Page 9, you  
2 say that, "Suggesting Call Tracing or Call Block are  
3 substitutes for Caller ID places a burden on the  
4 consumer to use clumsy methods for dealing with a  
5 nuisance situation."

6                     If I were to present a scenario to you  
7 where a particular telephone user was forced to file a  
8 written application espousing justification for a  
9 certain technique or necessity for an application that  
10 took in excess of 30 days for that application to be  
11 approved and then, subsequent to that, a work order had  
12 to be issued and work performed, would you consider  
13 that a clumsy method for the applicant to have to go  
14 through?

15           A     Application for what, sir?

16           Q     Some type of telephone service.

17                     MR. PARKER: I object to the question without  
18 more definition. It's a wide-open question. It's  
19 amorphous and incapable of being answered.

20                     CHAIRMAN WILSON: Would you be more specific?

21           Q     (By Mr. Mathues) Let's say the application  
22 was for the capability to block the calling number on a  
23 per-call basis.

24           A     Sir, I do not have the data to --

25                     CHAIRMAN WILSON: Let me see if I can step in

1 here.

2           You're referring to the methodology or the  
3 proposal that Southern Bell has for law enforcement  
4 folks, social service agencies, in order to be able to  
5 block either on a per-line or per-call basis?

6           MR. MATHUES: That's correct.

7           CHAIRMAN WILSON: Have you heard the  
8 testimony that address that?

9           WITNESS ELSEEWI: Yes.

10          CHAIRMAN WILSON: Or have read that?

11          WITNESS ELSEEWI: Yes.

12          CHAIRMAN WILSON: Is it your opinion that  
13 that would be clumsy, as well?

14          WITNESS ELSEEWI: That is not within the  
15 purview of my experience to answer other than what I  
16 have heard today and read in the testimony, so I don't  
17 know that I'm qualified to address that other than as a  
18 personal opinion.

19          Q        (By Mr. Mathues) What is your personal  
20 opinion?

21          A        I suspect if it took me 30 days to do  
22 something, I might consider that clumsy.

23          MR. MATHUES: Thank you. That's all I have.

24                    CROSS EXAMINATION

25 BY MR. RAMAGE:

1 Q Ms. Elsewi, I'm Mike Ramage with the Florida  
2 Department of Law Enforcement. I'll try to talk to you  
3 over the munching of the burgers and the fries up here,  
4 but --

5 A And I shall try to answer you over the  
6 growling of my stomach as well.

7 Q Just a couple of questions about the survey.

8 In your direct filed testimony, you indicated  
9 that persons that were allowed to participate in the  
10 survey were, I think they were identified, you indicate  
11 on Page 5, "Respondents were solicited by telephone,"  
12 is that correct?

13 A Yes, sir.

14 Q What happened if your solicitors received an  
15 answering machine? Did they make follow-up calls until  
16 they talked to a living person or did they just go on  
17 and find someone that didn't utilize an answering  
18 machine?

19 A Yes, sir, this was done in a random, very  
20 randomized manner that was ascertained in advance, and  
21 this is always the case when one is calling in on any  
22 survey or to attempt to talk with someone. If that  
23 were the case, that they reached an answering machine,  
24 then the original sample was divided into blocks of  
25 numbers and they were to call the, say, for example,

1 the Nth number on there, the third number. If the  
2 third number was a disconnect, then they would proceed  
3 on to another block, that's true, until we had filled  
4 the 1,000 participants.

5 Q So does that mean if they called an answering  
6 machine or received an answering machine interception  
7 of the phone call there, that unless the person  
8 actually picked up in response or whatever, that person  
9 was skipped and you went on to another phone number  
10 until you got a live, breathing person?

11 A Yes, sir, that's correct.

12 Q So the survey, from its beginning,  
13 systematically excluded those that manifested at least  
14 an interest in privacy by utilizing an answering  
15 machine as their alternative to protecting privacy?

16 MR. PARKER: I object, contains an assumption  
17 not supported by anything in the record.

18 MR. RAMAGE: She just testified that that was  
19 their method, that they skipped over the persons that --

20 MR. PARKER: The assumption, Counselor, is  
21 that you use an answering machine for privacy.

22 CHAIRMAN WILSON: I think you included an  
23 assumption in your question, if you would ask the  
24 exclusionary question. I think you'll --

25 Q (By Mr. Ramage) Those persons that did not

1 answer other than through the use of an answering  
2 machine were not included in the survey, is that  
3 correct?

4 A That is correct.

5 Q Would you, as a matter of personal opinion,  
6 characterize the use of an answering machine as a  
7 method by which a person who receives phone calls can  
8 screen the calls or protect privacy interests?

9 A That is one, one use of an answering machine,  
10 as I understand it. It is not the only use of an  
11 answering machine.

12 Q Obviously. On Page 10 of your testimony, you  
13 indicate, "Respondents were then presented explicitly  
14 with the privacy issue in the following manner," and  
15 this appears to be a script that was read to the  
16 respondents, is that correct?

17 A That's correct.

18 Q I notice that this script makes no reference  
19 whatsoever to blocking, per-call blocking, per-line  
20 blocking, as an option in the Caller ID picture. Was  
21 blocking part of the option made available in the  
22 Elizabethtown or the Lexington test?

23 A No, sir, it was not.

24 Q Were there any questions in the survey  
25 designed to determine whether one's interest in Caller

1 ID would remain the same or taper off if blocking were  
2 also an option?

3 A No, sir.

4 MR. RAMAGE: No further questions.

5 COMMISSIONER EASLEY: Before you get started,  
6 Mr. Beck, could I just follow up on that?

7 I always wanted to ask somebody who generated  
8 these polls this question: The numbers, as indicated  
9 on Page 5 of your testimony, the numbers that you  
10 called were selected from the master billing file?

11 WITNESS ELSEEWI: Yes, ma'am.

12 COMMISSIONER EASLEY: Was there any attempt  
13 to -- would that master billing file reflect any nonpub  
14 or unlisted numbers?

15 WITNESS ELSEEWI: Yes, ma'am.

16 COMMISSIONER EASLEY: Did you eliminate  
17 those?

18 WITNESS ELSEEWI: No, ma'am.

19 COMMISSIONER EASLEY: So if they fell into  
20 the survey, they were called, the numbers?

21 WITNESS ELSEEWI: Yes, ma'am.

22 COMMISSIONER EASLEY: Thank you.

23 MR. RAMAGE: After I munch on a French fry, I  
24 noticed I missed one question. May I have permission,  
25 Commissioner?

1 Q (By Mr. Ramage) On Page 10, also, in your  
2 script under subpart (a), the first indentation that's  
3 noted with the dash, the script says, "The person being  
4 called has a right to know who is calling into their  
5 home."

6 It was established earlier in the various  
7 questions to the first witness, and I ask you, the  
8 display of a phone number does not necessarily identify  
9 who the person is that's calling into your home, does  
10 it?

11 A Not the specific person, no, sir.

12 MR. RAMAGE: No further questions.

13 CHAIRMAN WILSON: No more French fries,  
14 Counselor.

15 MR. RAMAGE: That's it.

16 CHAIRMAN WILSON: Mr. Beck?

17 CROSS EXAMINATION

18 BY MR. BECK:

19 Q Mr. Elseewi, could you turn to Page 3 of your  
20 rebuttal testimony?

21 A Rebuttal?

22 Q Yes, please. (Pause) On Page 3, you're  
23 generally critical of a poll conducted by Equifax, is  
24 that correct?

25 A Yes, sir.

1 Q Did Equifax have some other organization do  
2 the poll for them?

3 A Yes, sir, they did.

4 Q Who was that that did that?

5 A That was the Harris Organization, I believe.

6 Q So that the poll you're being critical of is  
7 not Equifax, it was done by Lou Harris for Equifax, was  
8 it not?

9 A That's correct. Although it's published  
10 under the Equifax nomenclature.

11 Q And on Line 21 you maintain that that Lou  
12 Harris poll utilized unsound methodology by asking  
13 leading questions, is that right?

14 A Yes, sir, I do.

15 Q You give that question on the bottom of Page  
16 3 and the top of Page 4?

17 A Yes, sir.

18 Q I gather you picked the worst example of the  
19 type of leading questions that made their poll use  
20 unsound methodology, is that right?

21 A Sir, this is the question, the privacy  
22 question relating to Caller ID. It is not a matter of  
23 picking examples.

24 COMMISSIONER EASLEY: You mean that was the  
25 only one?

1                   WITNESS ELSEEWI: Yes. There was a  
2 follow-up question in a later poll, but it was very  
3 similar to this.

4           Q        (By Mr. Beck) Dr. Elseewi, I have read that  
5 question a number of times. Could you tell me what is  
6 leading about that question?

7           A        Yes, sir. When one is asked, should -- "Do  
8 you think" -- let's look at that portion which begins  
9 on Line 4 of Page 4, "Do you think telephone companies  
10 should be allowed to sell this service to people who  
11 want to buy it, or not?"

12                   In asking if one should be allowed to do  
13 something, that in itself leads one to believe that  
14 there may be some problem with it that perhaps one was  
15 not alerted to. Rather than ask, for example, one  
16 could have said, "What do you think about this  
17 service?" Or gone through a step-down series of  
18 questions. But to describe the service and then just  
19 to say "should be allowed to sell," I would consider  
20 highly leading.

21           Q        The fact that they asked -- isn't it, when it  
22 says "buy it or not," the first thing they suggest is  
23 buying it, do they not? And the last is not buying it?

24           A        I'm referring specifically, sir, to the  
25 "allowed to sell." This, to me, says there's something

1 wrong by, you know, "Should you be allowed to beat your  
2 wife or not, sir?"

3 Q And you think that by asking the people  
4 whether they should be allowed to sell led them into  
5 the conclusion no?

6 A As opposed to a more objective rendering of  
7 what their feeling might be toward this service, they  
8 have been lead already to believe that there may be  
9 something in doubt about it or one would not ask why  
10 should it be allowed or not allowed.

11 Q And I take it from the bottom of the page  
12 that, with that question, 43% said no, they should not  
13 be allowed to sell the service. Is that right?

14 A Yes, sir. And more than half felt that they  
15 should be allowed to sell it, even with the leading  
16 methodology.

17 Q The blocking wasn't presented to the people  
18 in this question, was it? It was just either should  
19 you be allowed to have it or not?

20 A That's correct.

21 Q In your direct testimony, Dr. Elseewi, you  
22 discuss your Kentucky research?

23 A Yes, sir. Which page?

24 Q Well, generally, starting at Page 3 and so  
25 forth.

1 A Okay.

2 Q You also -- or GTE has also done some  
3 research in California, has it not?

4 A We did some concept tests in California when  
5 we had hoped to first offer the service in California.  
6 Yes, that's true.

7 Q Do you have the Attachment E that was  
8 provided in the response to the document request I sent  
9 to the Company, which is the CLASS market trial  
10 Indiana/Kentucky pretest?

11 A Yes, sir.

12 Q Can you turn to Page 61 of that document?

13 A I'm sorry, 61?

14 Q 61?

15 A Yes, sir.

16 Q Do you see this section "Implications"?

17 A Yes, sir.

18 Q Can you read the first sentence under that  
19 paragraph?

20 A "These results differ substantially from a  
21 GTE California privacy study in which 51% felt that  
22 CLASS violates privacy."

23 Q When you refer to "these results," that's  
24 contrasting the Kentucky results with the California  
25 privacy study?

1 A Kentucky and Indiana results, yes.

2 Q Okay. So your Kentucky and Indiana results  
3 differed substantial from the California privacy study?

4 A The California privacy study did not utilize  
5 the same methodology. It was not a random sample, it  
6 was a panel. And they were given only two choices,  
7 either protect or violate. They were not given any  
8 option of opting out for agreeing with both points of  
9 view or being neutral. They were --

10 Q Go ahead.

11 A They were also -- okay.

12 Q I didn't mean to interrupt you. But this  
13 study was conducted by GTE California?

14 A Yes, sir.

15 Q Okay. And 51% felt that CLASS violated their  
16 privacy?

17 A Yes, sir.

18 Q Do you think Florida more closely would  
19 resemble Kentucky, Indiana or California?

20 A I do not believe that this is an adequate  
21 rendering of the feelings in California where the  
22 methodology employed to be the same. In other words,  
23 if they were given more than the choice of protect or  
24 violate.

25 MR. BECK: Thank you, that's all I have.

## CROSS EXAMINATION

1  
2 BY MR. ADAMS:

3 Q Dr. Elseewi, my questions began with good  
4 morning, go to good afternoon, and I guess we're on  
5 good evening. Hopefully, we can proceed very quickly  
6 to good night.

7 I would like to begin by asking --

8 COMMISSIONER GUNTER: I thought this was  
9 going to be followed with "No questions." (Laughter)

10 MR. ADAMS: I would love to, Commissioner,  
11 but I'm trying to look good here. But that might make  
12 me look better, mightn't it? (Laughter)

13 COMMISSIONER BEARD: Commissioner Gunter was  
14 trying to help you.

15 Q (By Mr. Adams) Would it be inaccurate to  
16 describe your survey as a marketing survey?

17 A Would it be inaccurate to describe it as?

18 Q Was that the prime --

19 A The initial prime moving factor, particularly  
20 in doing the pretest, was solely marketing, to lay down  
21 a benchmark for after we had conducted the trial to see  
22 how opinion had changed, yes, sir.

23 Q So the primary purpose was to determine if  
24 there was market demand for Caller ID and not whether  
25 such a service was in the public interest, is that

1 correct?

2 A I think I would have to answer that "no"  
3 because that makes it seem as though the two are in  
4 conflict.

5 My job at GTE in Market Research is to act as  
6 a brake, perhaps, on marketing people who think that  
7 they could go full-fledged ahead with any product.  
8 Part of my job is to determine whether or not the  
9 public actually has any desire for a product, otherwise  
10 it's not in GTE's interest to put such a product out  
11 there. So in that case yes, my primary function is to  
12 measure public opinion, either toward the Company as  
13 the case may be or towards services or, in this case,  
14 toward privacy.

15 Q All right. Well, would it be -- I'd like to  
16 refer to the Page 21 of your direct testimony, Lines 4  
17 through 13, where you say -- let's see about halfway --  
18 generally through there, but about halfway through  
19 there you say "The public itself should be considered  
20 to be the best indicator of the public interest." Are  
21 you saying the public interest is synonymous with  
22 market demands or with consumer demands?

23 A No, sir, I wasn't referring. Wait, would you  
24 repeat that, please? Perhaps I didn't understand you  
25 correctly.

1 Q Well, are you saying that the market demands  
2 or the consumer demands are synonymous with the public  
3 interest, that whatever the public, the majority of the  
4 public wants is in the public interest?

5 A Shall I go back to the federalist papers and  
6 tyranny of minorities --

7 Q I think Commissioner Gunter might regret  
8 that. I don't think it would be advisable.

9 COMMISSIONER BEARD: Is this a trick  
10 question?

11 MR. ADAMS: That's the only kind we're  
12 supposed to ask, isn't it?

13 A Certainly in all cases that would not be  
14 across-the-board true. In Nazi Germany because the  
15 majority of people felt that the Jews should be  
16 exterminated does not mean that was the correct thing  
17 to do.

18 In this instance when we're providing a  
19 service to the public which the public seems to find  
20 increases -- the majority, at least of those persons  
21 that we've surveyed, seem to feel that this increases  
22 their sense of privacy and security, I would,  
23 therefore, believe, in this instance, it is in the  
24 public interest.

25 Q All right. Well, go back to Mr. Ramage's

1 question concerning the possibility of per-line  
2 blocking or per-call blocking.

3           You testified that you did not ask any  
4 questions concerning that possibility, that function?

5           A     We did not in the Wave II the post-trial  
6 test, because we had not offered blocking to those  
7 participants. In the third wave, which I have  
8 presented to the Commission, which is the follow-up  
9 study among respondents or test participants and  
10 nontest participants, yes, sir, we did ask questions  
11 regarding blocking. That was presented to the  
12 Commission so far as I'm aware, and filed the week  
13 before Thanksgiving.

14           Q     Was there any difference?

15           A     I'm sorry?

16           Q     Was there any difference in the demand for  
17 call blocking?

18           A     There was a very limited demand for Call  
19 Blocking, and the demand for calling number  
20 identification far exceeded the demand for blocking.

21           Q     But there was a demand for Call Blocking,  
22 somewhat limited but --

23           A     There were a minority of respondents who said  
24 that there were calls on which they would not want  
25 their number forwarded, that's true, but a clear

1 minority.

2 Q Even if it was a minority demand, if there  
3 was such a demand, wouldn't that be in the public  
4 interest? Perhaps those --

5 A Could you define for me the public interest  
6 perhaps --

7 Q I think we try to do that here almost every  
8 day.

9 A My research indicates that the vast majority  
10 of respondents of the public feel no need under any  
11 circumstances to block their number. They do  
12 understand that other persons might have some desire to  
13 do so. In particular they understand how domestic  
14 abuse agencies and hotlines and perhaps those with  
15 nonpub numbers would have such a desire. The vast  
16 majority do not.

17 Q But we -- I understand that they understand,  
18 but is that in the public interest in your expert  
19 opinion?

20 A In my opinion the public interest would best  
21 be served by allowing the new technology to proceed  
22 forth unfettered while making allowances as both  
23 BellSouth and GTE have agreed to do for those limited  
24 numbers of persons who are at risk were their telephone  
25 number to be diverged. I think that is balancing both

1 sides of the public interest, in that everyone is at  
2 any given time a caller or a callee.

3 Q All right. In your direct testimony --

4 CHAIRMAN WILSON: Let me ask a question here.

5 I want you to correct me if I've  
6 misunderstood what you've said, but I think what you  
7 said is that we should let technology drive public  
8 policy?

9 WITNESS ELSEEWI: No, sir I didn't mean to  
10 say that if I said that.

11 CHAIRMAN WILSON: Correct my perception of  
12 what you did say then.

13 WITNESS ELSEEWI: What I was saying is that I  
14 think it is in the best interest -- in the best public  
15 interest to allow a service which simplifies and makes  
16 more secure the lives of the majority of consumers who  
17 might want this service and to let it go forth in that  
18 sense unfettered, not that technology would drive it,  
19 but that the desires of the public.

20 COMMISSIONER EASLEY: How do you reconcile  
21 this public interest and public demand with the take  
22 rates that we've heard of 2%?

23 WITNESS ELSEEWI: You've heard very  
24 preliminary takeouts. An analogous situation were the  
25 current custom calling services, which have now

1 achieved as much as half penetration in some states for  
2 Call Waiting, for example. You didn't initially get a  
3 penetration rate of 50%, particularly when it was not  
4 capable of working on long distance. You know, so that  
5 you were confined to a small geographic area. It takes  
6 time to build up to full potential. There are still  
7 people who have only recently been exposed to Call  
8 Waiting so there is still demand for Call Waiting;  
9 people will still continue to take Call Waiting. That  
10 penetration rate will continue to grow.

11 So to say that in six months or that in one  
12 year only 1% has been achieved is not to say that there  
13 is no demand. It is to say that the public is not  
14 aware of the service, or of what the service can  
15 provide to them, but as word of mouth gets out, as  
16 there is advertising, as it becomes more useful to  
17 them, because there is greater connectivity, then you  
18 will achieve higher penetration rates. So I would view  
19 these as very preliminary rates.

20 COMMISSIONER EASLEY: From your perspective  
21 from a marketing point of view, what rate do you have  
22 to reach and in what period of time to indicate that it  
23 has been a successful program, either from the  
24 marketing standpoint or from the program itself?

25 WITNESS ELSEEWI: Well, ma'am, my primary

1 function is actually as a researcher rather than a  
2 marketer and those are more decisions that would be  
3 made by product managers in light of pricing and so on  
4 and so forth. My assumption would be having seen a  
5 forecast of penetrations, that if one were to achieve  
6 in a three to five-year period a penetration rate of  
7 between 5 and 7%, one would have achieved a marketing  
8 success.

9 COMMISSIONER EASLEY: In what period of time,  
10 I'm sorry?

11 WITNESS ELSEEWI: Three to five years. We  
12 generally work in five-year cycles.

13 COMMISSIONER EASLEY: Thank you.

14 MR. ADAMS: One final question concerning the  
15 opening for Call Blocking.

16 Q (By Mr. Adams) We have heard a lot tonight  
17 about allowing consumers to decide and to offering them  
18 options. Doesn't Caller ID blocking, or per-line  
19 blocking, or per-call blocking offer an additional  
20 option while not interfering necessarily with the  
21 options chosen by those who have elected to use Caller  
22 ID? In other words, someone can choose not to answer a  
23 blocked call, an unidentified call?

24 A I'm sorry. I'm getting two different  
25 questions from that.

1 Q That's quite possible because I just came up  
2 with this one on the spur of the moment.

3 What I'm asking is are not we -- does Caller  
4 ID blocking necessarily interfere with the options  
5 chosen by those who choose Caller ID?

6 A It is one possible option, that is true. And  
7 if you would refer to the preliminary Wave III results  
8 that I filed with you all, you will see that there is a  
9 question in there which asks respondents, "Which of the  
10 following would you be most likely to choose?" And the  
11 Call Block was one. That the majority of respondents  
12 would not care to block at all, would not find it  
13 necessary to block; but if they did so, the majority  
14 were likely to choose an existing option such as  
15 operator services or using a phone booth. That would  
16 indicate to me that there is not a great deal of demand  
17 so they wouldn't necessarily want something on their  
18 phone all the time. At the same time, yes, some people  
19 did choose that option, and I presented that. I can't  
20 remember right this minute what the figures were.

21 Almost one-quarter of the nontest respondents  
22 said that they would choose a blocking option, and just  
23 over one-quarter of the test respondents said that they  
24 would choose a blocking option. The question being  
25 which would be your most likely choice to avoid.

1 Q All right. Next, I would like to direct you  
2 to Page 10. Excuse me, Page 11, Lines 1 through 8.

3 A Yes, sir, is this direct or rebuttal?

4 Q Of your direct.

5 A And remind me again, Page 10, Line 11, or  
6 vice versa?

7 Q Vice versa.

8 A Page 11, Line 10.

9 Q Well, Page 11, Lines 1 through 9, or 8. I  
10 didn't have my highlighter with me.

11 A Yes, sir.

12 Q All right. In this you address that there  
13 are legitimate concerns here that hotline users and  
14 police tipsters, they might limit that.

15 A Yes, sir.

16 Q Did you ever discuss the concerns of  
17 undercover police officers?

18 A No, sir. The primary reason for this  
19 question as worded was just to determine -- to give the  
20 consumer, or the respondent in this case, arguments  
21 from both sides, from pro and con, on the privacy issue  
22 and to determine where they most likely fell in that.

23 Now, in sculpting these questions, when one  
24 makes up a questionnaire, you spend most of your time  
25 trying to chop stuff out. I mean, we started out with

1 four arguments for each one. We don't have time to do  
2 that. So we tried to cut it down to the narrowest  
3 thing that would get that idea forth. So, no, sir, we  
4 did not do that

5 Q With the concerns about law enforcement and  
6 crime today, do you think if that had been addressed in  
7 that way, it might have affected these responses?

8 A Are you asking for a personal opinion?

9 Q No, for an expert opinion.

10 A My personal opinion as an expert is that no,  
11 I do not think that it would. And the reason I do not  
12 think so is because the experience that we have had  
13 outside of Florida, and I realize that Florida is a  
14 unique situation, but that law enforcement has welcomed  
15 the services as helping them better to perform various  
16 aspects of their job. In Elizabethtown, for example,  
17 the police chief wrote a letter to the Public Service  
18 Commission in Kentucky. In New Jersey a similar thing  
19 occurred with many law enforcement officers writing in  
20 so --

21 Q But again, in Elizabethtown, there is no big  
22 DEA presence?

23 A That's correct, and that's why I would say  
24 that, indeed, Florida is a unique situation; and  
25 certainly it is the policy of GTE to work with those

1 concerns. But it was -- I doubt that it would be a  
2 primary concern in other portions of the country.  
3 That's my opinion.

4 Q Thank you and good night, Doctor.

5 A Now, I can eat?

6 CHAIRMAN WILSON: When you design a survey,  
7 do you do that by yourself, or do you --

8 WITNESS ELSEEWI: Yes, sir.

9 CHAIRMAN WILSON: -- get the whole group in  
10 the room say, "Hey, let's kick around a few survey  
11 questions and --

12 WITNESS ELSEEWI: No, sir. Each researcher,  
13 I suppose, is different, but when I design a survey, I  
14 sit down and write the questionnaire myself, what I  
15 need to cover, the things I need to find out. And then  
16 I do sit in a room at one point with the vendor, the  
17 vendor in this instance is also well-qualified and has  
18 a PhD. in psychology. And we sit there and bat back  
19 and forth what will this mean to the consumer, whose  
20 objective are we leading? So we sculpt it in sort of a  
21 semi-group situation, but I write and designed them  
22 myself.

23 CHAIRMAN WILSON: All right. You said the  
24 vendor was well-qualified, had a degree in psychology.

25 Do you train to be a surveyor or survey

1 designer, questionnaire designer, or is this something  
2 that you come by through experience?

3 WITNESS ELSEEWI: I would say, honestly,  
4 although they do offer degrees in market research, that  
5 quite honestly the primary consideration is experience,  
6 and that as one becomes more experienced under the  
7 tutelage of others, that that one becomes more adept at  
8 identifying the proper procedures.

9 CHAIRMAN WILSON: I suppose that there are  
10 professional magazines and publications that deal with  
11 public opinion surveys or market surveys. Is there a  
12 difference?

13 WITNESS ELSEEWI: They initially started out  
14 being the same. With marketing surveys, with public  
15 opinion, usually political questions, election  
16 questions sort of added on to the end of soap surveys.  
17 They have, at this point, somewhat diverged that in  
18 common parlance one would call them different. The  
19 underlying structure and design should be the same.

20 CHAIRMAN WILSON: All right. Are there  
21 professional journals and things like that that deal  
22 with this?

23 WITNESS ELSEEWI: Yes, there are, yes, sir.

24 CHAIRMAN WILSON: Among those who conduct  
25 these surveys and write questionnaires, are there hot

1 words that you avoid or --

2 WITNESS ELSEEWI: Yes, sir.

3 CHAIRMAN WILSON: There are certain words  
4 that your taught to avoid --

5 WITNESS ELSEEWI: Go ahead.

6 CHAIRMAN WILSON: No, no. Really, go ahead.

7 WITNESS ELSEEWI: I was just going to say  
8 that I could manipulate words to achieve the --  
9 whatever I wanted, you know, if I so desired.

10 CHAIRMAN WILSON: If you manipulated the  
11 results --

12 WITNESS ELSEEWI: If I were to ask you "Do  
13 you think that the UN is doing a good job in the  
14 Persian Gulf?" Or, you know, "yes," is a very good job  
15 or whatever, using a five-point scale, or if I were to  
16 ask you, "You know that really crummy, lousy UN patrol  
17 that's out there, what do you think about them; are  
18 they bad or good?" Obviously, I'm going to get  
19 different answers. So, yes, there are buzzwords and  
20 structures to avoid.

21 CHAIRMAN WILSON: One of the reasons I asked  
22 is because your criticism of the Equifax survey dwells  
23 on this phrase "should be allowed to sell" as being --  
24 as presupposing a result, and I note in the rebuttal  
25 testimony of Mr. Cooper --

1           WITNESS ELSEEWI: I'm sorry. I didn't catch  
2 the last phrase.

3           CHAIRMAN WILSON: Which last phrase?

4           WITNESS ELSEEWI: "I noted".

5           CHAIRMAN WILSON: You don't know, do you?

6           I noted that Mr. Cooper also in his testimony  
7 concentrated on the word -- well, let me see if I can  
8 find it. He thought in one of the questions using the  
9 word "you" in one sentence and "if a person" in another  
10 sentence was of tremendous significance. You seem to  
11 think in your analysis of the Equifax survey that the  
12 words "should be allowed" has some tremendous  
13 significance.

14           WITNESS ELSEEWI: Yes, I do, because I think  
15 it predisposes one, as you said, to think -- I mean, if  
16 you take just the phrase "should you allow something,"  
17 that gives me the warning perhaps there is a problem  
18 here that I should be alerted to.

19           In the instance of using "you" versus "one,"  
20 the most objective manner, I feel, is to always use  
21 "one" if one is seeking an objective opinion.

22           CHAIRMAN WILSON: So that each side of an  
23 issue is phrased -- if you have got hot words, they're  
24 both hot words; if you've got cold words, they're both  
25 cold words.

1 WITNESS ELSEEWI: That's correct.

2 CHAIRMAN WILSON: If they're neutral, they're  
3 both neutral.

4 WITNESS ELSEEWI: Could I address that just a  
5 little bit further, the "you" portion?

6 CHAIRMAN WILSON: The thing I want to avoid  
7 is, I don't want to get you into testifying on the  
8 rebuttal testimony of Dr. Cooper through my questions,  
9 but I'm curious as to how you do surveys and you look  
10 at those kinds of words there in surveys. Because they  
11 mean less to me than obviously they do to you or Mr.  
12 Cooper.

13 WITNESS ELSEEWI: Yes, sir, they mean a great  
14 deal to me, because what our function as market  
15 researchers is to do is to find out what people are  
16 thinking, because if we don't in the long run, it's  
17 going to be to our detriment. So it is always our  
18 purpose to achieve the most objective read of public  
19 opinion that is possible.

20 In the instance of the "you," that is a  
21 marketing survey trying to get the person to envision a  
22 service. That was a different section of the  
23 questionnaire.

24 CHAIRMAN WILSON: Do you ever --

25 WITNESS ELSEEWI: With that purpose, I think

1 the "you" was most appropriate.

2 CHAIRMAN WILSON: Do you ever do post-survey  
3 surveys to determine what it was in the question that  
4 caused somebody to answer it the way they answered it?  
5 Is that a part of research that you all do?

6 WITNESS ELSEEWI: Actually, sir, I do  
7 pretests for that reason. Say that every time I would  
8 put a survey into the field, I would spend usually two  
9 days, at least one day listening to the respondents  
10 answer those questions. If one finds at that point  
11 that you're getting, you know, a stock answer all the  
12 time, then obviously you've written the question wrong.  
13 So that's something we generally do more in the pretest  
14 stage than in the post-test stage. In a perfect world,  
15 in an academic world, yes, sir, you can do that, and  
16 there are -- GTE Labs does that occasionally. We don't  
17 usually have the funds; it's a very expensive thing to  
18 do.

19 CHAIRMAN WILSON: Did you feel like as a  
20 result of the surveys that you've done on Caller ID  
21 that the overriding or that one of the issues, or was  
22 it a principle issue among those who favored Caller ID,  
23 that they were seeking increased control over their own  
24 telephone? Or was it a privacy issue or was it simply  
25 a choice issue that they wanted to be able to do

1 whatever they wanted to do with their telephones?

2 WITNESS ELSEEWI: The primary reason they  
3 liked it or --

4 CHAIRMAN WILSON: Yes.

5 WITNESS ELSEEWI: Actually, I would say that  
6 fell into several categories based on my research.

7 Some people felt that it was control and  
8 security in the sense of if children were left at home  
9 alone, if women were alone in the home. Other people  
10 liked it just because it was fun, and they liked  
11 answering the phone, "Hi, Mom." And other people used  
12 it as an answering -- similar to an answering device in  
13 that, you know, when they would come home from work,  
14 they would check the numbers every day. And I think if  
15 you look at the mean number of usages, people were  
16 checking it three or four times a day. (Pause)

17 Did I answer your question?

18 CHAIRMAN WILSON: Yeah, I think you did. I  
19 think you did.

20 Any other questions, Commissioners?

21 Redirect?

22 MS. CASWELL: No. No questions.

23 CHAIRMAN WILSON: Thank you very much.

24 Move exhibits.

25 MS. CASWELL: Move Exhibit 12 into evidence.



1 Q Please state your name and address for the  
2 record.

3 A Larry K. Radin.

4 Q By whom are you employed?

5 A My address is 201 North Franklin Street,  
6 Tampa, Florida 33601. I'm employed by GTE Florida.

7 Q I'm sorry, that's my mistake. (Laughter)  
8 In what capacity?

9 A I'm the Security Director for the Company.

10 Q Have you filed direct testimony in this  
11 proceeding?

12 A Yes.

13 Q Are there any exhibits appended to your  
14 direct testimony?

15 A No.

16 Q Do you have any additions or corrections to  
17 your testimony?

18 A None of significance.

19 Q Mr. Radin, could you turn to Page 7 of your  
20 direct testimony, Line 25? Should the word "normally"  
21 be replaced with the word "distinctively" in that  
22 sentence?

23 A Yes, that's correct.

24 Q Now please turn to Page 8, Line 4. Should  
25 the word "distinctively" be replaced with the word

1 "normally"?

2 A Yes.

3 Q Thank you.

4 If I were to now ask you the questions  
5 contained in your prefiled testimony, would your  
6 answers remain the same?

7 A Yes.

8 Q Are those answers true and correct to the  
9 best of your knowledge?

10 A They are.

11 Q Chairman Wilson, we request that Mr. Radin's  
12 testimony be inserted into the record as though read.

13 CHAIRMAN WILSON: Without objection, it will  
14 be so inserted.

15

16

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## 1 TESTIMONY OF LARRY K. RADIN

2 DOCKET NO. 891194-T.

3 Q. Please state your name and business address.

4  
5 A. My name is Larry K. Radin, and my business address  
6 is 201 North Franklin, Tampa, Florida 33602.7  
8 Q. By whom are you employed and what is your  
9 position?10  
11 A. I am employed by GTE Telephone Operations as the  
12 South Area security director.13  
14 Q. Please briefly describe your educational background  
15 and business experience.16  
17 A. I am a graduate of Florida State University with a  
18 Bachelor of Science degree in criminology. I have  
19 been employed by GTE for the past 18 years. In  
20 addition to my current position, I have held  
21 positions of increasing responsibility within the  
22 security organization, including fraud investi-  
23 gator, security investigator, special agent,  
24 security manager-investigations, and corporate  
25 security manager.

1 Q. Please list any additional training and/or profes-  
2 sional memberships relevant to your current  
3 position at GTE.  
4

5 A. I performed an internship with the St. Petersburg  
6 Police Department in 1971, and in 1986, I completed  
7 the Citizens Police Academy training course. I am  
8 an officer in the American Society of Industrial  
9 Security. In addition, I have attended numerous  
10 seminars on technical and managerial security-  
11 related issues.  
12

13 Q. What are your current responsibilities at GTE?  
14

15 A. As the security director, I am responsible for  
16 oversight of all aspects of security services in  
17 our nine-state operating area, including the inves-  
18 tigation of criminal acts against GTE, subpoena  
19 compliance, physical security, telephone tracing,  
20 and administering all matters relating to the needs  
21 of law enforcement agencies and the courts. In  
22 support of these duties, I work on a daily basis  
23 with all federal, state and local law enforcement  
24 agencies on security matters requiring technical  
25

1 expertise. In short, I act as the liaison between  
2 GTE and the law enforcement community.

3  
4 Q. What is the purpose of your testimony in this  
5 proceeding?

6  
7 A. I will discuss the benefits, as well as the  
8 perceived risks, of calling number delivery  
9 services for law enforcement and other public  
10 safety organizations. I will also describe the  
11 best method for ensuring that calling number deliv-  
12 ery does not compromise the anonymity of such  
13 agencies.

14  
15 Q. What has been GTE's policy with regard to address-  
16 ing concerns raised by the law enforcement commu-  
17 nity?

18  
19 A. As a responsible community member, GTE has histori-  
20 cally been sensitive to and supportive of law  
21 enforcement needs. In this vein, GTE is committed  
22 to working in concert with law enforcement in an  
23 attempt to address their concerns about calling  
24 number delivery, without unduly compromising the  
25 value of this technology for the general public.

1 Q. To what extent have you had the opportunity to  
2 familiarize yourself with the view of law enforce-  
3 ment agencies regarding calling number delivery  
4 services?

5  
6 A. Because GTE Florida plans to seek permission to  
7 offer its own calling number identification  
8 service, I have made substantial efforts to become  
9 aware of law enforcement's concerns relative to  
10 potential risks posed by these services. Through  
11 numerous discussions and meetings, I have attempted  
12 to cooperate with agency representatives at the  
13 state and local levels in an effort to address  
14 these concerns, while still maintaining the  
15 integrity of the calling number identification  
16 service offering. In addition, I continue to  
17 monitor calling number delivery issues as they have  
18 developed in other states.

19  
20 Q. In what ways can calling number delivery services  
21 enhance law enforcement capabilities?

22  
23 A. Law enforcement officials, as well as the general  
24 public, can benefit from subscription to calling  
25 number identification service. Moreover, I believe

1 that this service will provide a meaningful  
2 deterrent to persons who make annoyance,  
3 threatening, or obscene calls. It will also  
4 facilitate enhanced call-tracing capabilities and  
5 once in widespread use, should lead to a reduction  
6 of such calls as bomb threats, false fire alarms,  
7 and related prank and menacing type calls.

8  
9 Q. Have your discussions with the law enforcement  
10 community identified any concerns about potential  
11 negative effects of calling number delivery on  
12 police operations?

13  
14 A. Law enforcement's concerns derive from the possi-  
15 bility that certain types of undercover police  
16 operations could be jeopardized if calling number  
17 delivery were offered without a mechanism for  
18 preserving confidentiality. I believe that, in  
19 most circumstances, number forwarding is not a  
20 problem for law enforcement operations. However,  
21 in certain exceptional situations, it may be impor-  
22 tant to conceal the calling number -- for example,  
23 when an officer is compelled to call an informant  
24 or target from his home. To the extent that these  
25 exceptions do occur, GTE recognizes the need to

1           devise a means to mask the source of these calls  
2           without severely compromising the overall benefits  
3           of calling number identification. As set forth  
4           more fully below, the issue of controlling number  
5           delivery has become the principal focus of my  
6           dialogue with the law enforcement community.  
7

8   Q.   Please list and describe the potential controls on  
9       number delivery that have been explored in your  
10      discussions with police officers.  
11

12   A.   As presented to me, state law enforcement officials  
13       expressed their desire for the telephone companies  
14       in Florida to adopt universal blocking on a per  
15       call or a per line basis. Per call blocking would  
16       enable delivery of the calling number on all local  
17       calls placed from a particular line, unless the  
18       caller dialed a prescribed code to block such  
19       delivery. Per line blocking would prevent delivery  
20       of the calling number on all local calls placed  
21       from a particular line. In both cases, the calling  
22       number identification device would display a  
23       protected call indicator -- "private #", for  
24       example -- instead of the calling number.  
25

1 The control technique that GTE has most strongly  
2 advocated is Protected Number Service ("PNS"). PNS  
3 is designed to meet the needs of police agencies  
4 and public abuse centers to make calls without  
5 revealing their actual telephone number, or provid-  
6 ing any clue to the called party that the caller is  
7 with a governmental agency. The service will allow  
8 the agency to prevent its current telephone number  
9 from being passed to calling number identification  
10 devices or being announced via the use of GTE  
11 SmartCall features such as Automatic Call Return or  
12 Call Block. This is accomplished by assigning a  
13 second telephone number to a single line -- the  
14 current number and a new, nonpublished number.  
15 When the customer makes a call, the new number will  
16 appear on calling number identification devices of  
17 people who are called, or during voice announce-  
18 ments used with other SmartCall features. The  
19 actual subscriber number will never be seen or  
20 heard by the receiving party, not even on a toll  
21 call.

22  
23 When receiving legitimate calls from persons using  
24 the existing telephone number, the phone will ring  
25 *distinctively* normally, allowing the customer to recognize the

1 call as a familiar call. If someone returns a call  
2 using the number viewed on a calling number identi-  
3 fication device or via the use of Automatic Call  
4 Return, the telephone will ring <sup>normally</sup> ~~distinctively~~,  
5 alerting the customer that this may be an unwanted  
6 caller.

7  
8 Additionally, efforts are underway to develop the  
9 capacity for PNS users to automatically route those  
10 calls made to their displayed telephone number to a  
11 recorded announcement advising the caller that the  
12 subscriber is not accepting calls.

13  
14 Other possible solutions discussed include the use  
15 of operator-handled calls, credit cards, cellular  
16 services, and coin telephones. These continue to  
17 remain viable options for use by law enforcement  
18 and others as a means of preventing recipients of  
19 calls from identifying originating subscriber  
20 information on both local and toll calls.

21  
22 Q. In your opinion, which of these options would best  
23 remedy the perceived security problems associated  
24 with calling number delivery services?  
25

1 A. I view the adoption of PNS as the best method of  
2 resolving governmental concerns, while maximizing  
3 the many benefits of calling number identification  
4 for the public at large. In contrast, universal  
5 blocking on a per call or per line basis would make  
6 it convenient for harassing callers to conceal  
7 their identities, thus undermining the broad  
8 benefits that calling number delivery provides to  
9 society by its ability to provide a meaningful  
10 deterrent to such calls.

11  
12 Q. Should PNS be made available to groups other than  
13 law enforcement agencies?

14  
15 A. It is likely that some types of social service  
16 agencies would find value in adopting PNS, and GTE  
17 plans to make it available to these groups as well.  
18 To my knowledge, GTE does not plan to make PNS a  
19 general offering in the state of Florida.

20  
21 Q. To what extent have law enforcement personnel been  
22 receptive to the concept of PNS?

23  
24  
25

1 A. My contacts with law enforcement officials have led  
2 to a recognition that PNS will address the majority  
3 of their concerns regarding the need for confiden-  
4 tiality. The principal objection to PNS raised by  
5 law enforcement officials has been their desire for  
6 uniformity in the way calling number identification  
7 features are offered throughout Florida. From an  
8 operational and logistical standpoint, a uniform  
9 approach for addressing law enforcement concerns  
10 certainly has merit. This consideration, however,  
11 fails to weaken GTE's view that PNS is the  
12 preferred method of addressing law enforcement  
13 concerns, since GTE believes that PNS can be made  
14 available on a statewide basis.

15  
16 Q. Does this conclude your testimony?

17  
18 A. Yes, it does.  
19  
20  
21  
22  
23  
24  
25

1 Q (By Ms. Caswell) Mr. Radin, would you please  
2 summarize your testimony for us at this time?

3 A Yes, I've prepared a few written comments to  
4 do that.

5 My role as a security department  
6 representative with GTE Florida has provided an  
7 opportunity to review law enforcement concerns relative  
8 to Caller ID and other related SmartCall service  
9 offerings.

10 In response to those concerns, GTE has  
11 developed a service offering we call "protected number  
12 service" as a means of providing for the  
13 confidentiality concerns of law enforcement and certain  
14 community-based social service agencies.

15 Through the use of protected number service,  
16 coupled with other available means of preventing  
17 calling number display, law enforcement officers will  
18 have available sufficient methods to prevent being  
19 compromised during covert investigations.

20 Protected number service, as opposed to  
21 blocking on demand or blocking via presubscription,  
22 will provide the additional advantages of preventing  
23 compromise should a suspect use the CLASS service  
24 offering known as Automatic Call Return, which also  
25 carries a potential for compromise. Protected number

1 service can also serve to prevent raising suspicion or  
2 concerns on the part of a suspect who has access to  
3 Caller ID because it allows for the display of a  
4 telephone number.

5 It is GTE's position that with the  
6 availability of protected number service, and existing  
7 blocking mechanisms, there is no need to require  
8 additional call blocking options should the Caller ID  
9 service offering be approved.

10 MS. CASWELL: Mr. Radin is available for  
11 cross examination.

12 MR. FALGOUST: No questions, Mr. Chairman.

13 CROSS EXAMINATION

14 BY MR. MATHUES:

15 Q Good evening, Mr. Radin. I'm Steve Mathues.  
16 I represent the Department of General Services and I  
17 know you've heard of that department.

18 A Yes, I have, Steve.

19 Q Good.

20 COMMISSIONER GUNTER: Is that from  
21 prosecution, or what?

22 MR. MATHUES: It's as a result of the  
23 deposition.

24 COMMISSIONER GUNTER: I couldn't resist.

25 (Laughter)

1 Q (By Mr. Mathues) Have you been present for  
2 the testimony here today?

3 A Yes.

4 Q Have you heard testimony that a vast majority  
5 of numbers displayed on the Caller ID box would be  
6 unfamiliar to the person seeing those numbers?

7 A Yes, I'm familiar with the testimony.

8 Q Have you heard that a zero would be displayed  
9 in some instances on the Caller ID box?

10 A Yes.

11 Q Have you heard that a P would be displayed in  
12 some instances on the Caller ID box?

13 A That was Southern Bell's testimony with  
14 regard to their service offering.

15 Q And with regard to your PNS service, would it  
16 be accurate to say that the number displayed would be a  
17 dummy number?

18 A It would be a fictitious number, yes.

19 Q Given the fact then that a large amount of  
20 information displayed on that box might not identify  
21 the calling person, would you agree with that?

22 A Yes, if I understand your question correctly.

23 Q Okay. Could you tell me what you mean then  
24 on Page 4 of your direct testimony in Line 14 when you  
25 refer to, "Maintaining the integrity of a calling

1 number identification service offering"?

2 A Yes. That gets back to the issue of  
3 diminishing the value of the service. When I say  
4 "integrity," I'm simply speaking of the fact that  
5 should the Commission elect to allow blocking of any  
6 type, whether it be presubscription or on-demand  
7 blocking, it devalues the integrity of Caller ID  
8 offering.

9 Q Did you hear Dr. Elseewi's testimony that a  
10 very, very small portion of people who had blocking  
11 available would use it?

12 A I don't recall that specific testimony.

13 Q Do you recall any of her testimony on who  
14 might use it, what percentage might use it?

15 A Who might use it?

16 Q The percentage that might use it.

17 A Not her testimony specifically. I have seen  
18 some study results that indicate a small percentage of  
19 people use the service.

20 Q Do you consider that small percentage one  
21 which would violate the integrity of the system?

22 A Once again, any usage of blocking diminishes  
23 the value and the integrity of Caller ID in my opinion,  
24 and that is the opinion of the Company in that regard.  
25 As blocking becomes more available and people become

1 aware of its availability, we would certainly expect  
2 additional blocking to occur.

3 Q Likewise, on Page 3, Lines 24 and 25, you  
4 refer to unduly compromising the value of the  
5 technology. Does that have to do with your suspected  
6 increase in the number of Ps on the box?

7 A Well, just the blocking itself reducing the  
8 value of the technology.

9 Q On Page 9 of your direct testimony, you state  
10 that universal blocking -- this is beginning at Line 4,  
11 "Universal blocking on a per-call or per-line basis  
12 would make it convenient for harassing --"

13 CHAIRMAN WILSON: Could you speak up a little  
14 louder.

15 COMMISSIONER EASLEY: Or --

16 MR. MATHUES: I'll start over for the court  
17 reporter.

18 CHAIRMAN WILSON: Okay.

19 Q (By Mr. Mathues) "Universal blocking on a  
20 per-call or per-line basis would make it convenient for  
21 harassing callers to conceal their identities."

22 Are you aware of any features currently  
23 available which would defeat those efforts to defeat --  
24 to conceal the identities?

25 A Well, certainly, Call Tracing service, if

1 subscribed to, would provide that ability to defeat a  
2 person's attempt to conceal their identity.

3 Q Would call blocking also prevent those calls?

4 A It would prevent continued calling activity.

5 Q Turning to your deposition, you said on Page  
6 32, Line 13, "Any number, be it published or  
7 nonpublished, is always subject to compromise." Is the  
8 display of a P subject to compromise?

9 A Well, I think that is part of law  
10 enforcement's argument in this situation that the  
11 display of a P if used exclusively for governmental or  
12 social service agencies would in and of itself  
13 potentially reveal their position with the government.  
14 But the character P, other than that, beyond that,  
15 doesn't necessarily reveal anything.

16 Q Now returning to my earlier comment about you  
17 being familiar with my department, at the time your  
18 deposition was taken, you had not heard of our  
19 department's implementation of the statewide 800  
20 megahertz trunked radio system for law enforcement. Is it  
21 also safe to say that you did not take that implementation  
22 into consideration when you formed your policy?

23 A That would be safe to say.

24 Q Would the implementation of that system have  
25 any effect on your policy today?

1 MR. PARKER: Objection, I don't think we've  
2 established that Mr. Radin knows what the system is,  
3 how could he know what the effect would be?

4 CHAIRMAN WILSON: Sustained.

5 Q (By Mr. Mathues) Since I took your -- asked  
6 you about that system at your deposition, have you done  
7 any research on the issue?

8 A No.

9 Q Excuse me?

10 A No, sir.

11 MR. MATHUES: Thank you, no further  
12 questions.

13 CROSS EXAMINATION

14 BY MR. RAMAGE:

15 Q Mr. Radin, is it Radon or Radin?

16 A Radin.

17 Q Radin, thank you. A moment ago you said that  
18 this proposal, the PNS system, displayed a dummy number  
19 to a Caller ID unit. It's my understanding that the  
20 PNS system would display a second telephone number that  
21 could be a new nonpublished number but it wouldn't be a  
22 dummy number but a functional telephone number, just a  
23 newly assigned nonpublished number, is that correct?

24 A I think I termed it "fictitious" in that it  
25 really isn't assigned to anyone specifically. We're

1 using it to avoid being compromised.

2 Q But that phone number that's displayed could  
3 be called by the person with the Caller ID box and that  
4 phone could be answered, is that correct?

5 A Yes.

6 Q Early on in your prefiled testimony, you  
7 indicated that the caller -- call number delivery  
8 service is --

9 CHAIRMAN WILSON: Can I interrupt you just a  
10 minute? That second number, that would be associated  
11 with a primary number, is that right?

12 WITNESS RADIN: Somewhere in the system, it  
13 would be, yes.

14 CHAIRMAN WILSON: So that -- well --

15 WITNESS RADIN: It would be a nonpublished  
16 number that is not really being billed or there's any  
17 permanent record of. But obviously, it would cross  
18 back within our records.

19 CHAIRMAN WILSON: If someone with a Caller ID  
20 box were to return the number that appeared on that  
21 box, the line that would ring would be the line that  
22 had made the call originally?

23 WITNESS RADIN: That's correct. What we've  
24 done with protected number service, I would seek to  
25 clarify that, we've tried to develop options where it

1 would further protect and also enhance law enforcement's  
2 investigations. We're investigating the possibility of  
3 not having it ring back at the originator's end; instead,  
4 going to a recording saying that the person is not  
5 receiving calls.

6 That can prevent compromise, whereas as  
7 currently proposed with blocking on demand by law  
8 enforcement, they still run a great risk, and I think  
9 they would agree with that -- a risk of being  
10 compromised through Call Return. This feature  
11 protected number service seeks to avoid that type of  
12 compromise.

13 CHAIRMAN WILSON: So you could, a return call  
14 on that secondary number, you could sort of peel that  
15 off and have it go to a recorded announcement?

16 WITNESS RADIN: At the option of the agency.  
17 That's the idea we're working under.

18 COMMISSIONER EASLEY: It is at the option of  
19 the agency, though?

20 WITNESS RADIN: Yes. That's the way we  
21 envision the system to work.

22 COMMISSIONER EASLEY: Because it seems to me  
23 there was some testimony in your discussions was there  
24 discussion of occasionally having need for somebody at  
25 the other end of that line to be able to call back in

1 order for suspicion not to be aroused?

2 WITNESS RADIN: Right. You see, you can go  
3 either route on that, Commissioner.

4 COMMISSIONER EASLEY: Okay, all right.

5 WITNESS RADIN: The distinctive ring would  
6 also alert law enforcement that someone calling,  
7 potentially a bad guy, because he's got the number  
8 through the system as opposed to their real line.

9 COMMISSIONER EASLEY: Got you.

10 WITNESS RADIN: There's a lot of plusses with  
11 regard to protective number service.

12 COMMISSIONER MESSERSMITH: When will that  
13 some distinctive ring kick in? When does that come in?

14 WITNESS RADIN: Well, that would always  
15 occur. If you're accepting those returned calls, your  
16 phone rings distinctively alerting you of the fact that  
17 whoever is calling you at that point in time is calling  
18 you via obtaining that number through the Caller ID  
19 display, because that number is unique to the  
20 transmission. You still have a regular number assigned  
21 to that phone, which you can receive calls on from your  
22 legitimate people -- your co-workers, your family, et  
23 cetera. And the distinctive ring is the key there.

24 Q (By Mr. Ramage) You indicated in the early  
25 portion of your prefiled testimony that calling number

1 delivery services or Caller ID would enhance law  
2 enforcement capabilities. Would enhancement be  
3 eliminated if it were to be determined that government  
4 units could not utilize Caller ID absent a warrant or a  
5 court permission to utilize it?

6 A That would certainly minimize the value of it  
7 to the extent of utilizing it on the job within the  
8 office environment. With regard to investigations that  
9 occur outside the office, I suspect they could probably  
10 still use that.

11 Q You have had investigative efforts yourself,  
12 or investigative experience. Presently, can't law  
13 enforcement obtain a warrant or a court order and  
14 basically determine the originating phone numbers  
15 from a particular subject, telephone line?

16 A It's not uncommon to receive orders in that  
17 regard asking for that information. Sometimes due to  
18 the switching environment in which we operate, that's  
19 not always possible to retrieve it. But many times we  
20 are successful in obtaining that.

21 Q Those are commonly referred to in the law  
22 enforcement community as trap and trace orders, is that  
23 correct?

24 A Yes.

25 Q On Page 5 of your prefiled testimony,

1 beginning on Lines 14, you say, "Law enforcement's  
2 concerns derives from the possibility that certain  
3 types of undercover police operations could be  
4 jeopardized if calling number delivery were offered  
5 without a mechanism for preserving confidentiality.  
6 Law enforcement's concerns go beyond just a mere  
7 jeopardization of the operations; the concerns  
8 expressed by law enforcement are regarding the personal  
9 safety and even the lives of the undercover  
10 operatives." Is that correct?

11 A Yes, it is.

12 Q Not necessarily just the operation or a  
13 particular investigation, but the physical safety of  
14 those involved?

15 A Once compromised, that opportunity for harm  
16 to the officer or investigator is always present, yes.

17 Q Turning over to Page 7 of your prefiled  
18 testimony, GTE's protected number service, is that the  
19 functional equivalent of Bell's RingMaster service?

20 A As I understand Bell's service, yes, it is.

21 Q And, as I understand the way this works, a  
22 second phone number will be assigned to the single  
23 line, is that correct?

24 A Yes.

25 Q And the present number will still be

1 operative, along with this newly assigned number, is  
2 that correct?

3 A Yes.

4 Q And as you've outlined the plan that GTE  
5 would propose, this newly assigned number would be an  
6 unpublished number, is that correct?

7 A Yes. Certainly.

8 Q And if someone were utilizing Caller ID, the  
9 number that would be transmitted to that receiver box  
10 would be the newly assigned nonpublished number?

11 A Yes.

12 Q There are some drawbacks from a law  
13 enforcement perspective with this proposal. For  
14 example, you have to presubscribe to the service and  
15 have the service set up on a particular known phone  
16 number, is that correct?

17 A Yes, it would be.

18 Q Therefore, if office are in transit or are  
19 conducting an investigation away from a known location  
20 or preselected location, PNS would not be a viable  
21 option?

22 A That's where we would encourage them to use  
23 the other options that were discussed during the course  
24 of the day.

25 Q And one of the other options that's under

1 discussion could be the use of the blocking option on a  
2 per-call basis if it were ordered by the Commission, is  
3 that correct?

4 A Should it be so ordered.

5 Q Is it possible that any newly assigned  
6 unpublished number could be compromised by those  
7 inclined to try to determine the source of that number?

8 A I would answer that question by advising that  
9 great measures are taken with regard to law enforcement  
10 investigations, specifically undercover and covert type  
11 investigations. And we take great measures beyond just  
12 making a number nonpublished to protect the  
13 confidentiality of the investigator.

14 So it would be a nonpublished number, to  
15 answer your question. But the possibility exists even  
16 the listing on that number and even the address  
17 information would not in any way be associated with an  
18 undercover officer.

19 Q So there is a possibility of a compromise?

20 A There is always a possibility.

21 Q And when we're discussing the possibility of  
22 compromise with regard to law enforcement undercover  
23 operations, that carries with it, as you've already  
24 acknowledged, does it not, the possibility of jeopardy  
25 of safety?

1           A     Yes.

2           Q     Would you agree that the risk of compromise  
3 by tracing down a number or the source of a number  
4 would be greater than if no number at all is displayed  
5 on the Caller ID unit?

6           A     The risk would certainly be greater, yes.

7           Q     Is it possible or probable that the new  
8 unpublished phone number that would be displayed on a  
9 Caller ID unit could be called by the bad guys or by  
10 the recipient of the call?

11          A     The call could be returned, yes, as it can be  
12 with Call Return under a blocked number.

13          Q     So, if a child or an uninformed third party  
14 were to inadvertently answer that returned call,  
15 wouldn't it be possible a compromise could occur?

16          A     Absolutely. That was one of the critical  
17 concerns raised by the Florida Department of Law  
18 Enforcement, and that's why we diligently attempted to  
19 provide the ability to circumvent the redial and route  
20 that call into a recorded announcement so it never  
21 reaches the home of the investigator.

22          Q     Well, what would happen if the computer  
23 that's supposed to reroute that call phases out and  
24 doesn't properly intercept it so that the phone does  
25 ring?

1           A     You would reach the party. It would be a  
2 distinctive ring and hopefully the party would be  
3 alerted to the fact that it was not a normal day-to-day  
4 type call if there were computer failure, which, I  
5 don't know that that could happen. But, theoretically  
6 once again, the call could be directed to the house.

7           Q     On Page 10 of your prefiled testimony, you  
8 make the comment at Line 4 that, "The principal  
9 objection to PNS raised by law enforcement officers has  
10 been their desire for uniformity in the way calling  
11 number identification features are offered throughout  
12 Florida."

13                     You're not representing that Ron Tudor or the  
14 task force or FDLE have indicated to you that they  
15 would accept this PNS proposal as a resolution of their  
16 expressed concerns about Caller ID, are you?

17           A     No. Quite the contrary, I spent a lot of  
18 time addressing this issue with Mr. Tudor and his  
19 coworkers and they have adamantly opposed PNS on the  
20 basis that blocking on demand is the best and most  
21 beneficial feature for their needs. However, in  
22 raising these scenarios, there's been very few -- in  
23 fact, there have been no scenarios proposed to me where  
24 PNS will not work as a viable option to this. In all  
25 my dealings with the various law enforcement agencies,

1 including FDLE, no one has been able to present to me  
2 why this won't work, other than it's not convenient,  
3 officers need to be trained more extensively than it  
4 would if they simply had blocking on demand. As from a  
5 scenario standpoint, I think PNS goes a long way in  
6 addressing that and could prove very beneficial  
7 regardless of the ruling of the Commission.

8 Q You mentioned in your prefiled or in your  
9 comments today -- in your prefiled and in your comments  
10 today that it is GTE's position that you wish to  
11 maintain the integrity of the Caller ID system or the  
12 caller display system, is that correct?

13 A Yes, I did.

14 Q You're not referring to functional integrity  
15 in terms of whether blocking is offered or not?

16 A No.

17 Q I mean, Caller ID will work whether it's  
18 per-call blocking or line blocking or whatever, is that  
19 correct?

20 A No. I'm simply speaking to the level of the  
21 service that a customer could expect if blocking were  
22 made widely available.

23 Q What you're really referring to is a  
24 subjective evaluation of what is valuable and what  
25 makes up a system with integrity?

1           A     I don't know if you would call it subjective.  
2     As the prior witness has testified, there has been a  
3     tremendous amount of research in this regard.  So, it's  
4     an evaluation the Company has made and apparently  
5     Southern Bell has also made.

6           Q     Well, there's nothing that the PNS system as  
7     you propose as an alternative, as one of several  
8     alternatives for law enforcement -- there's nothing in  
9     the function of that PNS system that wouldn't work just  
10    as well with a Caller ID system with per-call blocking,  
11    is there?

12          A     I'm losing you on that question, sir.

13          Q     Is there anything about PNS as an alternative  
14    to law enforcement that requires Caller ID to be issued  
15    or be utilized with no blocking?

16          A     Not that requires it, no.  That they can both  
17    exist simultaneously, is that what you're saying?

18          Q     Could PNS exist simultaneously with Caller ID  
19    offered with free per-call blocking?

20          A     Yes.  It can.

21                 MR. RAMAGE:  No further questions.

22                 MR. BECK:  Thank you.

23                         CROSS EXAMINATION

24    BY MR. BECK:

25           Q     Good evening, Mr. Raiden.

1 A Good evening.

2 MR. BECK: Could I have an exhibit marked for  
3 identification?

4 CHAIRMAN WILSON: Yes. This will be Exhibit  
5 13. (Pause)

6 (Exhibit No. 13 marked for identification.)

7 MR. BECK: Mr. Chairman, this exhibit says  
8 "GTE Confidential" on it, but I have spoken with  
9 counsel for GTE ahead of time and they're not claiming  
10 any confidentiality with respect to this document.

11 CHAIRMAN WILSON: All right.

12 Q (By Mr. Beck) Mr. Raiden, are you familiar  
13 with Exhibit 13 for identification?

14 A Yes. I have read it.

15 Q Could you turn to Page 1, or the one that  
16 says Page 1 at the bottom, it may be the second page.  
17 Under the "Market Assessment Strategic Fit" category,  
18 it discusses the Nuisance Call Bureau. Does GTE  
19 Florida have a Nuisance Call Bureau?

20 A Yes.

21 Q Could you tell me what functions that serves  
22 now?

23 A The Nuisance Call Bureau is comprised of four  
24 people serving our six-county area on the West Coast of  
25 Florida. It serves principally to work as an interface

1 between law enforcement and customers within our  
2 service area who are being victimized by harassing,  
3 obscene, or threatening calls.

4 Q Is it somewhat analogous to Southern Bell's  
5 Annoyance Call Center?

6 A Somewhat.

7 Q What are the differences?

8 A We do not, at this time, take an active role  
9 in representing the customer with regard to specific  
10 line traces. As reported earlier by the Southern Bell  
11 witness, they may become a customer advocate and try to  
12 curtail the activity through contact with the  
13 responsible party making the calls. We deal more  
14 specifically and directly with law enforcement and  
15 working on behalf of the customer, appear on their  
16 behalf and testify as to the accuracy of our trace  
17 information.

18 Q Okay. So with respect to a Call Trace, then  
19 the Nuisance Call Bureau will simply refer that to law  
20 enforcement for them to deal with?

21 A Yes.

22 Q I take it from the exhibit on Page 1 that GTE  
23 plans to phase out the Nuisance Call Bureau as Call  
24 Trace is implemented, is that correct?

25 A That is not my understanding. Quite the

1 contrary, we expect to have to increase the staff to  
2 address the needs of the Call Trace customers based on  
3 the information we receive from our sister companies  
4 throughout the country have already experienced the  
5 process of the changeover from the current tracing  
6 environment to CTS. So we have no plans whatsoever  
7 within the State of Florida to phase out our nuisance  
8 call function.

9 Q Okay, if you would, could you follow me under  
10 the section "Market Assessment Strategic Fit," starting  
11 on the second line. Does it not state that the  
12 currently existing nuisance call investigating service,  
13 whether handled by a centralized Nuisance Call Bureau  
14 or a locally and division district office, should be  
15 discontinued. Is that right?

16 A Well, I'm sure you're misconstruing that. It  
17 does say that, but my impression of the way this thing  
18 is unfolding is that we will migrate our customers to  
19 CTS wherever possible. I think that's the intent  
20 there, as I would understand it. I can assure you we  
21 have no, no provisions whatsoever for phasing out our  
22 nuisance call function.

23 Q On the top --

24 COMMISSIONER EASLEY: Excuse me, Mr. Beck.  
25 Is the last sentence in that paragraph and

1 the first sentence in the next paragraph, is that what  
2 we're really talking about? The last sentence in that  
3 paragraph, well, that's Kentucky, but --

4 WITNESS RADIN: Yeah. "As CTS becomes  
5 available throughout Kentucky, the existing manual  
6 tracing service will no longer be offered in that  
7 area." What we're saying is we're migrating our  
8 customers to the more advantageous service of Call  
9 Tracing Service as opposed to the current tracing  
10 environment because it provides additional  
11 opportunities. That's what I was trying to get at.

12 We're not doing anything with the bureau  
13 itself, the people that work in the bureau. We're  
14 simply moving the customer to the CTS environment.  
15 Once it's available to a customer, we would want the  
16 customer to use that service.

17 COMMISSIONER EASLEY: So the service the  
18 bureau provides will be the same, it will be manual  
19 versus -- it will be CTS versus the old manual trace?

20 WITNESS RADIN: Exactly.

21 Q (By Mr. Beck) The one you're phasing out is  
22 the manual trace?

23 A Right. The current tracing environment as we  
24 have now. I hate to call it manual because it's still  
25 somewhat automated, because most of our switches are

1 electronic in nature. The manual being an older type  
2 of switch. But, the answer is we are moving from the  
3 current environment to the CTS environment, that's our  
4 marketing plan and that's the intent of that comment.

5 Q Okay. And the current environment that that  
6 is is the more traditional trap and trace, whether it  
7 be manual or electronic?

8 A Yes.

9 Q Okay. By the way, have you reviewed Ms. Sims  
10 description of the way Caller ID is utilized or is  
11 transmitted through the network? What I was wanting to  
12 get is a comparison of how Caller ID is sent through  
13 the network as opposed to the way a traditional trap  
14 and trace device uses information from the network.

15 A Well, I think she spoke to that during her  
16 testimony today, on how the end office determines what  
17 happens with it. That would be the receiving office as  
18 opposed to the originating office.

19 Q In an office with the digital switch does  
20 not, under a traditional trap and trace procedure, is  
21 not all the information conveyed in the network and  
22 that the trap and trace simply takes -- extracts that  
23 information from the network?

24 A That's the efficiency of the existing  
25 environment, it's locked up within the switch. As you

1 try to trace calls through the network, it's a  
2 step-by-step procedure. You have to find out where  
3 it's coming from and then go back and put something up  
4 in the next office and find it; and if that's not an  
5 end office, you may have to go to a third office and  
6 also set up an additional trace.

7           That's what I mean, the environment is  
8 improving with CTS in that now all of that information  
9 comes all the way through the victim's office and you  
10 have it there on the very first call. Currently, we  
11 may have to set up as many as three different tracing  
12 devices involving as many as three different calls to  
13 get a successful trace.

14           Q     In the existing trap and trace procedure is  
15 there something like a box that's actually put in there  
16 or is it all done electronically with the network?

17           A     There used to be a box, and in the old  
18 mechanical offices that are still in operation, you  
19 still use a box for tracing. In the current electronic  
20 environment, it's a patch to the network. You simply  
21 tell the switch what you want done.

22           Q     Okay. I'm not sure what you mean by "patch,"  
23 is that some software that you use?

24           A     Well, no, it's a type -- you get at a  
25 terminal that controls the computer for that switching

1 office and you type in a set of instructions telling  
2 it, "When calls are received at this number, print out  
3 and tell me where the call's coming from, if you can."  
4 And it's either going to tell the exact number that's  
5 calling or it's going to identify a distant exchange  
6 code through the trunking environment as the calling  
7 party. You have to go back to that other office.

8 Q And that's what an existing trap and trace  
9 use is, is that correct?

10 A Yes, that is.

11 Q Could you turn to the top of Page 2 on the  
12 second line, is it correct that Call Trace service is  
13 the most desired of the various class features from GTE  
14 research?

15 A I would have to let that stand on its own  
16 merit, it's marketing research.

17 Q Could you turn to the Page 4, where it says 4  
18 at the bottom? On this page, there is a number of  
19 things dealing with GTE security personnel and law  
20 enforcement agencies.

21 A Yes.

22 Q The first one says that, "Call Trace service  
23 takes precedence over protected number service  
24 blocking." Is that correct?

25 A Yes.

1 Q Could you tell us what that means?

2 A What they're trying to designate there is  
3 regardless of what number is sent or blocked, be it  
4 through protected number service or any other mechanism  
5 that may be available to an originator of a call, Call  
6 Tracing service will override that and will provide the  
7 security department sufficient information to identify  
8 the caller. That's my understanding of that.

9 Q So if an undercover agent were using your  
10 protected number service and a drug dealer were to  
11 implement a Call Trace, the Call Trace would take  
12 precedence over the protected number service?

13 A Yes. He would do the same thing if he had a  
14 calling display. He would get that same number as if  
15 he activated the trace we would get it. So what  
16 they're saying, where protected number service is  
17 available, the recipient can get a trace -- which would  
18 be irregular for a person engaged in illegal activity  
19 -- or he can still get the display, but it's a  
20 fictitious number.

21 So the Company will never release the Call  
22 Trace information to the victim directly. So it's  
23 another means but it's not a vulnerability if that's  
24 the intent of your question, because Caller ID would  
25 make it much more vulnerable. He would already have it

1 at his home. He wouldn't have to activate Call Trace  
2 and then call the Company and try to get the information.

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1           Q     The fifth bullet down, where at in the last  
2 sentence of that fifth bullet says "CTS performs a  
3 function of formally recording a trace document,  
4 whereas calling number identification only gives a  
5 visual readout on a display device and is not  
6 permissible as legal documentation." Do you agree with  
7 that?

8           A     As far as the legality being permissible, I  
9 think that would be subject to interpretation at each  
10 court. If a subscriber came in and testified under  
11 oath to a judge in a misdemeanor hearing involving  
12 harassing phone calls, it is possible that the judge  
13 could admit the testimony that on his or her Caller ID  
14 device they received this number. Certainly, and as I  
15 have testified in my deposition, having a hard copy  
16 trace record documented by the Security Department  
17 would be better evidence than simply oral testimony.

18                   MR. BECK: Thank you, Mr. Radin, that's all I  
19 have.

20                                   CROSS EXAMINATION

21 BY MS. PHOENIX:

22           Q     (By Ms. Phoenix) My name is Cheryl Phoenix  
23 and I'm with the Florida Coalition Against Domestic  
24 Violence.

25                   Is it your position that domestic violence

1 intervention programs can obtain limited blocking?

2 A Can obtain -- the position of my company is  
3 that we would not offer blocking to anyone, be it law  
4 enforcement or domestic violence agency.

5 Q But that they would be able to utilize these  
6 special arrangements that you have tried to arrange  
7 with the different groups?

8 A Yes. As stated by Southern Bell, our  
9 position is basically the same. Where need exists, GTE  
10 being a responsible corporate citizen, would make every  
11 effort to address that need. And Protected Number  
12 Service I envision as being offered also to an agency  
13 such as your own.

14 Q Okay. What special considerations have been  
15 or will be made for domestic violence intervention  
16 programs, staff, volunteers or clients?

17 A Once again, we have not specifically addressed  
18 what our position is going to be. You know, we haven't  
19 filed our tariff formally yet so I couldn't speak to the  
20 exact provisions. I can assure you, based on the  
21 information I received from my peers that your needs would  
22 be addressed with regard to Protected Number Service.

23 Q Okay. Thank you.

24 MS. GREEN: Mr. Chairman, if we could get an  
25 exhibit numbered for identification please, that would

1 be Staff 5.

2 CHAIRMAN WILSON: All right. That would be  
3 No. 14.

4 (Exhibit No. 14 marked for identification.)

5 CROSS EXAMINATION

6 BY MS. GREEN:

7 Q Good evening, Mr. Radin. I only have a few  
8 questions for you.

9 You've previously been furnished a copy of  
10 what has been numbered Exhibit 14, originally Staff  
11 No. 5?

12 A Yes, I have it.

13 Q And this consists of excerpts from your  
14 October 24th, 1990 deposition?

15 A Yes.

16 Q Have you had a chance to review that for  
17 correctness?

18 A Just briefly during the day.

19 Q I believe you have already submitted an  
20 errata sheet for that deposition and it's attached to  
21 the back of this packet?

22 A Yes, it is.

23 Q And your answers to those questions asked at  
24 the deposition, would they be the same if you were  
25 asked those questions today?

1           A     Yes.

2           Q     And are they true and complete to the best of  
3 your knowledge and belief?

4           A     Yes.

5           Q     I would like to clarify something with you.  
6 And I don't believe you would have a copy of this, so  
7 we're going to bring you a previous exhibit. This is  
8 numbered Exhibit No. 10, it's already been admitted  
9 into evidence. And for those who are following along,  
10 we'll be looking at Page 10 of that document. (Pause)

11                     If you could just take a minute and look at  
12 the interrogatory and Southern Bell's response, please.

13           A     Yes. Would you like me to comment on that?

14           Q     Well, we would like to clarify that it is the  
15 primary number that is sent over PNS and not the  
16 secondary?

17           A     Well, it is a secondary and fictitious number  
18 that is sent over the PNS network. You know, the PNS  
19 number that we assign to purposes of confidentiality --  
20 it's some what confusing in my mind, also, but as  
21 exhibited by my testimony, the customer has their own  
22 regular telephone number, which they may have in  
23 existence now. For purposes of protecting their  
24 confidentiality, we establish a second number and  
25 assign it to them. And that is the number that is

1 A Yes.

2 Q And are they true and complete to the best of  
3 your knowledge and belief?

4 A Yes.

5 Q I would like to clarify something with you.  
6 And I don't believe you would have a copy of this, so  
7 we're going to bring you a previous exhibit. This is  
8 numbered Exhibit No. 10, it's already been admitted  
9 into evidence. And for those who are following along,  
10 we'll be looking at Page 10 of that document. (Pause)

11 If you could just take a minute and look at  
12 the interrogatory and Southern Bell's response, please.

13 A Yes. Would you like me to comment on that?

14 Q Well, we would like to clarify that it is the  
15 primary number that is sent over PNS and not the  
16 secondary?

17 A Well, it is a secondary and fictitious number  
18 that is sent over the PNS network. You know, the PNS  
19 number that we assign to purposes of confidentiality --  
20 it's some what confusing in my mind, also, but as  
21 exhibited by my testimony, the customer has their own  
22 regular telephone number, which they may have in  
23 existence now. For purposes of protecting their  
24 confidentiality, we establish a second number and  
25 assign it to them. And that is the number that is

1 displayed, so their primary or existing number would  
2 not go out over PNS. Their friends that still have  
3 that number would continue to call it and they would  
4 know it's legitimate based on a distinctive ring.

5 CHAIRMAN WILSON: Is what you just said  
6 different from what the response is that appears on  
7 this page?

8 A No. I do not believe it is.

9 CHAIRMAN WILSON: Well, now you said that the  
10 secondary number is the one that's passed, not the  
11 primary.

12 WITNESS RADIN: I'm construing the secondary  
13 number to be the number that we send out over the  
14 network and the primary number to be the number the  
15 customer has had or will have if he or she establishes  
16 service.

17 CHAIRMAN WILSON: Well, okay, let's start  
18 over. I'm a customer, I sign up for the telephone  
19 company; I get a telephone number.

20 WITNESS RADIN: Okay.

21 CHAIRMAN WILSON: I later lose all sense of  
22 selfworth and decide to become an undercover officer  
23 and expose my life to great danger, which these guys  
24 do. And now I'm going to deal with some drug dealer  
25 here, and I'm going to call him. What number is going

1 to be transmitted; my first number or the second number  
2 that I would get with RingMaster, or with whatever your  
3 equivalent of that is?

4 WITNESS RADIN: Mr. Chairman, as I understand  
5 it, and I could be wrong technically because this is  
6 somewhat confusing, the number you are going to send  
7 will be the fictitious number that we assigned you to  
8 protect your identity, okay? Not the number you've  
9 sent traditionally. We want to give you a number  
10 that's going to be on the network that will ring  
11 distinctively that is a number that the bad guy will  
12 receive. Okay. I don't know that I have that  
13 confused. My understanding is that the Southern Bell  
14 service offering called RingMaster and PNS are the same  
15 as far as their capabilities are concerned, with the  
16 exception of possibly they cannot have the capability  
17 of routing to a recording. I'm not sure on that  
18 aspect.

19 CHAIRMAN WILSON: If I understand the  
20 testimony that I heard earlier today by Southern Bell,  
21 it was that the number that is transmitted through the  
22 network is the primary number, not the secondary number  
23 as the distinct --

24 WITNESS RADIN: Okay. Well, I may well have  
25 that explanation backwards then. Why would you want to

1 send you primary number, which may be a listed number;  
2 that could compromise you very easily. You want to  
3 send a nonpublished number down the network. So I --  
4 if we're offering it that way, it's backwards.

5 CHAIRMAN WILSON: No. I didn't say it had to  
6 make any sense. It's just the way that I --

7 WITNESS RADIN: Okay. That's where I'm  
8 getting confused.

9 COMMISSIONER BEARD: Can I get a definition  
10 again, because I still don't understand. It says,  
11 "Upon inquiry, GTE has advised that the main exchange  
12 number is the one that is passed, not the distinctive  
13 ring." I'm assuming that the distinctive ring was the  
14 one -- the distinctive ring is associated with the  
15 secondary number, the fictitious number.

16 WITNESS RADIN: That's where it backwards.  
17 Okay. That's what led to a lot of confusion on my  
18 original deposition.

19 COMMISSIONER BEARD: I mean, obviously, both  
20 rings are distinctive, but they're different.

21 WITNESS RADIN: Okay. I reused the term  
22 "distinctive" and I probably shouldn't have.

23 The regular ring that you get in your  
24 day-to-day business dealings will be the ring that you  
25 get as a result of the number you transmitted. So all

1 the legitimate calls you get during the day will be  
2 ringing different than your regular ring. The only  
3 ringing tone that will be regular will be the bad guy  
4 calling you. Okay. So it's backwards. Because of the  
5 network provision -- that's the reason for the  
6 confusion here.

7 COMMISSIONER EASLEY: Regardless --

8 COMMISSIONER BEARD: If I get a regular ring,  
9 I duck and run. If I get a distinctive ring, I pick it  
10 up and find out --

11 WITNESS RADIN: You know it's your mom or dad  
12 calling you. Yeah.

13 COMMISSIONER BEARD: Whether eggs or bread to  
14 take home.

15 WITNESS RADIN: That was caused, apparently,  
16 because the technology in the network. It has to  
17 recognize the number we're transmitting as being your  
18 legitimate number, but in reality, I don't view as your  
19 legitimate number. I view that as a fictitious number  
20 that's protecting your identity. So "distinctive" is  
21 the key word there. It's going to be ringing  
22 differently but it's not going to be ringing the way  
23 you normally get the call. Don't answer the legitimate  
24 ring. You know, that's the one that can cause trouble  
25 for you, so it is --

1           CHAIRMAN WILSON: I don't want to be the guy  
2 sitting in my home going, "Now was it the --"  
3 (Laughter)

4           WITNESS RADIN: I think that --

5           CHAIRMAN WILSON: If I answer this line, am I  
6 putting my life in danger or is this the pizza guy  
7 calling back, which is it?

8           WITNESS RADIN: It's just the opposite.  
9 Whatever seems normal, it's just the opposite.

10          COMMISSIONER EASLEY: Is it literally the  
11 tone of the ring or are we talking about the  
12 possibility of something like the old party line,  
13 where, you know, the guy over here as got one, and the  
14 guy over there has got two? Is that --

15          WITNESS RADIN: I don't know if the tone -- I  
16 know it's a distinctive tone. I suspect it's probably  
17 as you characterize it, it's going to be like a  
18 two-party line. The long-long ring is the one that  
19 you're -- is the call that you've sent out to the bad  
20 guy. When you get what we call a long-long ring, which  
21 is the normal ring we're all familiar with, that's the  
22 one you have to be concerned about.

23          COMMISSIONER EASLEY: Well, then, obviously,  
24 it is something closer to the party line concept.

25          WITNESS RADIN: I suspect so.

1                   COMMISSIONER EASLEY: It's probably a long-  
2 short-long or whatever.

3                   WITNESS RADIN: Right. It's confusing but  
4 because of the way the network is configured, the  
5 network thinks that that number you're sending out to  
6 the world is a legitimate number so it turned it around  
7 and made it backwards.

8                   COMMISSIONER EASLEY: As long as I've got it  
9 interrupted, did you have any discussion -- all of this  
10 deals with one additional phone number as being the  
11 fictitious one or whatever terminology. Did you all  
12 discuss the possibility of having a pool of numbers  
13 from -- pool of legitimate looking numbers from which  
14 law enforcement could choose on its own, unknown to  
15 anybody but its own computer, which number it is  
16 picking to avoid the possible compromise?

17                  WITNESS RADIN: Our company did not. It's  
18 possible because of the Bell contacts with them they  
19 did and it was reject for some reason. I personally  
20 did not, Commissioner.

21                  MS. GREEN: I'm not sure if we clarified that  
22 or not, but I think I do understand. And part of the  
23 confusion I think is that when we use the phrase main  
24 exchange number, we're thinking of the one the bill  
25 comes in. I think maybe we best let that go. It seems

1 to be clear at this point.

2 Q (By Ms. Green) Mr. Radin, if you could turn  
3 to Page 5 of your testimony, please. At Lines 3  
4 through 7 you discuss enhanced call tracing  
5 capabilities. Could you tell us what you mean in that  
6 sentence by "enhanced call tracing"? (Pause)

7 A This is on my deposition, Commissioner?

8 Q I'm sorry, no. This is in your testimony,  
9 your direct testimony. And I like being called  
10 Commissioner, but --

11 A Oh, I'm sorry.

12 CHAIRMAN WILSON: You need to watch that.

13 (Laughter)

14 MS. GREEN: That's Page 5, Line 3 through 7  
15 in the direct testimony.

16 A Can I get a copy of that. I'm not finding it  
17 on mine, enhanced call tracing. I'm on Page 5. Am I  
18 looking at the same copy you are?

19 Q There is a sentence that begins on Line 3,  
20 "It will also facilitate ..."

21 A Okay. What we're speaking of in that  
22 testimony is the capabilities of Caller ID to  
23 discourage annoyance calls, harassing calls, calls of  
24 false bomb threats, false fire alarms. So we're  
25 speaking to the enhanced ability to deter it by virtue

1 of the fact Caller ID is present in a community and  
2 would serve as a deterrent to persons seeking to  
3 perpetrate those types of offenses.

4 Q Okay. You're not referring to some new  
5 service?

6 A No.

7 Q If you could turn to Page 8 of your direct  
8 testimony, please, Lines 8 through 12. In there you  
9 discuss that, "Efforts are underway to develop a  
10 capacity to automatically route calls to a recorded  
11 announcement." And this is for PNS users. Could you  
12 update us on those efforts, where they stand?

13 A Yes. According to our technical people, we  
14 do have that capability. There are some limitations  
15 with regard to that particular subscriber being capable  
16 of calling a 911 number or subscribing to other calling  
17 features. But, in answer to your question, the  
18 capability apparently does exist within our service  
19 area.

20 Q Presently?

21 A Yes. They say it can be done.

22 Q If you could turn now to Page 9, please,  
23 Lines 15 through 19. And there you discuss that "Some  
24 types of social service agencies would find value in  
25 adopting PNS and that GTE plans to make it available to

1 these groups." Do you have any idea how GTE would go  
2 about identifying those types of agencies?

3 A That issue has not been addressed by me  
4 personally. I would suspect that our procedures would  
5 be very similar to those proposed by Southern Bell in  
6 their filing.

7 Q Now, you are here mainly, if I understand  
8 your testimony, to speak to the law enforcement and  
9 other public safety issues, is that correct?

10 A Yes.

11 Q Would you be in a position to know what your  
12 Company's position is as to universal availability of  
13 either per-call or per line-blocking to the general  
14 public?

15 A Yes. Our Company opposes that -- making it  
16 available. For reasons that were specified earlier in  
17 the day, we feel that the use of blocking by the public  
18 at large would not only diminish the value of the  
19 service offering to our customer subscribing to calling  
20 number display or ID, it would also serve to prevent  
21 criminal activity -- or it would not serve to prevent  
22 criminal activity if you allow the criminal element to  
23 use blocking on demand or blocking through  
24 presubscription. So for those reasons we would oppose  
25 providing blocking to the general public at large and

1 that is, quite candidly, why I'm here, was to try to  
2 address some of the other concerns, legitimate concerns  
3 I might add, that law enforcement and other agencies  
4 have.

5 MS. GREEN: That concludes the Staff's  
6 questions. Thank you.

7 CHAIRMAN WILSON: Do you have any questions?  
8 Redirect?

9 REDIRECT EXAMINATION

10 BY MS. CASWELL:

11 Q I just have a few questions. Mr. Radin, do  
12 you have an opinion as to how likely it would be that a  
13 particular law enforcement operation or an officer's  
14 safety would be compromised because of the existence of  
15 PNS?

16 A How likely it would be that they would --

17 Q Yeah. How likely it would be that PNS would  
18 compromise a law enforcement operation?

19 A This is all new technology but, you know, the  
20 whole reason PNS was devised was to prevent compromise.  
21 And I think, if properly administered, in the absence  
22 of technical malfunctions, which I can't speak to, it  
23 should prevent compromise.

24 Q Can you refer to the Cross Examination  
25 Exhibit 13, the Call Tracing Plan Summary, at Page 2,

1 the top? Mr. Beck questioned you on this earlier. Are  
2 you familiar with the Star Search research referred to  
3 on Page 2?

4 A I'm not specifically familiar with it other  
5 than the testimony I've heard here today

6 Q So you're not aware that Caller ID was not  
7 included in the pretrial surveys referred to there?

8 A No, I'm not.

9 MS. CASWELL: Thank you.

10 CHAIRMAN WILSON: Move exhibits.

11 MR. BECK: Move Exhibit 13.

12 CHAIRMAN WILSON: Without objection, Exhibit  
13 13 is admitted into evidence.

14 (Exhibit No. 13 received into evidence.)

15 MS. GREEN: Staff would move Exhibit 14,  
16 please.

17 CHAIRMAN WILSON: Without objection, Exhibit  
18 14 is admitted into evidence.

19 MS. GREEN: Thank you.

20 (Exhibit No. 14 received into evidence.)

21 CHAIRMAN WILSON: Lets take about 10 minutes  
22 and then we'll come back and see if we can knock off a  
23 few more witnesses.

24 (Brief recess.)

25

- - - - -

1 MR. BERG: United will call William C.  
2 Jones, Jr.

3 WILLIAM C. JONES, JR.  
4 was called as a witness on behalf of United Telephone  
5 Company of Florida, and having been first duly sworn,  
6 testified as follows:

7 DIRECT EXAMINATION

8 BY MR. BERG:

9 Q Please state your name and business address.

10 A My name is Williams C. Jones, Jr. My business  
11 address is Post Office Box 5000, Altamonte Springs,  
12 Florida 32716-5000.

13 Q By whom are you employed and in what  
14 capacity?

15 A I'm employed by United Telephone Company of  
16 Florida. I am the Manager-Network Planning Development  
17 in the Marketing Department.

18 Q Did you prefile direct testimony in this  
19 docket on September 26th, 1990, consisting of 11 pages?

20 A Yes, I did.

21 Q Do you have any changes, additions or  
22 deletions to that testimony?

23 A Yes, I do.

24 MR. BERG: I passed out some corrective or  
25 revised sheets of Page 6 and 7 of his testimony. Page

1 6, the question didn't anticipate the answer. We gave  
2 Karnack (ph) the day off that day I guess.

3 On Page 7, Line 19 we changed a period to a  
4 question mark.

5 Q On Page 8, Lines 20 to 15 of your testimony,  
6 you indicate that United will take a position on  
7 blocking of Caller ID and its position on the issues in  
8 this docket. Did United take such a position?

9 A Yes, we did. That position is noted on Page  
10 38 of the prehearing statements on Issue 9.

11 Q Okay. That's the Prehearing Order?

12 A Prehearing Order, yes.

13 Q With the changes described, would your  
14 testimony today be the same if I were to ask you the  
15 questions in your testimony?

16 A Yes, they are.

17 MR. BERG: Mr. Chairman, United requests that  
18 Mr. Jones' direct testimony be inserted in the record  
19 as though read.

20 CHAIRMAN WILSON: Without objection it will  
21 be so inserted in the record.

22

23

24

25

1

DIRECT TESTIMONY OF

2

WILLIAM C. JONES, JR.

3

FOR

4

UNITED TELEPHONE COMPANY OF FLORIDA

5

BEFORE THE

6

FLORIDA PUBLIC SERVICE COMMISSION

7

DOCKET NO. 891194-TL

8

9 Q. Please state your name, business address and title.

10 A. My name is William (Bill) C. Jones, Jr. My business  
11 address is Post Office Box 5000, Altamonte Springs,  
12 Florida. I am Manager-Network Planning & Development  
13 within the Marketing Department of United Telephone  
14 Company of Florida.

15 Q. Please relate briefly your previous work experience.

16 A. Following graduation from Texas A&M University in College  
17 Station, Texas, I was employed in 1977 by United  
18 Telephone of Texas, Inc. At United Telephone of Texas, I  
19 held positions of Engineering/Management Trainee, Senior  
20 Outside Plant Engineer, District Customer Services  
21 Manager, Network Facility Planner, and Network Design  
22 Manager. In 1985 I transferred to United Data Services,  
23 Inc. and served as Data Communications Analyst III. I  
24 transferred to United Telecommunications, Inc. in 1987  
25 and served as Manager-Special Services and Equal Access.

1 I transferred to United Telephone Company of Florida in  
2 1988 and began my current position as Manager--Network  
3 Planning & Development. My current responsibilities lie  
4 in developing, selecting, and implementing new network  
5 services for United Telephone Company of Florida.

6 Q. Have you testified before the Commission previously?

7 A. No, this is my first appearance.

8 Q. What is the purpose of your testimony in this proceeding?

9 A. The purpose of my testimony is to provide United  
10 Telephone Company of Florida's (United) position  
11 regarding Caller ID, a feature which is part of the  
12 Customer Local Area Signaling Service (CLASS)<sup>sm1</sup> family  
13 of features being introduced by various telephone  
14 companies in the state of Florida.

15 Q. For the purposes of this docket, what is the definition  
16 of Caller ID?

17 A. Caller ID essentially has two definitions in today's  
18 environment. The first is a global term; it encompasses  
19 the broad scope of passing information concerning the  
20 calling party through the network. The second is a  
21 more specific term; it refers to the actual Caller ID  
22 feature provided by CLASS. In regard to the first  
23 definition, this broad form of calling party identity is  
24 referred to by United as Calling Party Identification  
25 (CPID) information. CPID has been broadly defined and

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<sup>1</sup>Service Mark of Bell Communications Research, Inc.

1 developed by the Information Industry Liaison Committee  
2 to encompass all forms of calling party identification  
3 information, which automatically allows the called party  
4 to identify the calling party, station, or line. Forms  
5 of CPID include Automatic Number Identification (ANI),  
6 directory numbers, calling party name, calling party  
7 address, or personal identification codes. Calling party  
8 name and address are not generally available through the  
9 network at this time. CPID delivery is made available  
10 through such methods as Feature Group D access, Common  
11 Channel Signaling System 7 (SS7), Feature Group B access,  
12 CLASS, Simplified Message Desk Interface (SMDI), and  
13 Integrated Services Digital Network (ISDN).

14

15 The new feature, Caller ID, is a subset of CPID. It  
16 enables the called customer to view on a display unit the  
17 primary telephone number of the calling party who  
18 initiated the incoming call. The display unit may be an  
19 ancillary device which is attached to the customer's  
20 telephone set or may be a special telephone set with the  
21 display unit built into it. Caller ID is one of several  
22 CLASS features. United plans to file its tariff for  
23 those CLASS features under the name of ExpressTouch<sup>sm2</sup>  
24 Service. Caller ID will only operate on calls  
25 originating and terminating within CLASS-equipped

---

<sup>2</sup>Service Mark of United Telecommunications, Inc.

1 offices. Telephone numbers transmitted via Caller ID are  
2 intended solely for the use of the Caller ID subscriber.  
3 Resale of this information is prohibited.

4

5 For the purposes of this docket, both definitions of  
6 Caller ID must be considered. However, most of the  
7 issues are more directed towards the actual Caller ID  
8 feature and are answered accordingly.

9

10 United believes the differences as well as the simi-  
11 larities between the CPID and its Caller ID feature  
12 subset are important because while the method of  
13 providing the feature Caller ID is new, the act of  
14 sending information about the calling party through the  
15 network (CPID) is not new, and has been going on for  
16 years. CPID is an essential factor in meeting today's  
17 telecommunication needs and should not be restricted.

18 Q. What are the benefits and detriments to Florida consumers  
19 of Caller ID services?

20 A. United believes that the capability to pass information  
21 about the calling party through the network to the called  
22 party through CPID provides substantial benefits to the  
23 consumers. This capability has made new services  
24 possible, such as Pay-Per-View TV or the 900/976  
25 services, which use the calling party's telephone number

1 for billing purposes. It has also enabled the telecom-  
2 munications network to provide worldwide 1+ dialing,  
3 making calling around the world almost as easy as dialing  
4 across town. United recognizes that the passing of this  
5 information may sometimes create problems for those  
6 interested in maintaining their anonymity. Reduced calls  
7 to hot lines, displaying of nonpublished numbers,  
8 increasing "junk" calls from telemarketing, "redlining"  
9 calls from specific areas, and safety concerns for law  
10 enforcement agencies and violence-related social service  
11 agencies are potential problems being attributed to  
12 Caller ID (the feature). With the exception of the law  
13 enforcement and/or social agencies, United does not  
14 believe these problems with Caller ID will materialize,  
15 based on the performance of Caller ID in areas where it  
16 is available. While United is not aware of a safety  
17 problem caused by Caller ID, it recognizes the potential  
18 hazard and has developed methods to alleviate these  
19 problems. Although Caller ID may require these agencies  
20 to change some of their "business as usual" procedures,  
21 United believes that the capabilities of Caller ID to  
22 reduce harassment, screen calls, aid in emergency situ-  
23 ations, enhance security and control over the telephone,  
24 and provide a means for many new products are a sub-  
25 stantial benefit to the consumer of Caller ID services.

Is Caller ID in the public interest?

1 Q. ~~What effect will Caller ID have on nonpublished and~~  
2 ~~unlisted subscribers?~~

3 A. Yes, Caller ID is in the public interest. Whether Caller  
4 ID is considered in the broad scope of passing informa-  
5 tion on the calling party through the network or whether  
6 it is considered only as a feature within the CLASS  
7 family, Caller ID has been shown to be a great benefit to  
8 the public through increased network capabilities and  
9 increased security.

10 Q. Are there any existing CLASS services (e.g., Call Trace,  
11 Call Return, Call Block, etc.) that have similar func-  
12 tions and/or benefits as Caller ID; if so, what are their  
13 detriments? Is their rate structure appropriate?

14 A. Functionality: Caller ID's basic and main function, as  
15 proposed by United, is to let the called party know the  
16 specific telephone number of the calling party prior to  
17 the called party answering the telephone. None of the  
18 other CLASS features, with the exception of Call Selector  
19 can duplicate this functionality. (This function is  
20 available only when one specific number at any one time  
21 is stored in the Call Selector data base. When that  
22 number calls, only that one number will ring with a  
23 distinctive ring, thereby identifying the specific caller  
24 prior to the customer answering the telephone.)

25 Benefit: The benefit of Caller ID, as with its func-

1           tionality, is not shared by other CLASS features. Caller  
2           ID allows the called party to know, even before picking  
3           up the telephone, the specific number of the incoming  
4           call. The customer can use this information in many  
5           ways, such as not answering the telephone, deterring  
6           further harassing calls, answering according to the  
7           incoming number, or automatically pulling up information  
8           from a computer data base.

9           Rate Structure: The rate structure of the existing  
10          Commission approved CLASS features is appropriate and  
11          should not be affected by Caller ID. While most of these  
12          features share some CPID qualities through the ability to  
13          identify the calling party at some point in time, Caller  
14          ID provides a unique service of immediately identifying  
15          the calling party's telephone number; this has  
16          exceptional value to customers concerned with enhancing  
17          their security and control over their telephone service.

18          Q. What effect will Caller ID have on nonpublished and  
19          unlisted subscribers+ ?

20          A. Caller ID may cause some of these customers to think,  
21          prior to making a call, about who might be able to view  
22          their number, but the overall effect will be added  
23          benefits. Customers who have nonpublished numbers  
24          recognize the privacy rights of the called party and the  
25          value of controlling calls that they receive. Caller ID

1 will give these customers additional capabilities to  
2 control and manage their telephone and a broad acceptance  
3 of this feature is expected by these customers. This  
4 expectation has been realized in the New Jersey area  
5 where about half of those subscribing to Caller ID are  
6 customers with nonpublished numbers.

7 Q. What further action should be taken regarding the  
8 conditions under which nonpublished number information  
9 will be divulged?

10 A. No special conditions or privileges should be made  
11 available to customers who have nonpublished numbers due  
12 to the introduction of Caller ID. Nonpublished number  
13 service omits the customer's telephone number from  
14 telephone directories and directory assistance.  
15 Nonpublished Number Service was never envisioned to  
16 extend to restricting the flow of network signaling  
17 information to the called party.

18 Q. Should the Commission allow or require the blocking of  
19 Caller ID? If so, to whom and under what circumstances?

20 A. At this time, United is in the process of reviewing the  
21 various advantages and disadvantages of providing a pro-  
22 cedure to block the sending of Caller ID to the called  
23 party. United's response to this question will be  
24 provided when the positions on all of the issues in this  
25 proceeding are scheduled to be filed.

1 Q. What alternatives to Caller ID blocking are available and  
2 do they sufficiently protect customers' anonymity?

3 A. United can offer quite a few alternatives to the actual  
4 blocking of Caller ID which will effectively safeguard  
5 the anonymity of the caller if required in special  
6 instances. These services are listed below.

7 Calling Card: A calling card call is switched outside of  
8 the CLASS network and will display an "out of area," or  
9 other similar notation, on a Caller ID display unit and  
10 not the calling party number

11 SignalRing<sup>sm3</sup>: SignalRing is a service which is planned  
12 to be introduced by early 1991. It allows two or three  
13 numbers to be assigned to one telephone line. The  
14 primary number of SignalRing is displayed when the caller  
15 calls someone with Caller ID. If the called party tried  
16 to dial the displayed number, they could be routed to a  
17 United recording or another specified number by using  
18 Call Forwarding on the primary number. The second and/or  
19 third number on the SignalRing line would not show on the  
20 Caller ID display, thus providing anonymity to the  
21 caller. In addition, the second/third number could be  
22 nonpublished.

23 Outward Only Service: This is a new service that United  
24 is reviewing. It will provide the customer with a  
25 telephone line that only allows outgoing calls. Incoming

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<sup>3</sup>Service Mark of United Telecommunications, Inc.

1 calls are routed to a recording at the central office.  
2 Because it is outgoing only, the telephone number of this  
3 line would be automatically nonpublished.

4 FX/FCO Service: This service provides for calls from a  
5 separate location to appear as if they originated from a  
6 telephone number in another part of the community. It  
7 works like any standard FCO (foreign central office) or  
8 FX (foreign exchange) line.

9

10 This list of alternatives to blocking of Caller ID may  
11 not represent all of the capabilities which exist.  
12 United will continue to work with law enforcement groups  
13 and others to determine better, yet reasonable, ways to  
14 enhance their operations. It should be realized that any  
15 of these blocking methods will only work on the feature  
16 Caller ID and not on CPID. Calls made by customers which  
17 are subsequently switched to and carried by interexchange  
18 carriers (IXCs) can, and will continue to be able to,  
19 carry the calling party's telephone number through the  
20 network to a customer of that IXC.

21 Q. What special arrangements, if any, should be made  
22 regarding Caller ID for law enforcement operations and  
23 personnel?

24 A. United is aware that the Caller ID feature will have some  
25 impact on law enforcement agencies and may require a

1 change in their operations. Methods to help these  
2 agencies deal with these changes are available and United  
3 will work with these groups to ensure that their concerns  
4 are addressed in a reasonable manner. Law enforcement  
5 needs are unique and some of the methods incorporated to  
6 maintain their anonymity would not likely be offered to  
7 any other person or group. The goal of United working  
8 with the law enforcement agencies will be to provide the  
9 necessary alternatives to ensure that the safety of their  
10 personnel is not jeopardized.

11 Q. What special arrangements, if any, should be made  
12 regarding Caller ID for any other group or groups?

13 A. At this time, United believes the various alternatives to  
14 Caller ID blocking listed earlier should satisfy the  
15 concerns of many of these groups. As United becomes more  
16 familiar with these concerns and completes its review of  
17 Caller ID Blocking, special arrangements may be found to  
18 be appropriate.

19 Q. Does this complete your testimony?

20 A. Yes, it does.

21

22

23

24

25

1 Q (By Mr. Berg) Would you please present a  
2 summary of your testimony, Mr. Jones.

3 A Yes, I will.

4 The purpose of my testimony is to provide  
5 United Telephone Company of Florida's position  
6 regarding Caller ID.

7 Caller ID essentially has two definitions in  
8 today's environment. The first is more of a global  
9 term, which we have been calling Calling Party  
10 Identification or CPID. And it encompasses the broad  
11 scope of passing information concerning the calling  
12 party through the network. An example of CPID might be  
13 as ANI, which the Automatic Number Identification.

14 The second definition is a more specific  
15 term, which refers to the actual Caller ID feature  
16 provided by CLASS. The new feature, Caller ID, is a  
17 subset of CPID, and it enables the called customer to  
18 view on a display unit the telephone number of the  
19 calling party who initiated the incoming call.

20 Caller ID is one of several CLASS features.  
21 United plans to file its tariff for those CLASS  
22 features under the name of ExpressTouch Service.

23 For the purposes of this docket, both  
24 definitions of Caller ID must be considered. However,  
25 most of the issues that are directed towards the actual

1 Caller ID feature and are answered accordingly.

2 United believes that the differences as well  
3 as the similarities between the CPID and its Caller ID  
4 feature subset are important. Because while the method  
5 of providing the feature Caller ID is new, the act of  
6 sending information about the calling party through the  
7 network using CPID is not new and has been going on for  
8 years. CPID is an essential factor in meeting today's  
9 telecommunications needs.

10 United believes that the capabilities of  
11 Caller ID, the feature, to reduce harassment, screen  
12 calls, aid in emergency situations, enhance security  
13 and control over the telephone and provide a means for  
14 many new products and services are of substantial  
15 benefit to the consumer of Caller ID services. Caller  
16 ID's basic and main function as proposed by United is  
17 to let the called party know the specific telephone  
18 number of a calling party prior to the called party  
19 answering the telephone.

20 The customer can use this information in many  
21 ways such as not answering the telephone, deterring  
22 further harassing calls, answering according to the  
23 incoming number or automatically pulling up information  
24 from a computer database.

25 Since giving my testimony, United Telephone

1 Company has taken a position on call blocking, and  
2 again, this appears on Page 38 of the Prehearing Order.

3 United proposes to offer optional per-call  
4 blocking to anyone who requests the feature. The  
5 feature itself would be provided free of charge.

6 A normal service order charge would be  
7 applicable unless the feature was ordered during the  
8 60-day waiver period as we introduce our ExpressTouch  
9 services or with a new service request. There will be  
10 no disconnect charge to cancel the feature and this  
11 concludes my summary.

12 MR. BERG: United tenders the witness for  
13 cross examination. (Pause)

14 COMMISSIONER GUNTER: I realize I m a little  
15 slow, but it doesn't cost you anything to sign up. It  
16 doesn't cost you anything to use it, and it doesn't  
17 cost you anything to disconnect or to terminate it. If  
18 you've got it and it didn't cost you anything to get  
19 it, whether you use it or not, why in the hell would  
20 you give it up?

21 COMMISSIONER BEARD: And as a further point --

22 COMMISSIONER GUNTER: I'm listening to what  
23 you said. Am I right? If you sign up in the grace  
24 period, it doesn't cost you anything. It doesn't cost  
25 you anything to use it. Great. It doesn't cost

1 anything to disconnect.

2 WITNESS JONES: Just a matter of formality.

3 COMMISSIONER GUNTER: Okay. All right.

4 COMMISSIONER BEARD: Let me ask you this.

5 COMMISSIONER GUNTER: I thought I was

6 listening correctly.

7 COMMISSIONER BEARD: Does the charge that the

8 end user incur meet cost?

9 WITNESS JONES: The charge the end user

10 incurs.

11 COMMISSIONER BEARD: Yeah. Zero plus zero

12 plus zero, does that meet your cost?

13 WITNESS JONES: For the per-call blocking?

14 No, that would not meet our cost.

15 COMMISSIONER BEARD: So this is a part of

16 universal service?

17 WITNESS JONES: How would you define

18 "universal?"

19 COMMISSIONER BEARD: Well, I usually define

20 universal service -- generally when I begin to look at:

21 one, what the general body of ratepayers is paying for,

22 which, obviously, they are in this case.

23 WITNESS JONES: Well, the cost would be

24 recovered through our ExpressTouch revenues.

25 COMMISSIONER BEARD: Oh.

1 CHAIRMAN WILSON: I see. So you're going to  
2 keep a separate accounting of the cost for people to  
3 have access to the blocking and that will be an offset  
4 to revenues that are derived from the services that you  
5 do sell?

6 WITNESS JONES: The cost of the ExpressTouch  
7 features, and I apologize I'm not an accountant so I'm  
8 not quit sure how they --

9 CHAIRMAN WILSON: You have no reason to  
10 apologize. Thank you. Go ahead.

11 COMMISSIONER BEARD: You can keep testifying  
12 in that case. Keep going.

13 WITNESS JONES: Oh, okay.

14 The costs of actually providing tae per call  
15 blocking -- and let me emphasize that it is an optional  
16 per-call blocking. It would not be provided to  
17 everyone ubiquitously. That's why I asked about  
18 "universal." It would be provided to those that  
19 request the service.

20 COMMISSIONER BEARD: Well, would you market  
21 this service at all? I mean, I'm going to give you  
22 something. I'm going to give it to you for nothing.  
23 Now you've got to decide whether you wantto take it or  
24 not.

25 WITNESS JONES: It's part of our ExpressTouch

1 Service, informing the customer about the ExpressTouch  
2 Services, we would need to inform the customer about  
3 our calling number delivery blocking.

4 COMMISSIONER BEARD: Let me rephrase it  
5 perhaps. Do you think the take-rate on a free service  
6 is going to probably be pretty high?

7 COMMISSIONER GUNTER: Darn right.

8 COMMISSIONER EASLEY: Well, wait a minute.

9 WITNESS JONES: Well, I don't know. We have  
10 some forecasted take-rates that we're trying to work on  
11 right now.

12 COMMISSIONER BEARD: I'm thinking about in  
13 the long term. I'm not talking about six months to a  
14 year, but in the long term. I mean if you were to give  
15 me Touch-Tone, okay, or all the customers Touch-Tone,  
16 is the take-rate going to be pretty high?

17 WITNESS JONES: If you didn't have to do  
18 anything to get it, it probably would be. The customer  
19 has to request the service, so they have to do  
20 something to get the blocking feature.

21 COMMISSIONER BEARD: I'm a new customer and I  
22 you call up and I say, "I need service, got to have a  
23 telephone line" and I know for a fact in most places  
24 they ask, "Would you like Touch-Tone?" In some  
25 instances, they probably ask you, "Would you like voice

1 mail?" In some instances they might ask you, "Would  
2 you like call waiting, call forwarding, call busy/don't  
3 answer?" Okay. You think they might ask you, "You  
4 want some of the ExpressTouch Services" and explain  
5 what those are? Would that be a part of your normal  
6 business?

7 WITNESS JONES: I would think so. Yes.

8 COMMISSIONER BEARD: And when you got to the  
9 part where "Would you like to have per-call blocking  
10 and it won't cost you a thing."

11 COMMISSIONER GUNTER: Well, you can give me  
12 that.

13 WITNESS JONES: I really can't answer that  
14 right now. I just don't know how that is.

15 COMMISSIONER BEARD: I am trying to  
16 understand the Cost Causer/Causation methodology, where  
17 it fits in all this stuff. You're not the Lone Ranger  
18 on this, don't worry. It will come out later.

19 COMMISSIONER EASLEY: You know what -- I just  
20 noticed on Mr. Jones' resume that he's an Agee. He went  
21 to the University of Texas, and if you guys think you  
22 got a rivalry going on up here on Saturday, they're  
23 just taking it out on you because you're an Agee. Don't  
24 worry about it.

25 CHAIRMAN WILSON: Go ahead.

1 MR. FALGOUST: Thank you, Mr. Chairman.

2 CROSS EXAMINATION

3 BY MR. FALGOUST:

4 Q Mr. Jones, so Page 2 and going into Page 3 of  
5 your prefiled testimony, you define Caller ID as having  
6 two basic definitions. One being a global term and the  
7 second being a more specific term, is that correct?

8 A Yes, sir.

9 Q All right. The service that Southern Bell  
10 has filed for, the Caller ID service that Southern Bell  
11 has filed a tariff for is the second and more specific  
12 type of Caller ID, is it not?

13 A Yes.

14 Q Mr. Jones, about a month ago, October 26th,  
15 1990, specifically, you testified in a deposition, did  
16 you not?

17 A Yes, I did.

18 Q And do you recall that during the course of  
19 that deposition Mr. Long asked you a question  
20 concerning whether a United customer who had blocking  
21 made a call to a Southern Bell customer who did not  
22 have blocking, would that call be placed or would the  
23 block function? Do you recall that question?

24 A Yes, I do.

25 Q And at that time you didn't know the answer,

1 did you?

2 A No, I did not.

3 Q Do you know the answer today?

4 A I am fairly confident of the answer that, if  
5 someone from United called and had instituted per-call  
6 blocking that when that call terminated in the Southern  
7 Bell TouchStar area, that a "P" for private would still  
8 be shown on the adjunct unit.

9 MR. FALGOUST: Thank you, Mr. Chairman, no  
10 further questions.

11 COMMISSIONER GUNTER: So that answers the  
12 question that was asked of your witness previously?  
13 All right.

14 CHAIRMAN WILSON: Questions?

15 CROSS EXAMINATION

16 BY MS. CASWELL:

17 Q Mr. Jones, as you described United's Caller  
18 ID offering, the Company plans to assign blocking  
19 capability only upon the request of the subscriber?

20 A Yes. That's true.

21 Q Why did United decide not to offer blocking  
22 on a ubiquitous basis?

23 A So that we would not incur any costs that  
24 would not be used.

25 Q What are the types and magnitude of costs

1 associated with per-call blocking on a ubiquitous  
2 basis? Give me some idea.

3 A Well, United Telephone currently has the  
4 software in place in all of its switches within our  
5 Winter Park area to allow us to do the per-call  
6 blocking. The additional costs that we would incur, if  
7 it were a ubiquitous offering, would be the additional  
8 memory that we would need to put in place in our  
9 switches to handle the total customer base within the  
10 Winter Park area. And we have estimated that it would  
11 cost us about \$48,000 per switch in the Winter Park  
12 area to do that.

13 CHAIRMAN WILSON: What kind of switches do  
14 you have?

15 WITNESS JONES: We have I believe 7 DMS-100s  
16 and we have 1 5-ESS and the memory cards that I'm  
17 talking about only are for the DMS-100. It is my  
18 impression through all the conversations I have had  
19 with AT&T that there would not be any additional cost  
20 for us to implement per-call blocking within the 5-E.

21 Q (By Ms. Caswell) In your summary of your  
22 testimony you stated that, "calling party identification  
23 information is a central factor in meeting today's  
24 telecommunications needs." Is it then United's position  
25 that the flow of calling party identification information

1 should not be restricted?

2 A By that -- could you tell me where you're  
3 reading from so I could --

4 Q Yeah. In your --

5 A The line and page.

6 Q Yeah. I can refer you to your deposition at  
7 Page 4. No, it's not Page 4.

8 A I found it. Where you said --

9 C Oh, it's your position statement. Or the  
10 position statement of United -- I'm sorry. I'm  
11 confused.

12 I've got the wrong deposition in front of me.  
13 Okay. It is your direct testimony. At Page 4.

14 A Line 16?

15 Q Line 16, yeah.

16 A I'm talking about CPID itself.

17 Q Right.

18 A The overall global passing of information  
19 including ANI and things like that.

20 Q Right.

21 A And yes, it is our position that that should  
22 not be.

23 Q Didn't you say earlier that Caller ID, the  
24 CLASS service, was a subset of this CPID?

25 A Yes, I did.

1           Q     Then wouldn't blocking, in some ways,  
2 restrict the flow of CPID through the network? Isn't  
3 that inconsistent with your --

4           A     The blocking that we're proposing to do, the  
5 per-call blocking, would, to some degree, restrict some  
6 of the calling party identification flowing. But it  
7 would not restrict it from flowing through the network.  
8 What it would do is it would restrict it from flowing  
9 down to the customer's location, you know, like the end  
10 user's adjunct unit. So the actual information would  
11 still flow through the network, but we do not feel that  
12 -- the blocking calls, the per-call blocking would be  
13 that significant.

14          Q     Would you agree that the Caller -- that  
15 Caller ID is not functionally interchangeable with any  
16 other CLASS service?

17          A     Do you mean that --

18          Q     Does it meet the same needs?

19          A     No. Caller ID meets a separate need from the  
20 other CLASS services.

21                CHAIRMAN WILSON: Let me ask you a question:  
22 When you say that, "CPID is an essential factor in  
23 meeting today's telecommunication needs," you mean the  
24 sending of that information?

25                WITNESS JONES: Yes, sir.

1           CHAIRMAN WILSON: Over the line is -- if you  
2 don't send that information over the line, you're going  
3 to reach a point where there are services that you  
4 won't have access to?

5           WITNESS JONES: Well, the best example I can  
6 use, is, you know, CPID -- the main part of CPID as  
7 ANI. And without ANI, you couldn't make 1+ calls, you  
8 couldn't -- I mean, our whole network would essentially  
9 fall down.

10          Q     (By Ms. Caswell) Page 5 of your direct  
11 testimony, you express the view that, "With the  
12 exception of law enforcement and/or social service  
13 agencies, Caller ID will not present significant  
14 problems." Has United changed its thinking on this  
15 matter?

16          A     No.

17          Q     Are there measures aside from blocking  
18 whereby a subscriber can maintain anonymity in  
19 particular situations?

20          A     Could you reask that, please?

21          Q     Aside from blocking, are there other methods  
22 whereby a person can maintain their anonymity, not  
23 reveal --

24          A     Yes, and they are essentially the same  
25 methods that have been discussed here today, whether

1 through pay phones or calling cards or operator  
2 assisted. We have a service very similar to GTE's and  
3 Southern Bell's; ours is called SignalRing, which would  
4 be the same as the RingMaster or the FMS.

5 Q Okay.

6 MS. CASWELL: That's all. Thank you.

7 CHAIRMAN WILSON: Ms. Phoenix, do you have  
8 any questions?

9 MS. PHOENIX: No questions.

10 MR. MATHUES: No questions.

11 MR. DORAN: No questions.

12 CHAIRMAN WILSON: Counselor?

13 CROSS EXAMINATION

14 BY MR. RAMAGE:

15 Q Mr. Jones, in your deposition, on Page 15, I  
16 think you were explaining that part of the rationale  
17 for switching from a original possibility of a per-line  
18 block to the per-call block was a concern about the  
19 administrative problem for both police departments and  
20 telephone companies. Could you expand upon that or  
21 explain what that administrative problem perceived by  
22 the Company was?

23 A Well, I think it's been somewhat evident  
24 through today's discussion about a lot of the problems  
25 that would both be incurred by the telephone companies

1 and also the examples that HRS and the police  
2 departments, about how you would certify someone to be  
3 the right person or the right organization to receive  
4 line per-line blocking.

5 By United offering per-call blocking to those  
6 that need the service, or those that request the  
7 service, we feel that this type of administrative  
8 concern could be bypassed totally and would not be a  
9 problem.

10 MR. RAMAGE: No further questions.

11 MR. BECK: Thank you.

12 CROSS EXAMINATION

13 BY MR. BECK:

14 Q Mr. Jones, when did United adopt its position  
15 favoring per-call blocking availability?

16 A Well, it was between the time I filed the  
17 testimony and the time we filed our prehearing  
18 statement. The exact date, it was probably, I think,  
19 mid-October.

20 Q What led United to adopt that policy?

21 A Well, I was privileged, I guess, to attend  
22 all the public hearings in Miami, Jacksonville and  
23 Orlando. A lot of the discussion that I saw there, I  
24 saw that many of the needs that were addressed could be  
25 met. In fact, all the needs that I saw could be

1 addressed by per-call blocking. And further review of  
2 some of the test data that was coming from some of the  
3 other tests, such as the one, I think the North Dakota  
4 test data, where the use of blocking fell dramatically  
5 after people begin to get used to Caller ID; pointed  
6 out that maybe the per-call blocking would not be a  
7 significant problem for us, you know, concerned about  
8 the blocking of the calls. And we felt that that was a  
9 good compromise or a good medium between the need to  
10 provide the Caller ID services and the need for the  
11 public in general.

12 Q Right now a cellular call will display an  
13 out-of-area signal on a Caller ID unit, will it not?

14 A That is my understanding, yes, sir.

15 Q Do you know if that's anticipated to change  
16 in the near or far future?

17 A No, sir. I don't. And that would probably  
18 depend on the cellular company, whether they would want  
19 to somehow attach their network to the SS7 network.

20 Q Okay.

21 MR. BECK: Could I have an exhibit marked for  
22 identification.

23 CHAIRMAN WILSON: That would be Exhibit No.

24 15.

25 (Exhibit No. 15 marked for identification.)

1 Q (By Mr. Beck) Mr. Jones, have you had an  
2 opportunity to review Exhibit 15 for identification?

3 A Yes, sir, I have.

4 Q Did United Telecom have a marketing research  
5 conducted for it by Argon Consulting Group concerning  
6 CLASS features?

7 A Yes, we did.

8 Q And do you recognize Exhibit 15 as being an  
9 excerpt from their final report?

10 A Yes, sir, I do.

11 Q Would you turn to the -- I guess the page  
12 underneath the cover page to that, which has a "10" at  
13 the bottom?

14 Does this very generally describe how this  
15 research was conducted?

16 A Yes, sir, that's what I remember.

17 Q And could you turn to the next page, it has a  
18 "35" at the bottom?

19 A What was your question?

20 Q You want my question on Page 10 or 35?

21 A No, I just didn't hear what you were saying  
22 about Page 35.

23 Q Oh, on Page 35. Is one of the results that  
24 customer trace has a strong appeal in the residence  
25 market as protection against obscene calls?

1 A I remember the --

2 Q Could you turn to Page 51? (Pause)

3 Was it the result of this research that among  
4 customer trace, calling number display and automatic  
5 call back that customer trace was the most popular  
6 feature?

7 A Apparently so. I mean I can't -- yes, it was  
8 as a result of the survey, yes, sir.

9 Q Okay. And could you turn to the next page,  
10 which has a "53" at the bottom?

11 CHAIRMAN WILSON: Mr. Beck, this exhibit is  
12 going to cause the Commission to add additional wording  
13 to its requirement that the pages be numbered, is that  
14 it be consecutive and they only be one digit apart.  
15 (Laughter) Move in increments of one.

16 Q (By Mr. Beck) Part of this research tried to  
17 look at whether customers would prefer a flat rate or a  
18 usage-based rate structure for Call Trace, did it not?

19 A Yes, it did.

20 Q And on the page with the "53" at the bottom,  
21 does it conclude that the overwhelming majority of  
22 respondents preferred to pay a per-use fee for Call  
23 Trace?

24 A Yes, sir.

25 Q Does United plan to eventually offer delivery

1 of name, or name and address in addition to the  
2 delivery of the calling party's number?

3 A We have no current plans to do so.

4 Q Has Northern Telecom offered incentives to  
5 UTF conducting a trial of calling name identification?

6 A Yes, they did.

7 Q Okay. And United doesn't plan -- or do you  
8 know whether United plans to accept those incentives  
9 from Northern Telecom?

10 A We chose not to accept the incentives at that  
11 time.

12 Q Okay. But the technology is out there and  
13 exists right now to do that, does it not?

14 A The technology is being developed and tested,  
15 yes, sir. I don't know that it is actually in place as  
16 a tariffed item. I know it's being tested. Like, I  
17 think, I believe, it's the U.S. West North Dakota, they  
18 tested that.

19 Q Do you know what the results of that test  
20 were?

21 A No, sir, I don't.

22 Q Okay. Do you eventually see United offering  
23 service like that even though you have no concrete  
24 plans to do it at this time?

25 A If additional market research shows that our

1 customers would like and require that service, I'm sure  
2 we would pursue the development of a business plan.

3 Q Are you familiar with any Bell CORE studies  
4 looking at the value of delivery of the name in  
5 addition to the number?

6 A Not in particular.

7 MR. BECK: Thank you, Mr. Jones. That's all  
8 I have.

9 COMMISSIONER EASLEY: Could I get a question  
10 to follow that up.

11 In your summary you mention one of the uses  
12 of Caller ID was the ability to pull up on a computer a  
13 database based on the number received.

14 WITNESS JONES: Yes, ma'am.

15 COMMISSIONER EASLEY: What were you referring  
16 to?

17 WITNESS JONES: Well, I can give you an  
18 example of some of the things that are going on.

19 You know, the adjunct unit that has -- that  
20 you are required to put beside your telephone to see  
21 the number some of the vendors are also attaching what  
22 is an RS 232 port to that adjunct so that they can  
23 similarly route data from the adjunct over to a  
24 computer. And an example that I have been shown is  
25 someone could be working on the computer and gets an

1 incoming call and the computer would bring up a screen  
2 that held customer information that that company or  
3 whatever had built based on prior workings with that  
4 customer. And the information would come in based on  
5 their telephone number.

6 COMMISSIONER EASLEY: This would be privately  
7 acquired information as opposed to data provided by  
8 United?

9 WITNESS JONES: Yes, ma'am.

10 COMMISSIONER EASLEY: And you have no plans  
11 to offer that kind of -- well, you wouldn't be offering  
12 CPE, but there are no plans to get into delivery of  
13 that kind of information?

14 WITNESS JONES: We have no plans to deliver  
15 that type of information, no, ma'am.

16 CHAIRMAN WILSON: Someone in their home could  
17 do that, hook up their home computer, where they have  
18 stored all the numbers of the people that they know or  
19 would be interested in, and if that number comes  
20 through the Caller ID box, it goes through that port  
21 into the computer, could pull up the name that's  
22 associated with that number and whatever. And so that  
23 way instead of having a tremendous memory like  
24 Commissioner Gunter, who remembers the numbers of  
25 everybody he knows, people like me who can remember my

1 office number and my home phone number, could find out  
2 who it was that was on the line, if I wanted to make  
3 use of that.

4 COMMISSIONER EASLEY: Well, I wasn't so much  
5 concerned about you deciding to increase your memory  
6 through this little home computer of yours. What I'm  
7 concerned about is that commercial account that's out  
8 there dredging up a credit rating and a billing history  
9 and a payment history and all this other stuff that I  
10 might not know about -- and Commissioner Gunter's shoe  
11 size.

12 WITNESS JONES: The example that has been  
13 brought before -- I think Dominos may have also talked  
14 about this. You know, as it came up on the computer,  
15 they could tell the type of pizza that the customer  
16 ordered last, and, you know, greet the customer by name  
17 say, "Hello, Mr. Jones. I see you want your same pizza  
18 you ordered last time," things like that.

19 COMMISSIONER EASLEY: "And remember that your  
20 check bounced and we don't take your credit card, so  
21 have cash or we ain't coming out."

22 WITNESS JONES: That's a possibility, yes,  
23 ma'am.

24 COMMISSIONER MESSERSMITH: Mr. Jones, this  
25 research Phase I and II; maybe I missed this and

1 someone already asked or you defined it. Was this  
2 taken, this survey, prior to the implementation of  
3 these services?

4 WITNESS JONES: It was prior to the  
5 implementation of any services within United Telephone  
6 Company.

7 COMMISSIONER MESSERSMITH: This is a survey  
8 of people within your market, right?

9 WITNESS JONES: Yes, sir.

10 COMMISSIONER MESSERSMITH: So these folks  
11 have not used Call Trace, calling number, automatic  
12 call back at the time this survey was taken?

13 WITNESS JONES: No, sir. The only reference  
14 that they may have had is how the person was presenting  
15 the focus group or how the survey may be worded, that's  
16 the only reference they really have with the features.

17 COMMISSIONER MESSERSMITH: Recalling the  
18 charts for the before and after from Dr. Elseewi, do  
19 you have a follow-up survey? Is there a follow-up  
20 survey of the effects with the implementation of these?

21 WITNESS JONES: No, sir. We have not  
22 implemented services here. We have just recently  
23 implemented Phase I of CLASS services in New Jersey and  
24 also Tennessee. So it's really too early for us to  
25 have any type of follow-up.

1 COMMISSIONER MESSERSMITH: Thank you.

2 CHAIRMAN WILSON: Questions?

3 MR. ADAMS: Commissioners, at this time Staff  
4 would like to request that Staff Exhibit 6 be numbered  
5 for identification.

6 CHAIRMAN WILSON: That will be No. 16.

7 (Exhibit No. 16 marked for identification.)

8 CROSS EXAMINATION

9 BY MR. ADAMS:

10 Q Mr. Jones, have you had a chance to identify  
11 Staff's Exhibit No. 6 now identified as Exhibit No. 16?

12 A Is it my deposition?

13 Q Yes, it is. It's excerpts of your deposition  
14 from October 26th.

15 A Yes, I have had a chance to review that.

16 Q And is this transcript true and correct to  
17 the best of your belief and knowledge?

18 A It is basically correct. There are just one  
19 or two word, well, five words that need to be  
20 corrected, and I apologize. I had filled out errata  
21 sheet but had not submitted it yet.

22 Q Well, subject to that errata, is that  
23 correct?

24 A It's basically correct, yes.

25 Q Thank you. Now, it's my understanding that

1 you believe that Caller ID would remain a valuable  
2 service even if blocking were available, is that  
3 correct?

4 A Yes.

5 Q And do you still expect a demand for Caller  
6 ID even if -- excuse me, that's the same question.

7 No further questions.

8 A That was easy.

9 CHAIRMAN WILSON: Any questions,  
10 Commissioners?

11 COMMISSIONER BEARD: Yes. Let me real quick.  
12 Carry me through something because I didn't pursue it  
13 far enough earlier.

14 If I call someone and they employ an  
15 answering service or I guess voice mail perhaps, either  
16 one, and they are not home, it goes and it forwards.  
17 And I have instituted my call blocking before I made  
18 that call. That call gets routed to the answering  
19 service who uses SMDI. What happens? Do you know?  
20 It's going to lose the calling information.

21 WITNESS JONES: It probably depends on how  
22 SMDI is attached to the switch. If it is still within  
23 the SS7 envelope, then the number would not be passed  
24 on to the line going to that equipment. But no, sir,  
25 I'm not really familiar with how SMDI itself is

1 attached to the switch, whether it's through trunks.  
2 And if it's through trunks, if they are SS7 trunks,  
3 then the information might be passed. But, no, sir,  
4 I'm not really familiar. I believe SMDI works more  
5 with ANI than with the actual calling party number.  
6 I'm not sure though.

7 COMMISSIONER BEARD: Well, I guess my  
8 understanding was it picked up called and calling  
9 information.

10 WITNESS JONES: ANI and Caller ID are two  
11 different animals.

12 COMMISSIONER BEARD: I understand. But they  
13 do translate some similar information.

14 WITNESS JONES: Yes, sir. ANI sends the  
15 billing number, which in most cases on a residential  
16 basis is the actual calling number.

17 COMMISSIONER BEARD: Regardless of whether it  
18 was blocked or not?

19 WITNESS JONES: Yes, sir. So if SMDI uses  
20 ANI, then by implementing your per call, it would have  
21 no effect on SMDI.

22 COMMISSIONER BEARD: And the calling  
23 information -- the billing information, i.e, the home  
24 phone number would be picked up and recorded by that  
25 answering service.

1 WITNESS JONES: I don't know that it's  
2 recorded. It tells the answering service who is calling  
3 just so that they know how to answer the call.

4 CHAIRMAN WILSON: So it wouldn't transmit any  
5 information regarding the calling party?

6 WITNESS JONES: The function of SMDI, to my  
7 knowledge, is to allow the answering service to know  
8 who is calling and why that call is being routed to  
9 them, whether the line they were calling was busy or,  
10 you know, various pieces of information so that they  
11 can answer the line accordingly and make it appear as  
12 if the call is being answered by a business or  
13 whatever, to forward the call to them.

14 COMMISSIONER BEARD: Which is the called  
15 party, I thought.

16 CHAIRMAN WILSON: Anything on redirect? I'm  
17 sorry. Do you have something to add?

18 WITNESS JONES: No, that's fine.

19 MR. BERG: We have just a couple of areas on  
20 redirect.

21 CROSS EXAMINATION

22 BY MR. BERG:

23 Q When you were talking about the provision of  
24 CLASS services, you restricted your remarks to United's  
25 Winter Park district. Is that the area where United

1 intends to introduce the service?

2 A Yes, it is.

3 Q But eventually United will be providing the  
4 service throughout its service territory, is that  
5 correct?

6 A Based on the success that we have within  
7 Winter Park, yes.

8 Q In regard to what has been identified as  
9 cross examination Exhibit 15, this is a United Telecom  
10 CLASS Study, Phase II Final Report. Did you  
11 participate in the formulation of this study?

12 A Not in the formulation.

13 Q Did you participate in the conduct of this  
14 study?

15 A I observed the study.

16 Q What do you mean by "observed the study"?

17 A I observed some of the focus groups that were  
18 done in our territory down here.

19 MR. BERG: That's all we have.

20 CHAIRMAN WILSON: Move exhibits.

21 MR. BECK: Move Exhibit 15.

22 MR. FALGOUST: Objection. Mr. Chairman, the  
23 chair has pointed out one of the problems with this  
24 exhibit.

25 CHAIRMAN WILSON: You mean the numbering?

1 MR. FALGOUST: Well, the fact that it's only  
2 selected pages, yes, sir.

3 It's also not being used to impeach the  
4 witness. It's essentially being offered to support his  
5 testimony, that the witness has testified that he  
6 didn't even participate in this. There is not an  
7 opportunity to cross examine the generators of the  
8 document. I think it's objectionable for those  
9 reasons.

10 MR. BECK: I don't think Counsel has stated a  
11 valid objection to the document, and I also don't think  
12 he characterized what the witness said correctly. I  
13 think he said he at least viewed the focus groups that  
14 were there. This is valuable information directly at  
15 issue in this docket and we ought to adopt it, or ought  
16 to enter it into evidence.

17 MR. FALGOUST: Mr. Chairman, can we at least  
18 ask that the entire document be submitted?

19 CHAIRMAN WILSON: I certainly think that  
20 would be fair. Who has a copy of it?

21 MR. BERG: We provided the entire document to  
22 Public Counsel.

23 CHAIRMAN WILSON: This goes through Page 53.  
24 Is it longer than that?

25 MR. BECK: It's quite long.

1 CHAIRMAN WILSON: How long?

2 MR. BECK: 200, 250 pages.

3 WITNESS JONES: I forget.

4 MR. BECK: We can have copies, and I  
5 certainly have no objection to it. I don't think  
6 United was real excited about the whole thing being  
7 passed out, in all honesty.

8 MR. BERG: Public Counsel called us and  
9 indicated they were going to use this document. We  
10 agreed it's a study that was provided by an outside  
11 consultant and has proprietary information on some of  
12 the other pages, or information we thought was  
13 proprietary.

14 We checked and if we could limit it, they  
15 allowed us to release it. It was limited, and we don't  
16 have any problems with these parts. I'd like the  
17 opportunity to look at the other pages and get back  
18 with those folks before we release them all.

19 MR. FALGOUST: That's fine. We've heard a  
20 lot about methodology today and, of course, there is no  
21 way of knowing what the methodology was to reach these  
22 conclusions.

23 COMMISSIONER EASLEY: Mr. Chairman, why don't  
24 we just admit it and give it the weight that it merits?  
25 Whatever that may be. I'm not being judgmental. I'm

1 just trying to get where we're not having 200 pieces of  
2 paper being copied, some of which I have to look at on  
3 a confidential question. After today, I don't want to  
4 do that.

5 CHAIRMAN WILSON: A valid objection has been  
6 raised. When you introduce a piece of a document, a  
7 party has the right to have the full document in the  
8 record. What I would like for you to do is examine  
9 that full document. Is that possible for him to  
10 examine the document?

11 MR. BERG: Yes, that's possible.

12 CHAIRMAN WILSON: And determine which parts  
13 of it you would like to supplement his exhibit with,  
14 that would touch on the areas that you're concerned  
15 about. No one has any objection to any additional  
16 pieces of the study coming in. I don't think there is  
17 any reason to have another 250-page study that has  
18 confidential information that we really don't need.

19 MR. FALGOUST: Thank you, Mr. Chairman.

20 CHAIRMAN WILSON: With that --

21 COMMISSICNER GUNTER: We have the opportunity  
22 to review the portions that would go in to make the  
23 determination --

24 CHAIRMAN WILSON: Well, I'm presuming that  
25 you two will work together to determine the pieces that

1 ought to supplement this exhibit. And with that  
2 caveat, this will be admitted.

3 MR. BECK: Thank you.

4 MR. BERG: Once he picks out the pages he  
5 needs to be added, if I could look at those quickly.  
6 If we have a problem with any of them, we'll make the --

7 CHAIRMAN WILSON: I think that's perfectly  
8 reasonable.

9 (Exhibit No. 15 received into evidence.)

10 MR. ADAMS: Mr. Chairman, --

11 CHAIRMAN WILSON: Yes.

12 MR. ADAMS: -- Staff would like to move  
13 Exhibit 16.

14 CHAIRMAN WILSON: All right. Without  
15 objection, 16 is moved into evidence.

16 (Exhibit No. 16 received into evidence.)

17 Thank you very much.

18 (Witness Jones excused.)

19 CHAIRMAN WILSON: The next witness is Mr. Kurtz,  
20 is that correct? Can I get an idea how extensive cross  
21 examination is going to be for this witness? Are you  
22 simply going to present the witness?

23 MR. BECK: Yes, sir, that's what we plan.

24 CHAIRMAN WILSON: With some sort of summary.  
25 Cross examination?

1 MS. GREEN: Staff has very little.

2 CHAIRMAN WILSON: Two or three questions?

3 MS. CASWELL: About five minutes.

4 CHAIRMAN WILSON: All right. We ought to be  
5 able to finish up in 15 or 20 minutes? Good. Go ahead  
6 and take the stand.

7

- - - - -

8

CHARLES DEAN KURTZ

9 appeared as a witness on behalf of the Citizens of the  
10 State of Florida, and after being first duly sworn,  
11 testified as follows:

12

DIRECT EXAMINATION

13

BY MR. BECK:

14

Q Would you please state your name?

15

A Charles Dean Kurtz.

16

Q By whom are you employed?

17

A Office of Public -- I'm sorry. (Laughter)

18

I was just trying to get in the mood of

19

things.

20

COMMISSIONER GUNTER: That's an "I gotcha."

21

CHAIRMAN WILSON: How much are you being paid  
22 to testify here today?

23

WITNESS KURTZ: Commissioner, they didn't  
24 even buy me dinner.

25

No, I am employed by Central Telephone

1 Company of Florida.

2 COMMISSIONER GUNTER: Charlie, I believe I  
3 would give \$200 for a video of that --

4 COMMISSIONER MESSERSMITH: Can we have this  
5 transcribed? (Laughter)

6 Q (By Mr. Beck) Mr. Kurtz, did I take your  
7 deposition on October 24th?

8 A Yes, sir. You did.

9 Q And did I file three pages from that  
10 deposition as your rebuttal testimony in this case?

11 A Yes. You did.

12 Q You were sworn at the time of the deposition,  
13 were you not?

14 A That is correct.

15 Q If I were to ask you the same questions today  
16 under oath, would your answers be the same?

17 A Yes, they would.

18 Q Attached to your deposition is an exhibit, is  
19 that correct?

20 A That's correct.

21 MR. BECK: Might I have that exhibit marked  
22 for identification?

23 CHAIRMAN WILSON: I'm sorry, 17, yes.

24 (Exhibit No. 17 marked for identification)

25 Q (By Mr. Beck) And could you briefly describe

1 what Exhibit 17 for identification is, Mr. Kurtz?

2 A Yes. Exhibit 17 is a position statement of  
3 Central Telephone Company on Caller ID. Basically,  
4 what it does, it states the Company's position in  
5 regard to how we plan to deploy Caller ID and that we  
6 plan to -- we have a request from the Commission to be  
7 allowed to provide per-call blocking for free. And the  
8 basis for this position statement is we believe that  
9 that strikes the best balance between the value of  
10 Caller ID service and the privacy interests of those  
11 who have concerns about numbers being delivered.

12 MR. BECK: I would ask that Mr. Kurtz or the  
13 three pages from his deposition be inserted into the  
14 record as though read.

15 CHAIRMAN WILSON: Without objection, it will  
16 be so inserted.

17

18

19

20

21

22

23

24

25

534

1 Practitioner.

2 MR. KEENER: E. Barlow Keener, representing Southern  
3 Bell Telephone and Telegraph Company, Suite 1910, 150 West  
4 Flagler Street, Miami, Florida, 33130.

5 MR. PARKER: Thomas R. Parker, P.O. Box 110, Mail  
6 Code 7, Tampa, Florida, 33602 on behalf of GTE Florida,  
7 Incorporated.

8 DIRECT EXAMINATION

9 BY MR. BECK:

10 Q Mr. Kurtz, would you please give your full name.

11 A Charles Dean Kurtz.

12 Q By whom are you employed?

13 A Central Telephone Company of Florida.

14 Q What is your position with that company?

15 A General regulatory manager.

16 Q Do you have an exhibit in front of you entitled  
17 Position Statement of Central Telephone Company on Privacy  
18 Issues Related to Caller Identification Service?

19 A Yes, I do.

20 MR. BECK: I would like to have that marked as  
21 Exhibit 1.

22 (Exhibit 1 marked for identification.)

23 BY MR. BECK:

24 Q Mr. Kurtz, do you recognize Exhibit 1?

25 A Yes, I do.

1 Q What is that?

2 A That is a position statement that was put together  
3 for Central Telephone Company this year on Caller ID service.

4 Q And does it represent the position of Central  
5 Telephone Company of Florida on Caller ID service?

6 A Yes, it does.

7 Q Would you adopt these statements contained in Exhibit  
8 1 as your testimony here today concerning Caller ID service?

9 A Yes, I will.

10 Q Mr. Kurtz, does Centel offer call trace service?

11 A Yes, it is.

12 Q When did Centel begin offering that?

13 A It began offering it in the mid-September time frame.

14 Q Could you provide the rate structure and rate level  
15 for call trace service?

16 A Call trace service, the charge is \$4 per successful  
17 trace.

18 Q And is there any recurring monthly charge associated  
19 with call trace?

20 A No, there is not.

21 Q Why does Centel not have a recurring monthly charge  
22 associated with call trace?

23 A The basis for that decision was that subscribers  
24 don't always know when they are going to get a harrassing phone  
25 call. Therefore, it should be an option available to them at

1 all times and not just have to have the situation of receiving  
2 one and then calling the Company and adding that service to  
3 their phone. So it is basically done so that everybody will  
4 have the opportunity to utilize the service.

5 Q What has been your experience with call trace since  
6 you began offering it?

7 A Since we began offering it, I think we have -- over  
8 550 call traces have been activated, of which approximately 350  
9 to 360 have been successful.

10 Q And you only charge for a successful call trace?

11 A Per successful, yes.

12 Q Is there a two-step activation process associated  
13 with call trace?

14 A Yes, it is.

15 Q Will you describe that?

16 A Basically, the two-step activation is if you receive  
17 a harassing phone call, you would hit star 57, a recording  
18 would come on saying you have activated call trace procedures  
19 do you want to continue or do you want to pursue, I don't know  
20 the specific language exactly, but it gives you the opportunity  
21 to stop the procedure right there, but if you do want to  
22 continue, the second level of activation is to press a 1, and  
23 it would continue on and do the call trace.

24 MR. BECK: Thank you, Mr. Kurtz, that is all I have.

25 MR. PARKER: I have some, if nobody else does.

1 Q Okay. Mr. Kurtz, was that your summary you  
2 just provided us?

3 A Yes, sir.

4 Q Do you have any other summary planned?

5 A That's it.

6 MR. BECK: Thank you. Mr. Kurtz is available  
7 for cross examination.

8 CROSS EXAMINATION

9 BY MR. FALGOUST:

10 Q Mr. Kurtz, do you have a transcript of the  
11 entire deposition available to you?

12 A Yes. I do.

13 Q Would you turn to Page 16, please.

14 A Did you say 16?

15 Q Page 16.

16 A Okay.

17 Q Line 13, you were asked, weren't you, whether  
18 there are any other CLASS services which provide the  
19 same benefits to the end user that Caller ID does?

20 A Yes.

21 Q And you said that, you agreed that there were  
22 no other CLASS services that provide the same benefits  
23 to the end user that Caller ID does?

24 A That's correct.

25 Q And you also agreed that Call Block and Call

1 Screening and Call Trace were not the equivalent  
2 services to Caller ID, is that right?

3 A That's correct.

4 Q You also were asked whether the value of  
5 Caller ID would be diluted, dependent upon the extent  
6 to which per-call blocking is utilized, is that  
7 correct?

8 A That's correct.

9 Q And you stated, yes, in your opinion, the  
10 value would be diluted?

11 A Yes. And that is my opinion. I have no  
12 market study upon which to base that.

13 MR. FALGOUST: All right. That's all I have,  
14 Mr. Chairman.

15 CHAIRMAN WILSON: Any questions?

16 CROSS EXAMINATION

17 BY MS. CASWELL:

18 Q Mr. Kurtz, has Centel filed a Caller ID  
19 tariff?

20 A Yes, it has.

21 Q Please describe Centel's Caller ID service as  
22 set forth in the tariff.

23 A As was filed in the tariff?

24 Q Yeah. Uh-huh.

25 A We have requested that Caller ID be deployed

1 and that call blocking be allowed on a per-call basis  
2 at no charge.

3 Q Isn't it true that Centel will be unable to  
4 provide per-call blocking throughout its entire service  
5 territory until third quarter 1993?

6 A That is correct.

7 Q What is the reason per-call blocking will not  
8 be available ubiquitously until then?

9 A Well, we have a deployment schedule for the  
10 entire CLASS features, the five features known as  
11 CLASS-1. And that being one of the features in CLASS,  
12 we do not plan on deploying that until 1993, I think,  
13 in all of our offices. So as such, that's one of the  
14 features, it will not be deployed until that time also.

15 Q Would you refer to page 11 of your deposition?

16 A Yes.

17 Q Lines 10 to 13, that statement seems to  
18 indicate that it won't be deployed on a more widespread  
19 basis because of cost considerations, is that true?

20 A Lines 10 through 13?

21 Q Right.

22 A I'm sorry, I got, what page, there's one page  
23 number at the top and another written at the bottom.

24 Q I only have page numbers at the top and it  
25 says 11?

1           A     Okay, I was on Page 11 of the written pages,  
2 I'm sorry.

3           Q     So it is a cost consideration?

4           A     Well, cost among other considerations, yes.

5           Q     In Centel's view, what is the primary benefit  
6 of Caller ID for the consumer?

7           A     Well, the primary benefit? It's another  
8 service out there upon which they can use to manage  
9 their telecommunications services. There are many  
10 benefits to it, I don't know if we have identified one  
11 as being primary or not.

12          Q     Is it Centel's position that new technology  
13 should be deployed on as widespread a basis as  
14 possible?

15          A     Yes.

16          Q     Would you agree that it is difficult to  
17 legislate the development and use of technology?

18          A     It can be difficult, yes.

19          Q     Do you agree that universal per-call blocking  
20 would, to some degree, reduce the value of Caller ID  
21 for the consumer?

22          A     As I stated before --

23          Q     Yes?

24          A     -- Yes. I do believe that, but it is my  
25 opinion. I have no market studies to support that.

1 Q Does Centel's return call service announce  
2 the called party's number before it is dialed?

3 A No. It does not.

4 Q Can you refer to the position statement of  
5 Centel at Page 4, the second paragraph, where it says,  
6 "Nor does optional call blocking cloak the originating  
7 number of obscene or harassing calls"?

8 A I'm sorry, I just got there.

9 Q I guess I don't understand the point of that  
10 sentence. If the number isn't announced, then, I mean,  
11 they don't have the number, right?

12 A Right. I think what it is leading into there  
13 is that if the number is blocked and the customer  
14 subscribes to return call, they would have the option  
15 to hit star-whatever-it-might-be and access that line  
16 again. They would not have the number available to  
17 them, but they could call that party back with the  
18 return call service.

19 COMMISSIONER BEARD: Press in an "O" for  
20 obscene?

21 WITNESS KURTZ: Yes. Or "P" for Police,  
22 either one.

23 CHAIRMAN WILSON: "D" for drug dealer?

24 WITNESS KURTZ: Yeah.

25 Q (By Ms. Caswell) Has Centel considered or

1 attempted to develop solutions other than blocking to  
2 respond to concerns of law enforcement and violence  
3 intervention agencies?

4 A We had several seminars with law enforcement  
5 and drug intervention and social service agencies and  
6 have been evaluating many different options. We  
7 believe that deploying per-call blocking would take  
8 care of most of their concerns, but will continue to  
9 work with them where those concerns won't be taken care  
10 of by per-call blocking.

11 Q Would you agree that the specific needs of  
12 law enforcement and social service agencies could be  
13 met through means other than universal blocking?

14 A Certainly.

15 Q Do you have any opinion about what other  
16 types of services could meet those needs?

17 A Well, you've described several services here.  
18 I think technically they can provide an option. I  
19 still firmly believe that per-call blocking provides  
20 the best option to those agencies but there are --  
21 obviously, technology will allow many options out there  
22 to be utilized.

23 Q Would Protected Number Service be one of the  
24 means through which their means could be met?

25 A As described here tonight, technically, it

1 would provide that.

2 MS. CASWELL: Thank you, Mr. Kurtz.

3 CHAIRMAN WILSON: Do you want to cross  
4 examine this witness?

5 MR. WILLIS: I waived all cross examination.

6 COMMISSIONER GUNTER: That's the first time I  
7 think I ever saw Mr. Willis waive cross examination of  
8 Public Counsel's witness.

9 CHAIRMAN WILSON: I think Public Counsel has  
10 stumbled on something here. (Laughter)

11 Mr. Matthews, do you have any questions?

12 MR. MATHUES: No questions.

13 CROSS EXAMINATION

14 BY MR. RAMAGE:

15 Q Mr. Kurtz, back on Page 16 of your  
16 deposition, where you were asked the question, "Would  
17 you agree with me, Mr. Kurtz, there is no other CLASS  
18 Service which provides the same benefits to the end  
19 that Caller ID does?" You answered that you would  
20 agree with that. What do you have in mind by the  
21 phrase "same benefits"?

22 A Well, I think there are other CLASS services  
23 that could provide like features, maybe, to Caller ID.  
24 But Caller ID in and of itself I do not think the  
25 benefits of that can be brought about by any of the

1 other CLASS features.

2 Q Well, again, what do you mean by, quote,  
3 "benefits"?

4 A Well, one benefit that I would identify of  
5 Caller ID is the ability to have numbers stored. And  
6 if you're gone for a couple of hours, you come home and  
7 you can hit your adjunct device and see how many calls  
8 you received, and if those numbers have been delivered,  
9 who's called you. That is a very good benefit of it  
10 that I don't see any of the other CLASS services  
11 providing.

12 Q Stepping aside from the CLASS services, could  
13 the commonly available answering machine provide that  
14 benefit to the call recipient?

15 A Well, it depends on who is calling the  
16 answering machine. If they're like me, and when I get  
17 one, I usually hang up, that person wouldn't have any  
18 idea that I called them. If Caller ID, that number  
19 would be stored.

20 CHAIRMAN WILSON: Can you do both? You can  
21 put a recorder on and Caller ID. I mean, you could end  
22 up with both, right?

23 WITNESS KURTZ: Yes, I think that's  
24 technically possible but I'm not sure, to be honest  
25 with you.

1 other CLASS features.

2 Q Well, again, what do you mean by, quote,  
3 "benefits"?

4 A Well, one benefit that I would identify of  
5 Caller ID is the ability to have numbers stored. And  
6 if you're gone for a couple of hours, you come home and  
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8 you received, and if those numbers have been delivered,  
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13 the commonly available answering machine provide that  
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16 answering machine. If they're like me, and when I get  
17 one, I usually hang up, that person wouldn't have any  
18 idea that I called them. If Caller ID, that number  
19 would be stored.

20 CHAIRMAN WILSON: Can you do both? You can  
21 put a recorder on and Caller ID. I mean, you could end  
22 up with both, right?

23 WITNESS KURTZ: Yes, I think that's  
24 technically possible but I'm not sure, to be honest  
25 with you.

1 Q (By Mr. Ramage) Would one benefit of Caller  
2 ID be a reduction of annoying calls? Is that perceived  
3 by you to be a benefit, reduction or elimination of an  
4 annoying call?

5 A Cause a reduction of annoying calls, yes.

6 Q Would not call blocking also put an end to  
7 the receipt of an annoying call from a particular  
8 number?

9 A I don't think I understand your question.

10 Q Do you know what call blocking as it's been  
11 referred to --

12 A Right.

13 Q -- is as a service? That's a service in  
14 which you receiving a phone call -- as I understand it,  
15 correct me if I'm wrong -- you receive a call, you  
16 enter a code, the originating number will no longer be  
17 allowed to ring into the recipient phone because it's  
18 been blocked. Is that correct?

19 A No. That's not call blocking as I understand  
20 it. Call blocking, as I understand it, is if I was  
21 calling you, and hit star-whatever-it-is again, in  
22 order to block that call coming to your phone.

23 Q Does Centel offer a service where, if you  
24 receive a phone call and you do not wish to receive  
25 another phone call from that originating number, you

1 could code in a code to basically close off your phone  
2 from receiving the calls from that number?

3 WITNESS KURTZ: No. We do not.

4 CHAIRMAN WILSON: Okay. Is that not one of  
5 the CLASS I features?

6 WITNESS KURTZ: No. I think it's CLASS II.

7 CHAIRMAN WILSON: It's in CLASS II. But you  
8 will, if you move to the CLASS II features?

9 WITNESS KURTZ: When we deploy CLASS II, that  
10 would be one that would be deployed, yes.

11 Q (By Mr. Ramage) So that type service,  
12 whatever you might call it, would be a CLASS service  
13 that could at least provide the benefit of terminating  
14 receipt of phone calls from a known identified number?

15 A Right. And I haven't heard it described as  
16 you described it and as was described earlier today.  
17 As I've heard it described, it gives you the capability  
18 to designate which numbers you will allow to be  
19 delivered. So I'm sure that is probably an option I  
20 just wasn't aware of.

21 Q Would that option also be called call  
22 screening, where you basically program your phone to  
23 accept only certain phone numbers?

24 A Yes.

25 Q Would not that CLASS service also provide the

1 benefit of excluding unwanted phone numbers or phone  
2 calls?

3 A Certainly.

4 Q Would the use of Caller ID by a Centel  
5 customer possibly result in Centel Phone Company  
6 intervention or law enforcement intervention in  
7 response to a perceived annoying call?

8 A For Caller ID? I guess it could.

9 Q Wouldn't Call Trace also result in phone  
10 company or law enforcement intervention?

11 A Call Trace, the way we have it deployed,  
12 would result in law enforcement intervention. The  
13 Company is not intervening.

14 Q Does the utilization of the Caller ID system  
15 by a phone customer result in the production of any  
16 Centel business records that would be kept in the  
17 ordinary course of business?

18 A I'm sorry, I don't understand.

19 Q Let me rephrase that. If a Caller ID  
20 customer of Centel were to receive an annoying phone  
21 call and reported that to Centel, would Centel's  
22 business records reflect the date, time or the  
23 occurrence of the receipt of that annoying call?

24 A No. They would not.

25 Q As you understand the operations of Call

1 Trace, would there be business records generated by  
2 Centel that would reflect the date and time of the  
3 utilization of the Call Trace function?

4 A Yes.

5 Q And are those kept in the ordinary course of  
6 Centel business?

7 A Yes.

8 Q Would all the needs of law enforcement, as  
9 have been expressed to you by FDLE and other law  
10 enforcement agencies, be handled if all of the other  
11 options to Caller ID were offered and Caller ID without  
12 blocking was also offered?

13 A In my understanding, they would. Obviously,  
14 I can't speak for law enforcement.

15 Q Well, based upon your understanding of the  
16 concerns of law enforcement, would the PNS service, as  
17 has been described by GTE, exclusively handle the law  
18 enforcement concerns?

19 A It would be one way to handle it. I don't  
20 know if it would exclusively handle it, no.

21 Q It's the position of Centel that per-call  
22 blocking is a valuable and important way to handle law  
23 enforcement concerns, is that correct?

24 A That's correct.

25 MR. RAMAGE: No further questions.

1 MS. GREEN: Mr. Chairman, Staff would like to  
2 have an exhibit numbered for identification, please.  
3 And that's the one identified as Staff 1.

4 CHAIRMAN WILSON: That would be Exhibit 18.  
5 (Exhibit No. 18 marked for identification)

6 MS. GREEN: And we have a correction to make  
7 to that. This is described as excerpts from Mr. Kurtz's  
8 October 24, 1990, deposition, which it is, and also  
9 Exhibits 1 and 3 to that deposition. The Staff would like  
10 to strike Exhibit 1 from this packet because it duplicates  
11 that prefiled by Public Counsel.

12 CHAIRMAN WILSON: All right.

13 MS. GREEN: And numbered as 17.

14 CROSS EXAMINATION

15 BY MS. GREEN:

16 Q Mr. Kurtz, you previously have been  
17 questioned regarding having reviewed your deposition  
18 and whether it's true and complete to the best of your  
19 knowledge and belief?

20 A Yes.

21 Q And when you responded that it was, does that  
22 apply to the entire deposition?

23 A Yes. It does.

24 Q Okay. I would just like to clarify with you  
25 as far as Centel's plans to deploy Caller ID in

1 Florida. Is it correct that you will not deploy Caller  
2 ID in any part of your territory that does not already  
3 have per-call blocking capability?

4 A That's correct.

5 MS. GREEN: That's all the Staff has.

6 CHAIRMAN WILSON: Commissioners?

7 COMMISSIONER BEARD: Call blocking, universal  
8 call blocking, would be paid for by who?

9 WITNESS KURTZ: Commissioner, when we priced  
10 out, I guess when the CLASS services came on, in the  
11 development of our prices for all the CLASS services,  
12 we looked at the entire bundle together. So we believe  
13 we have priced the CLASS services to cover their costs.  
14 Obviously, there is a cost associated -- when you look  
15 at call blocking by itself, there is a cost associated  
16 with it that is not being paid for. The cost causer is  
17 not being the cost payer. But we believe the entire  
18 CLASS services as we have them deployed will more than  
19 cover their cost.

20 COMMISSIONER BEARD: Well then, hypothetically,  
21 if you have one price fairly -- let's say, fairly high and  
22 you think there's going to be a strong take on that one,  
23 another one priced fairly low, but you don't think there's  
24 going to be such a strong take on that one, but in the  
25 aggregate they pay for their costs, and, in fact, your

1 projections are wrong, then what happens?

2 WITNESS KURTZ: Then we come back in and  
3 reprice them.

4 COMMISSIONER BEARD: Well, now, let's see.  
5 You're giving away blocking, okay? And as we read so  
6 much about what people become accustomed to, okay,  
7 people become accustomed to universal call blocking for  
8 free. And you're going to come back to this Commission  
9 and say, "Hey, we want to charge for it?"

10 WITNESS KURTZ: No. I would not plan to do  
11 that on universal call blocking, no.

12 COMMISSIONER BEARD: Have you done any cost  
13 studies associated with universal call blocking or are  
14 all of your cost studies just in the aggregate?

15 WITNESS KURTZ: Just in the aggregate.

16 COMMISSIONER BEARD: Okay. Aggregate cost  
17 studies, okay. Any other questions, Commissioners?  
18 Move exhibits?

19 MR. BECK: Citizens move Exhibit 17.

20 CHAIRMAN WILSON: Exhibit what?

21 MR. BECK: 17.

22 COMMISSIONER GUNTER: 16. 17? 17.

23 MR. BECK: 17.

24 CHAIRMAN WILSON: Without objection, Exhibit  
25 17 is admitted into evidence.

1 (Exhibit No. 17 received in evidence.)

2 MS. GREEN: Staff would ask to move Exhibit  
3 No. 18, please.

4 CHAIRMAN WILSON: Without objection, Exhibit  
5 18 is entered into evidence.

6 (Exhibit No. 18 received into evidence.)

7 MS. GREEN: Thank you.

8 CHAIRMAN WILSON: Did you all move 16 a while  
9 ago? If you didn't, consider it moved, all right.

10 All right, we're going to adjourn for the  
11 evening and we will resume tomorrow morning at 9:00.

12 Thank you.

13 (Thereupon, the hearing was recessed at 9:10  
14 p.m., to reconvene Thursday, November 29, 1990, at 9:00  
15 a.m. at the same location.)

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