

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Initiation of show cause)
proceeding against GTE)
Communications Corporation)
(n/k/a Verizon Select Services)
Inc. for apparent violation of)
Rules 25-4.118, F.A.C., Local,)
Local Toll, or Toll Provider)
Selection.)
_____)

Docket No. 990362-TI
Filed: December 15, 2000

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RECORDS AND
REPORTING

DIRECT TESTIMONY

OF

R. EARL POUCHER

On Behalf of the Citizens of the State of Florida

CONFIDENTIAL ^{DN 5-7-01} **DECLASSIFIED**

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DIRECT TESTIMONY
R. EARL POUCHER
FOR
THE OFFICE OF PUBLIC COUNSEL
BEFORE THE
FLORIDA PUBLIC SERVICE COMMISSION
DOCKET NO. 990362-TI

1 **Q. Please state your name, business address and title.**

2 A. My name is R. Earl Poucher. My business address is 111 West Madison St., Room
3 812, Tallahassee, Florida 32399-1400. My title is Legislative Analyst.

4 **Q. Please state your business experience.**

5 A. I graduated from the University of Florida in 1956. I began my telephone career in
6 July 1956 as a Service Representative working in the Southern Bell Jacksonville
7 Business Office. I retired in 1987 with 29 years of service. During my career with
8 Southern Bell, I held positions as Forecaster, Gainesville; Business Office Manager,
9 Melbourne and Orlando; District Manager--Business Office, Atlanta; General
10 Commercial-Marketing Supervisor, Georgia; Supervisor-Rates and Tariffs, Florida;
11 District Manager-Rates and Tariffs, Georgia; General Rate Administrator,
12 Headquarters; Division Staff Manager--Business Services, Georgia; Distribution
13 Manager-Installation, Construction & Maintenance, West Florida and LATA
14 Planning Manager-Florida. In addition, I was assigned to AT&T in 1968 where I
15 worked for three years as Marketing Manager in the Market and Service Plans
16 organization and in 1981 when I served as Business Services Profitability Manager -
17 AT&T Southeast Region. I joined the Office of Public Counsel in October 1991
18 where I have performed analytical work and presented testimony, primarily in

1 telephone matters. I am also serving as a staff member on the Federal-State Board
2 on Universal Service assisting the NASUCA consumer advocate, Martha Hogerty,
3 who is Public Counsel in Missouri.

4 **Q. Have you ever appeared before this Commission?**

5 A. Yes I have. I testified on behalf of Public Counsel in United Telephone's Docket No.
6 910980-TL on rate case matters and Docket No. 910725-TL on depreciation matters,
7 GTE Docket 920188-TL on Inside Wire, and in Southern Bell's depreciation Docket
8 No. 920385-TL. I filed testimony in Southern Bell's Dockets 920260-TL, 900960-TL
9 and 910163-TL, in the GTE Docket No. 950699-TL, in Docket No. 951123-TP
10 dealing with Disconnect Authority, in Docket No. 9708820-TI dealing with
11 slamming and in Docket No. 970109-TL dealing with "I Don't Care, It Doesn't
12 Matter". I have filed testimony in connection with Docket No. 991378-TL dealing
13 with BellSouth quality of service and in Docket No. 991376-TL dealing with Verizon
14 quality of service. In addition, as an employee of Southern Bell I testified in rate
15 case and anti-trust dockets before the Public Service Commissions in Georgia and
16 North Carolina.

17 **Q. What is the purpose of your testimony?**

18 A. The purpose of my testimony is to describe to you the actions of Verizon that resulted
19 in the improper slamming of Florida citizens and to recommend to you an
20 appropriate penalty that should be imposed for such slamming violations.

21 **Q. Did any of your previous job assignments with BellSouth or Public Counsel
22 include the slamming issues that are at stake in this docket?**

23 A. During the past 9 years, I have been responsible for analysis, surveillance and
24 testimony involving telephone company billing and collection operations, including
25 the issues of slamming and improper billing and collection activities. I submitted
26 testimony in Docket No. 900960 dealing with improper sales activities and Docket

1 No. 9708820 dealing with slamming. In addition, I have been actively involved in
2 the continuing process of monitoring slamming activities involving Florida
3 companies and in pursuing, along with PSC staff, appropriate resolution of a number
4 of these cases. A substantial portion of my experience with BellSouth included
5 management of business office operations, including the sale, billing and collection
6 of long distance services.

7 **Q. Please explain how this complaint arrived at the PSC.**

8 A. In late 1998, Verizon contacted the Florida PSC and requested a meeting to discuss
9 a problem they had discovered concerning slamming complaints that were caused by
10 their sales agent, Snyder Communications. I don't have any knowledge of the
11 discussions between staff and Verizon, however, the result was that the staff opened
12 a show cause docket. Staff found 209 slamming violations. Verizon apparently
13 indicated its agreement for the payment of a \$209,000 fine to resolve the issue.

14

15 The agent Verizon had problems with was Snyder Communications, who had entered
16 into a marketing agreement with Verizon long distance that started in January , 1998
17 and was ultimately terminated by Verizon in late November, 1998. Snyder's contract
18 was to conduct face to face and telemarketing programs in targeted ethnic markets
19 in the sale of Verizon local and long distance services.

20

21 Public Counsel entered the docket after reviewing some of the complaints in the PSC
22 files and discovering that there were clear admissions of multiple forgeries in the
23 documents that were in the possession of the PSC. We were initially of the opinion
24 that \$1000 per forgery wasn't enough and that the fine should be greater. Much to
25 our disappointment, through discovery and depositions of Verizon personnel, we
26 have discovered that there were literally thousands of fraudulent sales processed by

1 Verizon, that the company was aware of the extent of its violations, and that the
2 company never revealed the extent of their violations.

3 **Q. How many rule violations were committed by Verizon?**

4 A. The Commission staff has found that during the period starting December 15, 1997
5 through September 30, 1999, Verizon was in violation of the PSC rules dealing with
6 selection of a customer's Local, Local Toll, or Toll Provider. PSC staff determined
7 that its records showed there were 209 complaints in its possession that constituted
8 unauthorized carrier changes in violation of the PSC rule.

9

10 However, we have found that the complaints received by the PSC are but a small
11 portion of the rule violations that were committed by the company during the period
12 in question.

13 **Q. Why is it reasonable to conclude that there are more than 209 violations of the
14 rules?**

15 A. The Office of Public Counsel has been heavily involved in the slamming problem
16 since it became a major issue in 1995 and 1996. We have conducted extensive
17 discovery and reviewed thousands of company documents received by both
18 interexchange companies and local exchange companies. When I developed my
19 testimony for delivery in Docket No. 972820 dealing with slamming, I was prepared
20 to give an estimate that the actual complaints of customers received by the
21 Commission could be multiplied by 100 as a measure of the actual number of
22 slamming complaints that were received and processed by the companies. While that
23 calculation is clearly an educated guess; it was based on my review of the records of
24 slamming complaints processed internally by numerous Local Exchange Companies
25 and Interexchange Companies, as opposed to the number of slamming complaints
26 reported to the Commission.

1 **Q. Why doesn't every customer who is slammed report that slamming complaint**
2 **to the Commission?**

3 A. In most cases, there is no need to file a complaint with the PSC when a customer has
4 been switched without their consent. Generally, the first thing that a customer does
5 after they have been slammed is to call either their local exchange company, their
6 long distance provider that slammed them, or call the long distance provider of their
7 choice. Either one of the three companies involved has the ability to solve the
8 customer's problem without involvement from the Florida PSC.

9 **Q. Is there any evidence that the number of complaints received by GTE exceeds**
10 **the number of slamming complaints processed by the PSC?**

11 A. A good example can be seen in the three pages of analysis regarding slamming
12 complaints produced by the Verizon's calling center in Wentzville, Missouri that
13 handles ordinary billing complaints from long distance customers. The first
14 document shows that the calling center's complaints more than doubled after
15 Verizon's primary Florida sales agent, Snyder communications, began marketing for
16 the company in Florida. Daily complaint calls per day prior to February 1998, when
17 Snyder began its sales, were averaging less than 500 calls per day. After Snyder
18 began selling in February, the average calls per day were around 1000 calls, with
19 some days running over 2000 calls per day. (Exhibit REP-1).

20
21 During April 1998, the calling center decided to make a special study of its
22 complaints and the study showed they were receiving approximately 1000 calls
23 daily, 20% of which were abandoned by the caller. Of those calls received, slamming
24 complaints outnumbered other billing complaints by a 3 to 1 margin. (Exhibit REP-
25 2). The calling center wrote off approximately \$8,000 of Snyder billing for
26 customers who had apparently complained about Verizon slamming over the three

1 day period. (Exhibit REP-3}

2

3 **Q. What was the total monthly volume of slamming complaints that the Wentzville**
4 **calling center was receiving?**

5 A. The three day study by the Wentzville calling center showed that Snyder was the
6 source of 419 total calls and 307 slamming complaints. That would indicate that
7 Wentzville, alone, was receiving 2,000 slamming complaints per month during this
8 period. It is my understanding that Snyder sales volumes were rising during the
9 spring and they were significantly higher by Summer 1998. Wentzville was only one
10 place where customers could register slamming complaints, and these volumes
11 should be considered to be significantly lower than the total number of slamming
12 violations that actually occurred.

13 **Q. The studies your are referring to involve Verizon's nationwide calls. How does**
14 **this relate to Florida?**

15 A. Florida was a major part of the Verizon sales strategy, and it was obviously the center
16 of much of the slamming activity that was going on with Verizon's customers.
17 Snyder was also the primary sales agent for Florida. For instance, Exhibit REP-4 is
18 a study made my Verizon that shows almost two-thirds of the Snyder slamming
19 complaints received by regulatory were coming out of Florida.

20

21 Another study completed on April 2, 1998 showed that Snyder had already slammed
22 600 customers during the first quarter of 1998 and approximately 140 of them can
23 be attributed to Florida based on the sample taken by Verizon. (Exhibit REP-11).
24 Once again, this is data from only one part of the Verizon organization

25

26 Another study the Verizon customer escalations organization had received showed

1 190 **fraudulent slams** from Snyder between May 2 and October 3, 1998. In
2 addition, they had 84 more complaints where customers had not received the LOA
3 to confirm the forgery. (Exhibit REP-5). The fraudulent slams attributed to Snyder
4 in this study are but a small portion of the total slams committed on behalf of
5 Verizon. In turn, the total slams known and identified by Verizon are but a small
6 portion of the total slams that were committed by the company. In the margin of this
7 report, there is a note indicating that Snyder had 300 sales reps operating in Florida.

8 **Q. But doesn't the Company track its total slamming complaints?**

9 A. The company doesn't keep track of its slamming complaints so as to be
10 knowledgeable about the problem in its entirety. There are several ways that the
11 company would not have tracked slamming activity. First, a customer usually calls
12 their local exchange company and says they were switched without authorization.
13 If the customer is satisfied by being returned to their preferred long distance provider
14 without further investigation, a "no fault" order is processed and the slamming
15 company pays a reduced rate for completing the changeover. No investigation is
16 made and these complaints are kept in the hands of the local exchange company, not
17 the company that did the slamming, such as Verizon long distance.

18
19 Most consumers choose to deal directly with their local telephone company to resolve
20 a slamming problem. Many customers don't even know the PSC exists. The
21 customers who testified in our hearings regarding slamming generally indicated they
22 complained to the PSC only after having had numerous unsuccessful attempts to
23 contact the companies that were responsible for the unauthorized switch. I have no
24 doubt that most of the customers complaining about unauthorized slamming were
25 returned to their provider of choice quickly by their serving LEC. This customer
26 choice eliminates any need to file a complaint with the PSC, in addition to tracking

1 data for the slamming company.

2

3 Many customers choose not to call the company who slammed them because they
4 have no business relationship with the "slammer". Many customers also call their
5 original long distance company and make arrangements to switch back to their
6 original long distance company without ever having to deal with the "slammer." In
7 these cases, Verizon would never know that they had a slamming case. I have even
8 had customers tell me they were slammed by a company and instead of going back
9 to their old carrier, they switched to a new carrier because they didn't like their old
10 company and they certainly didn't want to do business with a long distance company
11 that had slammed them.

12

13 Simply put, neither the Commission, nor Verizon, will ever know the total number
14 of slamming violations committed by the company, or the total number of fraudulent
15 LOA's processed by the company during the period of December 15, 1997 through
16 September 30, 1999. The Commission can be certain, however, that its 207
17 violations is the tip of the iceberg.

18 **Q. Didn't the PSC Staff's investigation of the company's slamming violations from**
19 **December 15, 1997 through September 30, 1999 reveal the number of violations**
20 **that are at issue in this docket?**

21 A. The staff only considered the complaints received by the Commission directly from
22 customers, and did not consider other rule violations not revealed to them by the
23 company during the period of time at issue in this docket.

24 **Q. Should the Commission consider only the complaints received directly from**
25 **customers in setting an appropriate penalty in this docket?**

26 A. Definitely not. There is no difference in a slamming rule violation that is reported

1 to the PSC as opposed to one that is handled by the company or by another local
2 exchange company without PSC involvement. If a customer is slammed, it is a rule
3 violation and it doesn't matter that the customer failed to call the PSC. In fact, unless
4 the Commission considers the larger issue of how many customers, in total, were
5 slammed, it would create an incentive for companies to engage in slamming activities
6 and quickly resolve any customer complaints before the customers appeal to the PSC
7 so as to minimize the amount of a potential fine.

8 **Q. Should the Commission consider the type of slamming complaints that were**
9 **made by the customers?**

10 A. The Commission should definitely consider the activities that Verizon was engaged
11 in as it slammed thousands of Florida customers in violation of your rules. Company
12 records show that company personnel identified numerous Florida PSC complaints
13 to be **fraudulent** and they noted the records accordingly. (Exhibit REP-6).

14
15 In 1998, Verizon's customer escalation center was dealing with so many Snyder
16 complaints that they created a separate Snyder category for tracking purposes and this
17 became their largest complaint category. (Exhibit REP-7). I would emphasize again
18 that no one single entity dealt with all of the slamming rule violations that occurred
19 in Florida, and any of the lists compiled by Verizon or by the Commission are
20 incomplete.

21
22 The term Fraudulent LOA is synonymous with the more precise term--forgery.
23 LOA's are signed contracts obtained by long distance companies to show that
24 customers authorized the change of the customer's provider of choice. LOA's could
25 not be submitted without the customer's signature. Forgery is what happens when
26 the customer didn't sign the form and someone else signed it.

1 The FCC, which deals with slamming complaints within its regulatory jurisdiction
2 has taken the position that activities such as forgery should command a higher
3 penalty. On March 2, 2000, the FCC announced that it was imposing a \$1 million
4 fine against Brittan Communications for 16 slamming violations, 12 of which were
5 forgeries. The FCC found forgery to be particularly egregious and announced its
6 intention to impose a higher fine for slamming violations involving forgery. (Exhibit
7 REP-8).

8 **Q. Is there direct evidence that fraudulent LOA's or forgeries were processed by**
9 **Verizon involving Florida customers?**

10 A. You've already seen the printout that shows 43 specific cases that were identified as
11 fraud. (Exhibit REP-6). At one point, the Verizon sales agency in Florida had over
12 300 representatives in the field and over 100 of those representatives were
13 terminated, presumably because they initiated fraudulent LOA's. (Exhibit REP-5).

14 **Q. Was Verizon higher management aware of the fraudulent LOA's?**

15 A. The deposition of Verizon employee Larry Commons includes his explanation that
16 slamming complaints were processed by Post-Sale fulfillment for investigation and
17 that their report would be sent back to Network Services for resolution. (Exhibit
18 REP-9, pages 8). Mr. Commons explained in his deposition that both he and his
19 predecessor, Ray Strait, attended weekly executive summary meetings where they
20 reported all customer-escalated complaints, including slamming complaints. (Exhibit
21 REP-9, page 10). The upper management that attended those meetings went all the
22 way up to the Verizon long distance president, Chris Owens, who was succeeded by
23 Pam Jacobson. (Exhibit REP-9, page 28).

24
25 Mr. Commons stated that in March or April 1998, he became aware that there may
26 have been forging of customer signatures by the Verizon sales agency, Snyder

1 Communications. (Exhibit REP-9, page 13-14).

2 **Q. What type of sales did Snyder Communications conduct for Verizon?**

3 A. Verizon contracted with Snyder to market Verizon long distance services to ethnic
4 customers in the form of face-to-face sales and telephone sales.

5 **Q. Is this the same organization that terminated 100 of its 300 agents in Florida in
6 1998?**

7 A. Yes it is. The contract with Snyder Communications for face-to-face sales started in
8 February 1998 and it was cancelled at the end of November 1998 by Verizon. It is
9 amazing to me that this same agency, Snyder Communications, continues to do
10 business with Verizon. (Exhibit REP-9, page 17).

11 **Q. Exactly how long did GTE wait until it took action to stop the fraudulent LOA's
12 from being processed by Snyder?**

13 A. The first corporate analysis showed up on the study of the Wentzville calling center
14 that showed complaints climbing over the 1000 calls per day level in the January to
15 February 1998 time frame. Prior to that, complaints had averaged under 500 calls per
16 day at Wentzville and the highest number of complaints recorded was around 650
17 calls per day. Wentzville handled normal billing inquiries from customers regarding
18 Verizon long distance services.

19
20 The first regulatory complaints were received in March 1998, two of which came
21 from Florida. (Exhibit REP-10). The Snyder contract was finally terminated in late
22 November 1998.

23 **Q. Why is it important that higher management was aware of the violations?**

24 A. It's not enough to simply substantiate the fact that customers were switched to
25 Verizon without their permission. The violations of the slamming rules must have
26 been willful in order to substantiate a fine. It is my testimony that a forgery is clear

1 evidence that the slamming was purposeful, that higher management was aware of
2 forgeries, that higher management failed to take action to stop the violations and that
3 thousands of rule violations occurred in Florida.

4 **Q. Were there any other actions the company could have taken to stop the rule**
5 **violations?**

6 A. Yes, the company could have implemented the same type of control system it was
7 using in California. The California rules required verification by tape recording in
8 addition to a signed LOA. According to Mr. Commons, California had “almost no
9 customer complaints in regards to Snyder” and that some employees in GTE wanted
10 to use the same system in other states. The change was never implemented by the
11 company in Florida. (Exhibit REP-9, pages 20-22).

12 **Q. What was the total volume of slamming complaints received by Verizon and**
13 **how many were attributable to the company’s Florida operations?**

14 A. The precise number will never be known. However, Verizon documents provide a
15 good indicator of the volume. The three day study in Wentzville shows that they
16 received 2924 complaints, 307 involving slamming complaints by the Verizon sales
17 agency and that they wrote off \$8,000 during the three day period for Snyder alone.
18 Based on 22 work days per month, Snyder was responsible for 2,241 slamming
19 violations per month amounting to over \$50,000 per month in unauthorized customer
20 billing. The Snyder contract was operational for 10 months, which means that
21 Snyder could have generated over 20,000 violations with a net impact on customers
22 of one half million dollars. This estimate fails to consider that many customers who
23 were slammed would never have called the Verizon Long Distance calling center in
24 Wentzville and would have simply called their old long distance company or their
25 local exchange company to resolve their problem. So if you consider the total
26 picture, it is not unreasonable to consider that 20,000 slamming violations were

1 generated by Verizon during 1998 alone. A good cross check on the Snyder sales
2 volume is found in the audit report document dated April 30, 1998 that showed
3 39,776 Snyder sales in March, 1998. (Exhibit REP-15).

4 **Q. How many violations were committed in Florida?**

5 A. Once again, you will never know the precise number. However, one study by the
6 Verizon regulatory department showed that Florida accounted for two-thirds of the
7 Snyder complaints. I would also need to add that another study by another Verizon
8 unit showed that only 20% of their slamming complaints originated in Florida.

9
10 During the April 1998 audit of Snyder sales, the auditing group selected a sample of
11 transactions that apparently involved slamming complaints received in January and
12 February. This is standard methodology for the audit process, and the sample
13 selected by the audit team included 25 orders, eight of which involved Florida
14 customers. This shows that 32% of the Snyder slamming complaints originated in
15 Florida. (Exhibit REP-13).

16
17 In April, 1998, Verizon discovered that Snyder had processed 600 orders that
18 provided residential calling plans for business customers. Verizon checked out these
19 orders because Snyder was not contractually allowed to market to business
20 customers. The first 30 customers who were called revealed that they were slammed
21 and the sales were not proper. (Exhibit REP-11). Seven of the 30 slamming cases, or
22 23%, involved Florida customers. While this sample provides no clue as to the total
23 amount of slamming that was being conducted by Snyder, it provides an indication
24 of the volume of slamming in Florida as compared to Snyder's total operations.
25 Based on the sample, it would indicate that prior to April 2, 1998 Snyder had
26 slammed at least 140 customers in Florida in one single market segment. I would

1 stress that Snyder representatives were actively pursuing the Florida toll market in
2 telemarketing units as well as in face-to-face sales.

3
4 One of the major problems at both Verizon and Snyder was that there was no one
5 central location handling complaint referrals. There was no central log of total
6 complaints at Verizon. Snyder had problems in responding to complaints on a
7 timely basis or losing the complaint referrals in their entirety. One of the Verizon
8 units that handled complaint resolutions documented that they were trying to track
9 one day's complaints about Snyder sales and they total 20 unauthorized switching
10 complaints and eight additional complaints in one day alone. Snyder had no record
11 of having received 43% of their complaints. (Exhibit REP-12). Based on this data,
12 the complaint resolution department alone was processing 400 to 500 slamming
13 complaints in March, which was early on in the Snyder experience. The volume of
14 slamming complaints rose significantly following this report.

15
16 On the conservative side, It would not be unreasonable to estimate that Verizon was
17 responsible for 4,000 slamming violations in Florida during the time period in
18 question in this docket. Based on the study found in Exhibit REP-5, the majority of
19 the slamming complaints were due to fraudulent LOA's. It would be an
20 understatement to estimate that Snyder committed 3,000 fraudulent forgeries in
21 Florida. Based on the going rate of slamming complaints received in the Wentzville
22 calling center, Snyder appears to have generated at least 20,000 slamming complaints
23 for Verizon. Please remember, this data only includes the slamming complaints
24 registered with Verizon long distance, and it completely ignores the slamming
25 complaints handled by others.

26

1 This number can be put in its proper perspective when you consider that during the
2 two week period ending March 18, 1998 Snyder received commissions for 12,784
3 field sales and 7,833 outbound telemarketing sales. At the going rate in March,
4 Snyder was processing 40,000 sales per month. Placed in the perspective of the total
5 sales volumes, the estimate of 3,000 fraudulent slams in Florida for all of 1998 is
6 reasonable and extremely conservative (Exhibit REP-14). GTE records show that
7 they paid \$3 million in commissions to Snyder in March 1998, based on 39,776
8 sales. (Exhibit REP-15).

9
10 The heavy volume of sales that Snyder was generating for Verizon could also account
11 for the reluctance of the company to terminate its contract early on when there was
12 a clear indication that Snyder was engaging in fraudulent transactions in the sales
13 process.

14
15 **Q. What is the appropriate penalty that the Commission should apply in this**
16 **Docket?**

17 A. The Commission should give serious consideration to revocation of the company's
18 certificate to offer long distance services in the State of Florida. Verizon's rule
19 violations are egregious. Verizon could have prevented them early on in their
20 experience with Snyder and failed to take decisive action. Removal of Verizon's
21 certificate would send a message to others that this Commission will not tolerate
22 forgeries in the marketing of long distance services. We have plenty of reliable and
23 reputable long distance companies currently operating in Florida, and the Florida
24 market can do without a company that condones forgeries.

25
26 The Commission should also consider applying the maximum penalty possible for

INDEX OF EXHIBITS
DIRECT TESTIMONY--R.E. POUCHER
DOCKET NO. 990362-TI

EXHIBIT NAME	EXH. NO.	
SNYDER COMPLAINTS	<u>REP-1</u>	_____
SNYDER SLAMMING COMPLAINTS	<u>REP-2</u>	_____
SNYDER DAILY VOLUME	<u>REP-3</u>	_____
REGULATORY SLAMMING COMPLAINTS	<u>REP-4</u>	_____
CUSTOMER ESCALATION FRADULENT LOA's	<u>REP-5</u>	_____
FRADULENT SLAMMING COMPLAINTS	<u>REP-6</u>	_____
CUSTOMER ESCALATION FORM	<u>REP-7</u>	_____
FCC FINE FOR FORGERIES	<u>REP-8</u>	_____
COMMONS' DEPOSITION	<u>REP-9</u>	_____
SNYDER REGULATORY COMPLAINTS	<u>REP-10</u>	_____
600 ORDERS; 600 SLAMS	<u>REP-11</u>	_____
20 SLAMS PER DAY	<u>REP-12</u>	_____
32% FLORIDA COMPLAINTS	<u>REP-13</u>	_____
40,000 SALES PER MONTH	<u>REP-14</u>	_____
40,000 SALES, \$3 MILLION COMMISSION	<u>REP-15</u>	_____

Exhibit REP-1
Docket No. 990362-TI

SNYDER COMPLAINTS

Total Wentzville Calls Per Day

17445

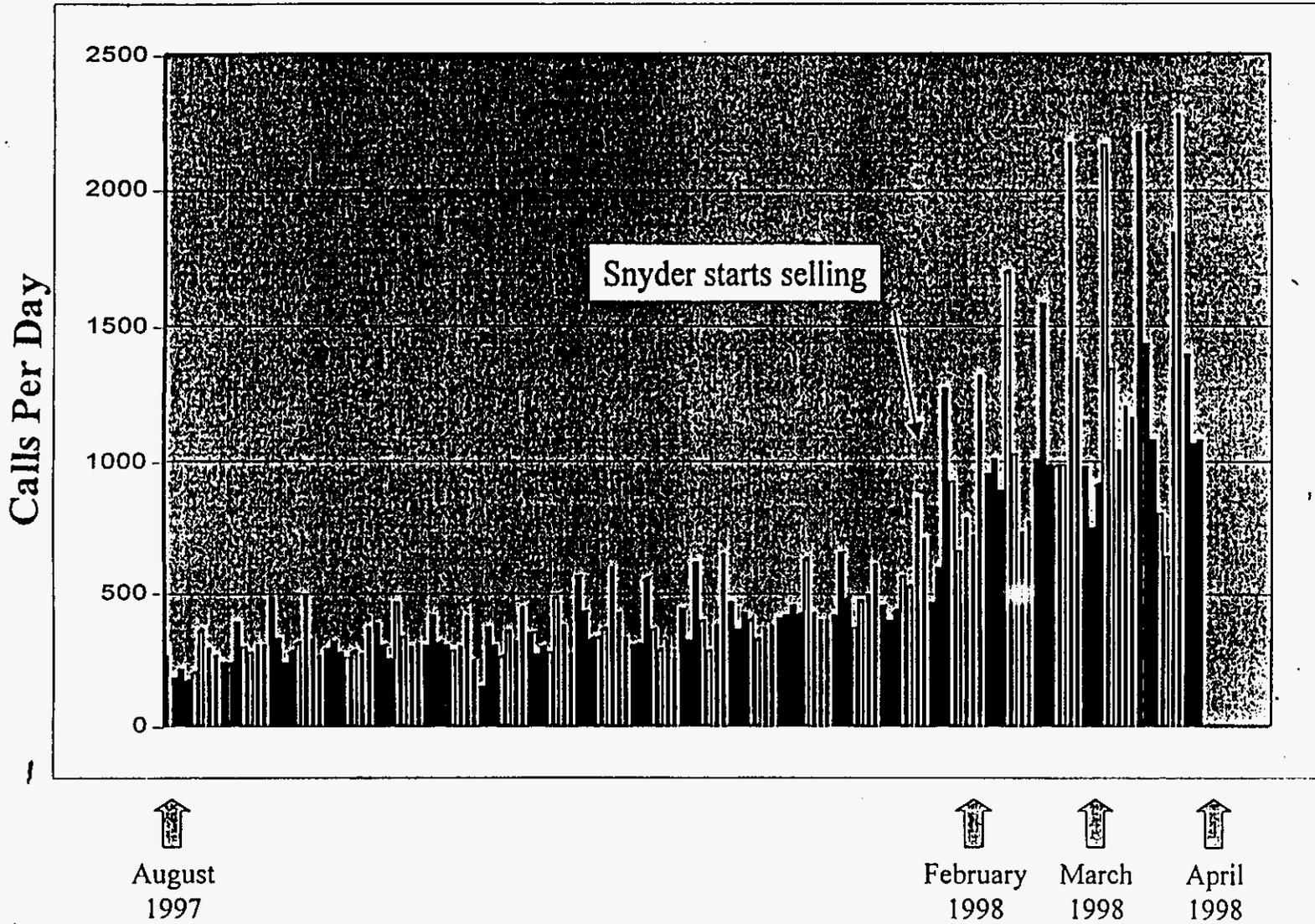


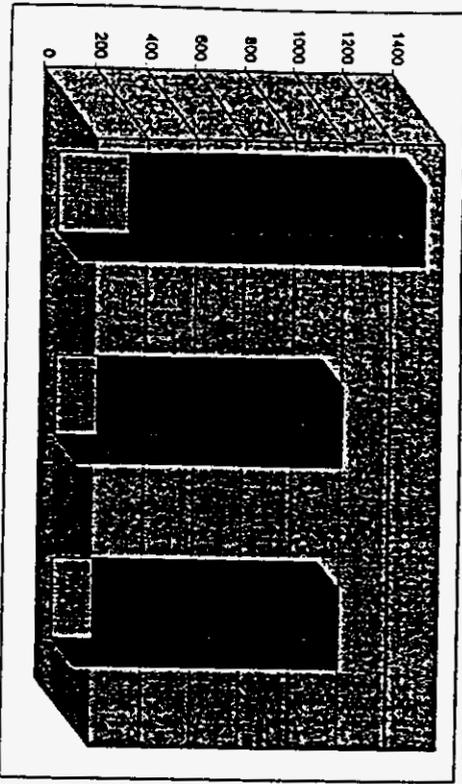
Exhibit REP-2
Docket No. 990362-TI

SNYDER SLAMMING COMPLAINTS

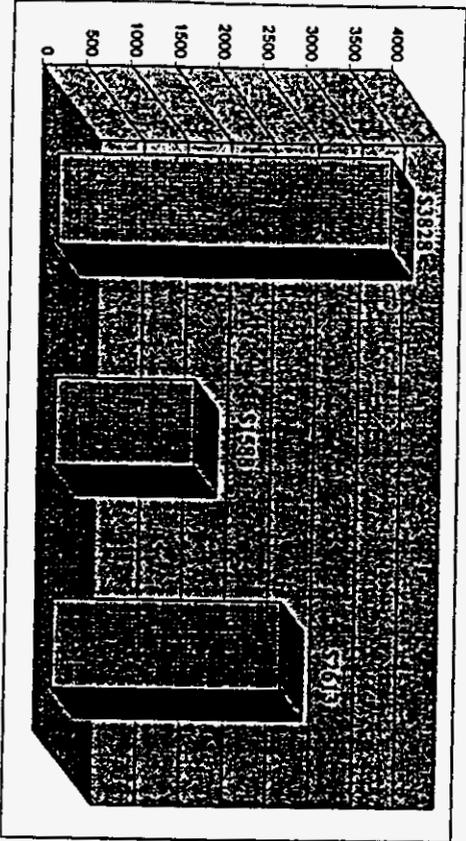
Wentzville Snyder Calls

April, 1998

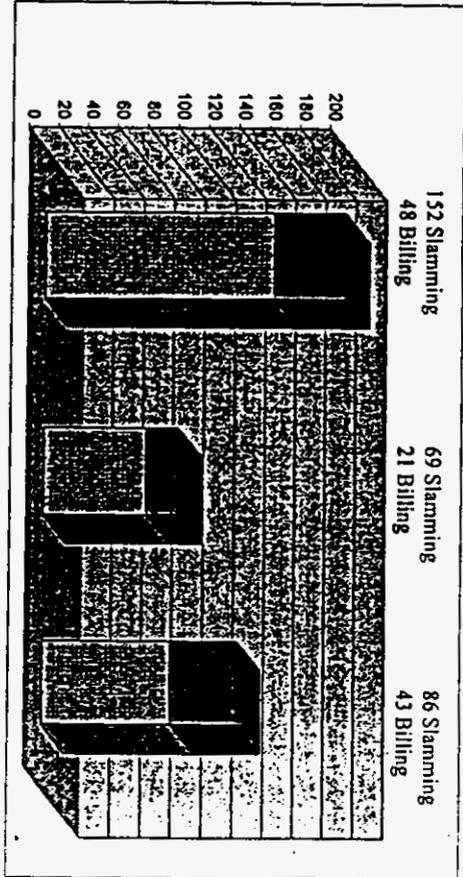
1115 Taken
 280 Abandoned
 905 Taken
 164 Abandoned
 904 Taken
 139 Abandoned



Slamming vs
 Billing Complaints



Abandoned calls
 to Wentzville



Daily Write-Offs
 for Snyder

Exhibit REP-3
Docket No. 990362-TI

SNYDER DAILY VOLUME

Wentzville Specifics

17447

- **Wentzville calls for Wednesday, Thursday and Friday**
 - 3527 calls offered to center
 - 603 abandoned calls, 2924 taken by reps
 - 419 dealt with Snyder (307 slamming and 112 billing)
 - \$8,031 written off during calls
- **Wentzville logging how much they are writing off Snyder calls**
- **Customers calling number on bill.** Appears problem may be that bill may have two 800 numbers. In the yellow section, the OOF Wentzville main number and at the bottom the OCC number
- **Billing complaints** about free minutes and erroneous rates (5-7 cents per minute quoted to customers (about 1/2 are repeat calls))

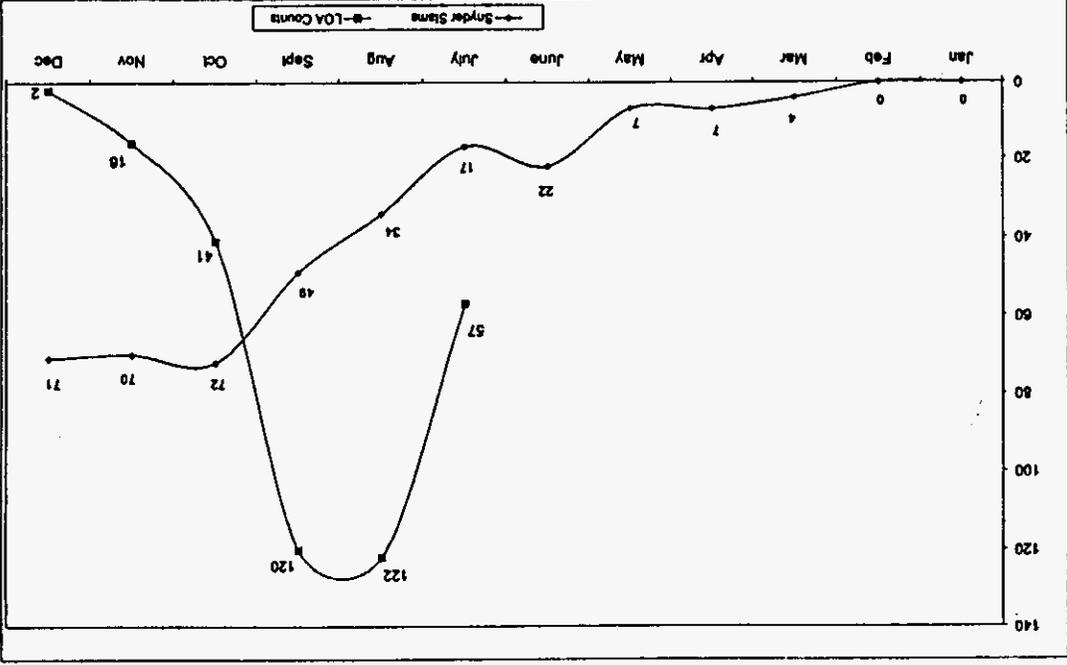
Exhibit REP-4
Docket No. 990362-TI

REGULATORY SLAMMING COMPLAINTS

17206

1998	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
FL	0	0	2	2	0	1	0	17	0	0	0	42	204
NY	0	0	0	1	3	0	0	0	10	12	11	10	70
TX	0	0	0	0	0	13	4	2	2	1	4	1	32
MS	0	0	0	0	0	0	0	0	3	2	0	2	14
IL	0	0	0	0	0	0	0	0	0	0	2	0	7
CA	0	0	0	0	0	0	0	0	0	0	2	0	4
VA	0	0	0	0	0	0	0	0	0	0	0	1	1
AL	0	0	0	0	0	0	0	0	0	0	0	0	0
WA	0	0	0	0	0	0	0	0	0	0	0	0	0
MI	0	0	0	0	0	0	0	0	0	0	0	0	0
CO	0	0	0	0	0	0	0	0	0	0	0	0	0
DE	0	0	0	0	0	0	0	0	0	0	0	0	0
NE	0	0	0	0	0	0	0	0	0	0	0	0	0
NJ	0	0	0	0	0	0	0	0	0	0	0	0	0
PA	0	0	0	0	0	0	0	0	0	0	0	0	0
SC	0	0	0	0	0	0	0	0	0	0	0	0	0
IN	0	0	0	0	0	0	0	0	0	0	0	0	0
TN	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	4	7	7	22	17	34	49	72	70	71	353

SLAMMING COMPLAINTS
 by Month Closed and Sale of Complaint



SNYDER REGULATORY SLAMMING COMPLAINTS

Exhibit REP-5
Docket No. 990362-TI

CUSTOMER ESCALATION FRADULENT LOA's

Customer Escalation Specifics

Snyder Originated Orders

Week Ending

Type	2-May	9-May	16-May	23-May	30-May	6-Jun	13-Jun	20-Jun	27-Jun	4-Jul	11-Jul	18-Jul	25-Jul	1-Aug	8-Aug	15-Aug	22-Aug	29-Aug	5-Sep	12-Sep	19-Sep	26-Sep	3-Oct	10-Oct	17-Oct
Unauthorized Change	14	55	20	4	10	14	4	6	10	4	5	18	6	17	9	11	16	10	18	7	13	30	22	30	22
Fraudulent LOA	10	29	13	1	5	3	3	1	4	2	2	16	4	9	5	5	11	8	11	6	5	23	14		
LOA exists	0	12	6	1	3	11	0	1	3	1	1	0	1	8	1	4	4	1	5	1	8	5	7		
Customer misunderstood	1	6	0	0	0	0	0	0	1	1	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Snyder rep error	3	6	1	1	2	0	0	0	2	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Out	0	2	0	1	0	0	0	0	1	0	1	1	1	1	0	1	0	0	0	0	0	0	0	0	0
Marketing / Promotions	0	2	4	1	1	1	1	2	4	1	0	3	1	0	1	0	0	0	0	0	0	0	0	0	0
Billing	0	0	0	0	0	1	0	1	1	0	2	1	1	0	2	2	0	4	1	3	3	1	2	1	8
Provisioning Delay	0	0	0	0	0	0	0	0	4	2	0	0	0	0	0	0	0	0	0	2	0	0	2	1	0
TMA	0	0	3	1	0	1	1	0	1	1	0	0	0	0	0	0	0	0	0	2	2	2	0	0	0
Other	1	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	2	2	1	0	0	0
Totals	13	51	24	5	8	16	10	18	11	8	6	21	10	15	13	16	16	13	26	17	19	38	27	41	35
Regulatory	1	1	2	1	4	13	2	1	7	0	4	7	2	10	3	5	11	6	9	6	6	20	13	15	15

On 3 weeks

Updates on Findings For Week Ending 10/3

(these were still open on last week's report)

Unauthorized change - 9

6 - Fraudulent LOA (6)

3 - LOA exists, but customer hasn't reviewed it (3)

FL
300 reps in field
over 100 reps from
HWH terminated
100% of

(1) Regulatory Complaints

Findings For Week Ending 10/10

Unauthorized change - 30

6 - Fraudulent LOA

8 - LOA exists, but customer hasn't reviewed it (8)

1 - Snyder representative keyed an incorrect phone number into the system.

1 - Customer ordered GTLD but later changed his mind.

1 - Un Open (1)

Marketing/Promotions

Customer wanted to know when the Free Trial would begin and the details of the program.
Customer located incorrect URL in original ad.
Ad part (text or image) did not clearly state "All offers are good for 30 days."
Customer misunderstood the offer he was billed (he was billed correctly).
Billing - 1
Customer will see error in incorrect address.
Customer (Leg did) policy GTLD but service was disconnected.
Still Open (0)

Manager chargeback for bad
25
what the
gets charged back
ATP Promoters

Exhibit REP-6
Docket No. 990362-TI

FRADULENT SLAMMING COMPLAINTS

05 R Betts, Mr. 6.16682e+009 5/5/98 5/5/98 499 Note from customer Didn't want to be solicited by GTELD over the telephone -- requested written info about GTELD plans. Sent letter and brochures to customer (customer's first name is illegible on his note) 499

Total Reason: 1

Unauth Chg 74 In Franchise: 15 Business 2 Regulatory: 5

TYPE	B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CAL	Source	Complaint Issue	Corrective Action	DISP
04	R		ZAMORA, RODOLFO	9155331067	Dell	5/7/98		601	TX/NM Cust Rel	Received fulfillment letter, didn't authorize switch to GTELD wants to know who did.	fraud	
05	R		CHIN, KOK	4087328390	Dell	5/4/98		601	Fax Snyder	Cust received fulfillment letter, doesn't want GTELD wants previous carrier. Cust was advised would have to contact local lec and also to file plc restriction, cust refused.	fraud	

Total Reason: 2

05	R		BULL, BURL	9724791369	Eliza	5/6/98		602	Sitel	Cust switched to GTELD without authorization.	LOA exists	
05	R		ALDA, JOSEFINA	7184467748	Eliza	5/6/98		602	Snyder	Cust switched to GTELD without authorization.	fraud	
05	R		FIERRO, ROBERTO & YOLANDA	9155917128	Davi	5/5/98		602	Sitel	Cust switched to GTELD without authorization.	fraud	
05	R		FELDER JR., THOMAS	2152330318	Bett	5/6/98		602	Snyder	Cust switched to GTELD without authorization. OOF billing issued credit for inconvenience.	12/1/98	
03	R		FEINBERG, ALBERT	9158338234	Mar	5/5/98		602	Larry Commons	Cust called John Havens, advised was switched to GTELD without authorization.	fraud	
MIS	R		BAERG, DAVID & LORI	8162468277	Davi	5/4/98	5/4/98	602	Fax Karen Cureton	Cust was switched to GTELD without authorization.	This is a BFIC account, not a GTELD issue.	699
07	R		BENITES, BARBARA C.	3055416070	Mar	5/6/98		602	Larry Commons/Letter	Cust switched to GTELD without authorization.	fraud	
05	R		BERNADINE, JEANETTE	7182761793	Bett	5/6/98		602	Snyder	Cust switched to GTELD without authorization.	LOA exists	
05	R		CANIS, LARA	3057572994	Phyli	5/6/98		602	Snyder	Cust switched to GTELD without authorization.	not exists	
05	R		ELIAS, CARMEN	7187566284	Phyli	5/6/98		602	Snyder	Cust switched to GTELD without authorization.	not exists	
07	R		CHAPMAN, MICHELLE	7035808001	Phyli	5/7/98		602	Larry Commons	Cust was switched to GTELD without authorization, again.	other	

15747

15

IF FELCHER, GERALD 8088281883 Bett 5/14/98 503 Just Rel Place on DNS list. Was contacted by rep that was pushy, wouldn't send written information concerning what rates GTELD offers.

Total Reason: 1
Business: 2 Regulatory: 5

Unauth Chg 34

In Franchise: 7

TYPE	B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL Source	Complaint Issue	Corrective Action	DISP
05	R		PENA, KENIA <i>other</i>	7183658373	Phyl	5/13/98	602	Snyder	Switched to GTELD without authorization. Doesn't want any long distance service.	<i>Lot exist 5</i>	
05	R	IF	WILSON, BARBARA <i>other</i>	9182581965	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05	R		PALMER, ODETT <i>other</i>	2125888125	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05	R	IF	PHAM, DUNG <i>O</i>	7148952928	Dell	5/13/98	602	Snyder	Switched to GTELD without authorization. Wants GTELD canceled from service.	<i>rep error</i>	
05	R		CHASE, NATHAN	3165837606	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.	FR	
05	R		RAYMOND, CHARLES <i>O</i>	2129774002	Bett	5/14/98	602	Sitel	Switched to GTELD without authorization.	<i>FRAUD</i>	
05	R		ALARILIN, BLANCA <i>O</i>	3059569511	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05	R		ANDERSON, THOMASYNE <i>O</i>	3014596249	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>LOA</i>	
05	R		NOVOA, JORGE <i>O</i>	7182412378	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.		
07	R		SCOTT, LOREN	9999999999	Davi	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Please cancel.		
05	R		BARROSO, ELIBEL <i>O</i>	3058235777	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
07	R		VALCIN, SERGE <i>EX</i>	7188594211	Dell	5/12/98	602	Ray Strait	Switched to GTELD without authorization.	<i>FR</i>	
07	R	IF	CARPENTER, GARY	7126842978	Mar	5/14/98	602	Ray Strait/Survey	Switched without authorization for signing up for a car.		
05	R		DOMINGUEZ, BRIAN <i>O</i>	9155813908	Dell	5/13/98	602	Snyder	Switched to GTELD without authorization. Claims reported to Attorney General's office.	<i>LOA</i>	
04	R	IF	DAOUST, RAYMOND L.	5178217131	Davi	5/12/98	602	NE Cust Rel	Switched to GTELD without authorization. Calling cards not working. Has blue and black calling cards. Needs re-rating.		
07	R		FELICIANO, CECILIA <i>EX</i>	9999999999	Eliz	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Letter written in Spanish.	<i>franchise</i>	
07	R		LUEGE, ANTONIO M. <i>EX</i>	9549999999	Eliz	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization, letter written in Spanish.	<i>LOA</i>	
07	R		FAUSTIN, JOSEPH <i>EX</i>	5164838730	Chol	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Received bill.	<i>LOA</i>	
07	R		LIRIANO, CRISTINA <i>EX</i>	7187280937	Phyl	5/13/98	602	Ray Strait/Internet	Switched to GTELD without authorization. Wants switching fee removed.	<i>FR</i>	
05	R		MARTINEZ, RICARDO <i>O</i>	9155654387	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
MIS	R		GRAPHIC ARTS INC	3053711401	Bett	5/13/98	5/14/98 602	Sitel	Switched to GTELD without authorization.	Switched by Least Cost routing. Called cust and gave number for Least Cost Routing. Not GTELD.	602
05	R		GALVAN, RAMON <i>O</i>	9157725371	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05	R		HANNAH, BARBARA <i>O</i>	9158219210	Eliz	5/11/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
07	R		KOTOUC, DENEK	4089651292	Dell	5/14/98	602	Karen Cureton	Switched to GTELD without authorization.		
05	R		HUA, GANG	4082830977	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.		

15753

07 R II GEORGE, KRISTI 7178457939 Chri 6/8/98 6/12/98 502 Jan Robinson Add to DNS list. Spanish speaking TMA form GTE called cust, hung up when cust wouldn't give tn. TMA called again, hung up when asked to put on DNS list. TMA super hung up when asked to put on DNS list

07 R IF SAMPAYAN, ROBERT 3103057325 Mar 6/11/98 502 Robert Taylor / HOT Place on DNS list, received 6 calls last week.

Added cust to DNS list
Telespectrum contacted cust in 1/98
Rodolfo/Snyder called cust, advised his supervisor Elliot only called 1. Called cust, advised added to DNS

Total Reason: 2
Business: 2 Regulatory: 10

Unauth Chg 15

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Source	Complaint Issue	Corrective Action	DISP
04 R	IF	RADTKE, KAREN	8133604028	Mart	6/12/98	602		FL Cust Rel	Switched to GTELD without authorization.		
07 R		ROSENBLUTH, LAWRENCE	2124273312	Bett	6/9/98	602		Larry Commons	Switched to GTELD without authorization.		
01 R		SIMON, ALVIN	7182243575	Davi	6/12/98	602		Karen Curelon	Switched to GTELD without authorization.	fr	
02 R	IF	BUCKINGHAM, DORIS	8135447288	Davi	6/9/98	602		Karen Curelon	Switched to GTELD without authorization.	fr	
02 R	IF	ABRAHAM, STEPHEN & ROBERTA	8054844002	Davi	6/9/98	602		Karen Curelon	Switched to GTELD without authorization.		
01 R		SAINT BRENDAN CORP	3107822333	Davi	6/12/98	602		Karen Curelon	Switched to GTELD without authorization.		
01 R	IF	BRUNDY, MICHAEL	8138542390	Davi	6/12/98	602		Karen Curelon	Switched to GTELD without authorization.		
10 R		MILLER, ROBERT	2175850500	Davi	6/9/98	602		Karen Curelon	Switched to GTELD without authorization.		
02 R		FLINT, HARRY	9413691960	Davi	6/11/98	602		Karen Curelon	Switched to GTELD without authorization.	cust misund.	
02 R	IF	MURRAY, ELIZABETH J.	8136334901	Davi	6/11/98	602		Karen Curelon	Switched to GTELD without authorization.		
02 R		ROHDE, DAVID D.	2127440121	Davi	6/11/98	602		Karen Curelon	Switched to GTELD without authorization.	fraud	
07 B	IF	A & J ANSWERING SERVICE	5628069440	Mar	6/9/98	602		Ray Strait / HOT	Switched to GTELD without authorization.		
07 B		METROPOLITAN PROPERTIES	4089428898	Mart	6/10/98	602		Ray Strait / Internet	Switched to GTELD without authorization. E-mail address: pplenkoski@aol.com.		
EM R		HICKS, MOCHELLE	8435278487	Bett	6/9/98	603		Ray Strait	Switched from GTELD without authorization. Lost discounts and tried to put pic freeze on Intra, but still shows 5448.		
01 R		HASSAN, SIDEK	2023282785	Davi	6/12/98	699		Karen Curelon	Switched by Building Future In Communication.		

Total Reason: 13

Total Reason: 1

Total Reason: 1

Billing 13

In Franchise: 4 Business: 3 Regulatory: 2

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Source	Complaint Issue	Corrective Action	DISP
09 B	IF	DC FOOTE & ASSOCIATES	8054820091	Eliz	6/11/98	701		Goodwill Response	Billed by another carrier, wanted GTELD, but has dropped the ball, so went with occ.		
EM R		HOVANEK, JOHN	8172837064	Mar	6/8/98	702		Exec Cut Rel	Hasn't received a GTELD bill. Made payment arrangements and has not received a bill.		

Total Reason: 1

Total Reason: 1

15764

09	R	I	LANGSTROM, WAYNE	2813376785	Mart	7/17/98	401	Home	Rep named Chance called cust was rude and offensive and threatened to switch cust without authorization. <u>GTE Security</u> referred cust to PSF.
05	R		WONG, SHIRLEY	5088773225	Chrl	7/14/98	401	Sitel	Called in to 800/483-4588 and was treated rudely and unfairly when wanted to ask how many free minutes had left.
MIS	B	IF	TEXAS AIR MANAGEMENT	9037692665	Mart	7/13/98	402	Karen Cureton	Received annoying call from TMA who tied up phone to verify records. Add to DNS list.
							Total Reason:	2	
							7/16/98	402	
04	R	IF	LOCKER, ROBERT	8054910299	Mart	7/14/98	405	CA Cust Rel	States was quoted .27/min for calls to Phillipplans, charched \$2.70/min. Refuses to pay \$2,150.91 bill.
							Total Reason:	1	
							405		
05	B	IF	GAY BROTHERS INC.	2194959460	Chrl	7/15/98	405	Sitel	Rep, Mr. Bradley, only gave cust information on one bracket of plan. Said calls would be .12, .11, .10, charged .17.

Snyder STILL
MAN

Comp Sales determined 402
no contact with cust.
Advised cust wasn't switched, but if got bill would help determine who switched cust..

GTELD 1/2

Unauth Chg

31

In Franchise: 8 Business: 3 Regulatory: 15

TYPE	B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Source
MIS	R	IF	ALLINSON, BARBARA & RICHARD	7033352527	Eliz	7/13/98	7/13/98	601	VA Cust Rel
09	B	IF	PACIFIC ALCOHOL AND DRUGS	5036249545	Yvon	7/17/98		601	Matt Daniels
							Total Reason:	2	
							602		
07	R		BRANNING, JOHN	9724013946	Chrl	7/17/98		602	Liz Smith
07	R		CASTILLO, ARACELY	3058283498	Mart	7/16/98		602	Larry Commons
04	R		BEAKLEY, NANCY	7278455325	Yvon	7/16/98		602	FL Cust Rel
07	R		BYRNES, GREG	3054473799	Chol	7/15/98		602	Larry Commons
03	R	IF	ARNACIAN, GEORGE	9413716236	Mar	7/16/98		602	FL Cust Rel
07	R		BOUZA, RAYMOND	3058218540	Yvon	7/15/98	7/17/98	602	Larry Commons
07	R		LOPEZ, ILIANA	3055346882	Yvon	7/14/98		602	Larry Commons
07	R		ORTIZ, CARLOS	7182995932	Yvon	7/16/98		602	Larry Commons
03	R		GONZALES, RENE	7188224822	Mar	7/15/98		602	Exec Cust Rel

Complaint Issue
 Wants to switch back to AT&T, after agreeing to switch to GTELD.
 Switched to GTELD without authorization. CPRI rep signed cust up, cust changed mind a couple hours later, called rep back, left message, letter and fax, but rep still sent in order.
 Switched to GTELD without authorization.
 Switched to GTELD without authorization. RPMS shows Snyder sale. Also has name Isidro Hernandez.
 Switched to GTELD without authorization. Said did receive call from TMA, but told not to switch.
 Switched to GTELD without authorization.
 Switched to GTELD without authorization.
 Switched to GTELD without authorization.
 Switched to GTELD without permission. RPMS shows Snyder sale.
 Switched to GTELD without authorization. New in is 718/229-4351. RPMS shows Snyder sale.
 Switched to GTELD without authorization.

Corrective Action
Needs to be re-directed to 601 GTE South. **misdirect**

CPRI

NO
 Snyder - **wrong #** 3-18-98
 GTELD **NO - heart attack**
 Snyder - 5-28-98
 Snyder - 6-22-98
 Signed by 602
 Luisa Bouza for a Jose Bouza. Cust requested copy. Rrms shows disconnect 5/4. **Snyder - ?**

Snyder - 6-24-98
Snyder - 5-10-98
Snyder - 6-11-98

11 ~~11~~ = forged LOA

15789



Customer Relations Report for
Week Ending 8/8/98

TOTAL MPLAINTS **133**

Total In Franchise: 77

Total Business: 8

Total Regulatory: 18

THE "COMPLAINT ISSUE"
SIGNIFICANTLY DIFFERENT WITH THE NEW ...

COMPARE THIS TO THE DATA WE WERE
RECEIVING PREVIOUSLY ...

ARE WE MISSING DATA? OR WILL ALL
COMPLAINTS BE DESCRIBED BY
ABBREVIATED CATEGORY DESCRIPTIONS?

Provisioning Delay 8		In Franchise: 7	Business: 1	Regulatory: 0						
TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Corrective Action	DISP

09	R	IF	HEASLEY JR. M.L.	2814262669	ME	8/4/98	8/4/98	101			
03	R	IF	PANTALION JOE	4095679694	MP	8/7/98	8/7/98	101			
04	R	IF	RUST WALTER	8059229885	DR	8/3/98	8/7/98	101	DELAYED SERVICE ACTIVATION	101	
<p>Could not call out long distance was quoted a 10 to 14 days commitment. I called GTELD repair to see what the trouble was and the commitment given to the customer. Was advise of a 2 to 16 hour com</p> <p>WST GTELD</p>											
07	R	IF	KERSIS BRUCE	7603421744	DR	8/6/98	8/6/98	101			
07	R		STROUD PETE & MARIANNA	7273472334	EG	8/3/98	8/3/98	101	DELAYED SERVICE ACTIVATION	101	
<p>ROOT CAUSE: QUALITY OF PERFORMANCE LOB: GTE CLEC IN FRANCHISE CUSTOMER SATISFIED</p> <p>CLEC</p>											
07	R	IF	SWARTZ BOYD	4194584701	MP	8/5/98	8/5/98	101			
05	B	IF	FULBRIGHT AND CASSELBERRY	8068722103	CLM	8/3/98	8/7/98	101	DELAYED SERVICE ACTIVATION	101	
<p>Customer switched to another carrier without his permission. I order processed on 7/30 & PIC restrict request. Verified with Equal Access & Worldcom customer is back with GTE as of 7/31 however GT</p> <p>GTELD</p>											
					Total Reason: 7						
09	R	IF	EASTVIEW CHRISTIAN CHURCH	3096629376	ME	8/3/98	8/3/98	103			
					Total Reason: 1						

Calling Card 79		In Franchise: 47	Business: 4	Regulatory: 0						
TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Corrective Action	DISP

06	R	IF	COBB SUSAN	8707724291	EG	8/5/98	8/7/98	201	NO CARDS, STILL WAITING	201
<p>Customer has not received calling cards due to NPA split. RPMS issued correct TCSI code but Card Operations does process that file and therefore there was no active pins contacted Van Banks/Card Ope</p>										
06	R	IF	BECKETT DEBBIE	7603774264	LY	8/5/98	8/5/98	201		
06	R	IF	OLSON LYLE	7603410086	DR	8/5/98	8/5/98	201		
06	R	IF	NEWNAM DON	9373390698	CM	8/3/98	8/3/98	201		
06	R	IF	BRYANT JIMMY	6067846256	DR	8/4/98	8/4/98	201		
06	R		MERCEDES ALFREDO	7182201253	LY	8/3/98	8/3/98	201		

Ron

4082

15803

TMA 3 In Franchise: 2 Business: Regulatory: 0

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Call Description	Corrective Action	DISP
MIS R		FREEMAN JENNIFER	7276699583	DR	8/11/98	8/13/98	402	402	MIS - GTELD TMAs calling cust late at night	CLEC MISDIRECT	402
04 R	IF	MCMULLEN TENA	3082348443	EG	8/13/98			Total Reason: 1	04 - Received call from GTELD TMA offering	GTELD	
04 R	IF	WILLIAMS PAUL	3307258388	CM	8/13/98			Total Reason: 1	04 - Not told promotion expired in 6 month	Snyder	

Unauth Chg 22 In Franchise: 5 Business: Regulatory: 9

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Call Description	Corrective Action	DISP
04 R		WONG JEFF	6262843889	ME	8/11/98	8/14/98	602	602	04 - Switched to GTELD without authorizat	Customer was switched without authorization. Spoke to customer. Customer had called about this a few months ago. They were told that this would be taken care of but they continue to get bills. Th	602
MIS R	IF	SOUTHEASTERN IND	8126894111	CLM	8/11/98		602	602	mis-Switched to GTELD without authorization. Rec	Misdirect- LCR Customer forwarded to Rod Davis.	602
05 R		CROSBY MR.	4078965830	CLM	8/13/98		602	602	05 - Switched to GTELD without authorizat	Called customer & apologized again & explained that his # had been transposed from a # that was being keyed into the system which accidentally switched him. I told him it was not done intentionally &	602
07 R		WEED MERRILL	(313)5279869	EG	8/10/98	8/13/98	602	602	07 - Customer received a GTELD welcome	Customer switched to GTELD without authorization. LOA received from Snyder. LoA Fraud. Customer does not know Terry Weeder or ss#. Credited given for calls made on GTELD. Customer is switched ba	602
07 R		HUNTER MRS.	(773)386962	EG	8/13/98	8/14/98	602	602	07 - Switched to GTELD without authorizat	This customer was slammed by Snyder Communications. Rep is being terminated for signing up deceased. Could not get hold of customer. This phone number is disconnected. Cannot due a DNS without cu	602

EX. fraudulent LOA - Snyder

Keying error @ Business - Branch

EX. fraudulent LOA - name wrong - customer very upset + even mentioned suing

EX. fraudulent LOA - husband dead for 2 years - she called her attorney

GTELD Snyder
could not get hold of customer
this phone number is disconnected
cannot due a DNS without cu

GTELD -
Medium Business

Snyder
Snyder

15816

C. Customer Escalations

Unauth Ch 37

In Franchise: 9 Business 0 Regulatory: 12

TYPE	B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CAL	Source	Complaint Issue	Corrective Action	DISP
07	R		CHLU, KIN LAU	2127320665	Mart	4/30/98		601	Fax Ray Strait	Cust not satisfied with GTELD, wants to switch back to original carrier.	<i>Misinfo about...</i>	
Total Reason: 1												
05	R		COOKSON, O. H.	5056226305	Dell	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.		
05	R	IF	WONDERLE, BRUCE	9416889116	Dell	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.		
05	R		DODSON, DAVID	9044332822	Bett	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.	FR	
05	R		MIRAND, MARIA	3058845381	Eliza	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.	<u>FRAND</u>	
05	R		MARTINEZ, JOSEPHINE	3057572644	Dell	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.		
05	R		LISS, MICHAEL	9155875886	Bett	4/27/98	4/30/98	602	Fax Site1	Cust was switched to GTELD without authorization.	Snyder has loa signed by Lorenzo Belisle w/ssn 462-90-8132. Belisle is cust's father-in-law, has different ssn and said didn't sign. LDX has been changed from GTE.	602 <i>frand</i>
05	R		LISENDY, KENT	9155842789	Mart	4/30/98	5/1/98	602	Fax Site1	Cust switched to GTELD without authorization.	Snyder has loa, cust said not signature. Credited account. Advised cust would have to switch carriers himself, he finally agreed. Forwarded to Michael Lyons.	602 <i>frand</i>
05	R		LEE, LIANA	2122680844	Mart	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.	<i>frand</i>	
05	R	IF	LEASURE, LESTER	2188452411	Phyll	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.		
05	R	IF	ROBERTS, EDDENE	9034853079	Mar	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.		
07	R		RUSSELL, EDGAR	9544579006	Mar	4/29/98		602	Email Ray Strait /HOT	Cust switched to GTELD without authorization. Cust wants \$100 for troubles. Maryland - 301/863-8538.	<i>frand</i>	
05	R		KURBY, JEANETTE	6105868152	Mar	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.	<i>frand</i>	
05	R		SLOAN, BEVERLY	6158680707	Eliza	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.		
05	R		PEREZ, MONICA	7185655531	Davi	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.		
05	R	IF	WADE, SANDRA	8139208700	Mart	4/30/98		602	Fax Site1	Cust switched to GTELD without authorization.		
05	R		FERNANDEZ, RAUL	2092297298	Dell	4/27/98		602	Fax Site1	Cust was switched to GTELD without authorization.	<i>frand</i>	

15743

Exhibit REP-7
Docket No. 990362-TI

CUSTOMER ESCALATION FORM

Exhibit REP-8
Docket No. 990362-TI

FCC FINE FOR FORGERIES

FCC 00-71: Text | Word



NEWS

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET S.W.
WASHINGTON, D.C. 20554

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<ftp://ftp.fcc.gov>

This is an unofficial announcement of Commission Action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 516 F 2d 385 (D.C. Circ 1974)

FOR IMMEDIATE RELEASE
March 2, 2000

NEWS MEDIA CONTACTS:
Rosemary Kimball (202) 418-0500.
John Winston (202) 418-7450

FCC Imposes \$1 Million Forfeiture Against BCI For Slamming Consumers Through The Use Of Forged Authorization Forms

Washington, D.C. – Today the Federal Communications Commission (FCC) released an order imposing a \$1 million forfeiture on Brittan Communications International, Inc. (BCI), for violation of the FCC's rules against slamming. Slamming is the illegal practice of switching consumers' preferred telephone carrier without their consent. This forfeiture follows a \$2 million forfeiture imposed on Long Distance Direct, Inc. on February 17, 2000 for slamming and cramming violations, and a \$1.36 million imposed on Amer-I-Net Services Corporation on February 9, 2000 for slamming violations.

In issuing its Notice of Apparent Liability for forfeiture (NAL), the FCC found that BCI violated the Communications Act and FCC rules by switching the long distance service of 16 customers without their consent. Twelve of the violations involve BCI's use of forged authorization forms, or "letters of agency" (LOAs), to effectuate the unauthorized changes.

The FCC received 254 written consumer complaints alleging slamming by BCI during a seven-month period. Several complainants stated that the LOAs used by BCI contained forged signatures, incorrect zip codes and wrong addresses, some of which were allegedly obtained during a automobile promotion. Other complainants asserted that BCI had switched their long-distance service based on a LOA signed with the name of a complete stranger.

BCI contested two forged LOAs through the use of a handwriting expert, but did not deny that it had substituted itself for the long-distance carriers preferred by the remaining 14 consumers. In addition, BCI claimed that the forfeitures were excessive in light of past Commission precedent. BCI also contended that it should not be liable because of its alleged voluntary efforts to avoid slamming consumers.

In its forfeiture order, the FCC elected not to impose any forfeiture with respect to one of the two contested forgery complaints, and elected to reduce the other by half. However, the FCC

rejected the remaining defenses, finding that none of the slammed consumers had agreed to be switched to BCI's service. The FCC further noted that it has previously found forgery to be particularly egregious and will continue to impose a higher forfeiture amount for slamming violations involving forgery. Moreover, the FCC was not persuaded that BCI's alleged remedial measures warranted reduction of the forfeiture amount. The FCC ultimately found BCI liable for \$1 million.

BCI is a privately held company headquartered in Houston, Texas. The consumers slammed by BCI that are the subject of this forfeiture action reside in Wyoming, New Jersey, Texas, Colorado, Florida, Pennsylvania, and Arizona.

Action by the Commission March 2, 2000, by Order of Forfeiture (FCC 00-71). Chairman Kennard, Commissioners Ness, Furchtgott-Roth, Powell, and Tristani.

File No. ENF-98-10.

-- FCC --

Enforcement Bureau Contact: John Winston at (202) 418-7450
Cynthia Bryant at (202) 418-8164

Exhibit REP-9
Docket No. 990362-TI

COMMONS' DEPOSITION

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Initiation of Show Cause) Docket 990362-TI
Proceeding Against GTE)
Communications Corporation)
for Apparent Violation of) Filed November 3, 2000
Rule 25-4.118, F.A.C., Local,)
Local Toll, or Toll Provider)
Selection.)
)

CONFIDENTIAL

COPY

Deposition of LARRY COMMONS, taken on behalf of the Citizens of the State of Florida, pursuant to the stipulations agreed to herein, before Sharon J. Ruschell, RMR, CRR, CCR. No. B-1179, at the law offices of Alston & Bird, 1201 West Peachtree Street, Atlanta, Georgia, on the 14th day of November, 2000, commencing at the hour of 11:00 a.m.

THE MAROTTE GROUP
CERTIFIED COURT REPORTERS
4400 Skyland Drive
Atlanta, Georgia 30342
(404) 851-9679

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DEC 8 1 2000

Office of
Public Counsel

1 APPEARANCES OF COUNSEL:

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3 On behalf of the Citizens of the State of Florida:

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CHARLES J. BECK
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On behalf of Verizon Select Services, Inc.:

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(There were no exhibits marked in this deposition.)

1 P R O C E E D I N G S

2 - - -

3 LARRY COMMONS,

4 having been first duly sworn, was examined and testified
5 as follows:

6 EXAMINATION

7 BY MR. BECK:

8 Q. Good morning, Mr. Commons.

9 A. Hi.

10 Q. My name is Charlie Beck. I'm with the Office
11 of Public Counsel. Before when we were off the record
12 counsel agreed that we would reserve our objections for
13 all matters other than those which cannot be cured at a
14 later time. The witness does wish to read and sign. Is
15 that it for stipulations?

16 Mr. Commons, could you state your full name,
17 please.

18 A. Larry Jan Commons, J-A-N.

19 Q. By whom are you employed?

20 A. Verizon Select Services, Inc.

21 Q. And was that previously known as GTE
22 Communications Corporation?

23 A. Yes.

24 Q. How long have you worked for them, for Verizon
25 or GTE?

1 A. Ten years.

2 Q. What is your current position?

3 A. Manager, customer relations.

4 Q. Could you describe what that job entails?

5 A. I manage a staff of eight employees who
6 investigate and resolve customer-escalated complaints
7 for Verizon Select Services, Inc.

8 Q. What services are offered by Verizon Select
9 Services, Inc.?

10 A. Long distance service, CLEC bundled service.

11 Q. Is that it?

12 A. Yes.

13 Q. How long have you had that job?

14 A. Six months.

15 Q. What position did you hold before that?

16 A. Manager, customer relations; same title, a
17 staff of two, working exclusively or primarily on long
18 distance issues.

19 Q. How long did you hold that position?

20 A. Two years.

21 Q. Beginning on what date?

22 A. March 1998.

23 Q. Through about March of 2000?

24 A. April-May 2000.

25 Q. Is your current position a promotion over your

1 prior one?

2 A. Yes.

3 Q. And before that what position did you hold?

4 A. Administrator, customer relations.

5 Q. Is that with GTE Communications?

6 A. Yes.

7 Q. Could you describe that job?

8 A. Investigating and resolving customer
9 complaints.

10 Q. How long did you hold that?

11 A. Just over one year, March '97 'til 1998.

12 Q. Was that working exclusively in the area of
13 long distance?

14 A. Yes.

15 Q. I have to go back one more before that. What
16 job did you hold before that?

17 A. Video producer, GTE Directories Corporation.

18 Q. Do you have a college education?

19 A. Yes.

20 Q. What degrees do you hold and in what areas?

21 A. B.A. in communications; major,
22 radio/television production.

23 Q. When did you graduate?

24 A. 1987.

25 Q. When was GTE Long Distance formed?

1 A. 1996.

2 Q. How long had the company been in existence
3 before you joined the long distance division in March of
4 '97?

5 A. Just over one year.

6 Q. What led to your move to the long distance
7 area?

8 A. Promotional opportunity.

9 Q. Let me focus just briefly on your job as an
10 administrator in customer relations that began in March
11 '97. What types of things did you investigate?

12 A. Customer complaints as they related to their
13 long distance service from GTE.

14 Q. Could you describe two or three of the main
15 types of complaints you investigate?

16 A. Calling card complaints, such as a customer
17 had ordered a calling card but had not received it yet
18 or a customer had a GTE Long Distance calling card that
19 stopped working without the customer's authorization to
20 have it canceled, misinformation or confusion about
21 calling plans and rates.

22 Q. What would you do as an investigator?

23 A. I was the liaison with a vendor on the local
24 GTE side. The vendor actually does the
25 behind-the-scenes systems investigation to determine the

1 cause of the complaint and to make the customer
2 satisfied.

3 Q. What was the name of the vendor?

4 A. GTE Network Services at that time, Post-Sale
5 Fulfillment.

6 Q. Is that a GTE company?

7 A. Yes.

8 Q. So it's affiliated with the company you were
9 working for?

10 A. The corporation I work for on the ILEC side.

11 Q. Why do you call him a vendor?

12 A. We, or GTE Long Distance pays that group to
13 investigate and do the research using systems that we
14 don't have access to. So for all intents and purposes,
15 they are a vendor.

16 Q. In that position as administrator in customer
17 relations did you ever have occasion to investigate
18 complaints of slamming?

19 A. Yes.

20 Q. Could you describe generally what you did on
21 those cases?

22 A. We, after receiving a complaint, "we" meaning
23 our department, would forward the complaint to the
24 vendor, Post-Sale Fulfillment. Post-Sale Fulfillment
25 would investigate, start to finish, the complaint, the

1 slamming complaint, and report back to us their
2 findings.

3 Q. What would you do with their findings?

4 A. If the customer had written a letter to an
5 executive, I would prepare a response back to the
6 customer in the form of a letter, a response letter.

7 Q. It's not real clear to me about your
8 relationship with Network Services. This group is
9 associated with the local telephone company?

10 A. Yes.

11 Q. And they would investigate complaints of long
12 distance slamming on your behalf?

13 A. Yes.

14 Q. Why would you not investigate them yourselves?

15 A. We do not legally have access to billing
16 systems, service order systems, any of the necessary
17 systems to do the investigation ourselves.

18 Q. So you would simply follow the investigation
19 done by Network Services and then deal with your own
20 company with the results of that?

21 A. Yes.

22 Q. Would you report it to higher management, or
23 what would you do?

24 A. My predecessor at that time, who was the
25 manager, attended a weekly executive summary meeting

1 where he reported week by week all customer-escalated
2 complaints.

3 Q. What's his name?

4 A. Ray Strait, S-T-R-A-I-T.

5 Q. He was your immediate supervisor?

6 A. Yes.

7 Q. In GTE Long Distance Company.

8 A. Yes, until he retired.

9 Q. And when was that?

10 A. July 1998.

11 Q. Was it his job that you took in March of '98?

12 A. I didn't take his job, but I assumed some of
13 his responsibilities, which included the weekly
14 executive report.

15 Q. So in March 1998 you started attending those
16 meetings that he had attended previously?

17 A. July 1998.

18 Q. Okay. I thought you took that job in March of
19 1998.

20 A. I was promoted to manager. His title was
21 group manager. When he retired, it was ultimately
22 filled later by another person, who is my current
23 supervisor.

24 Q. So you started attending these meetings in
25 July of 1998.

1 A. Yes.

2 Q. Between March of 1998 and July of 1998 you
3 were still -- were you still investigating complaints of
4 slamming among your duties?

5 A. Yes.

6 Q. When did you first become aware of any
7 problems with slamming with a company called Snyder
8 Communications?

9 A. Spring 1998.

10 Q. Can you tell us what brought about your
11 knowledge of that area?

12 A. We received complaints from customers in our
13 office, including slamming complaints, generally in the
14 form of letters or complaints that have been filed with
15 the Public Service Commission, and it was our
16 responsibility to use our vendor, Post-Sale Fulfillment,
17 to investigate those complaints.

18 Q. Were you ever the liaison with the Public
19 Service Commission concerning slamming complaints?

20 A. No.

21 Q. Who would do that?

22 A. Karen Turner.

23 Q. What was her position in relation to yours?

24 A. We were peers.

25 Q. How did your responsibilities differ from

1 hers?

2 A. Her responsibilities were for regulatory
3 issues, PUC, FCC, attorney general complaints. My
4 responsibilities were exclusively for executive and
5 other customer-escalated complaints, all nonregulatory.

6 Q. Do you recall when the first complaint was
7 that concerned Snyder that you dealt with?

8 A. Spring 1998.

9 Q. Can you be any more specific?

10 A. February 1998.

11 Q. What was the occasion of it being brought to
12 your attention in February 1998?

13 A. I don't recall the specific complaint.

14 Q. What you do recall was a slamming complaint
15 related to Snyder?

16 A. I'm not exactly sure it was slamming.

17 Q. What do you recall about it?

18 A. That it involved a then new sales channel
19 known as Snyder.

20 Q. What was the complaint?

21 A. I don't recall.

22 Q. After February 1998 did you begin to get more
23 complaints related to Snyder?

24 A. Yes.

25 Q. Could you describe the occurrences that

1 happened from then on just generally, if you started
2 getting more and what happened and what you did.

3 A. We investigated all Snyder complaints along
4 with all other complaints, business as usual, and
5 reported those findings at weekly meetings as we had
6 done pre-Snyder.

7 Q. Who would attend these weekly meetings?

8 A. Ray Strait, other directors, and the assistant
9 vice president for GTE Long Distance.

10 Q. What was his name?

11 A. John Havens, H-A-V-E-N-S.

12 Q. Do you recall how long John Havens was in that
13 position?

14 A. He's still in that position.

15 Q. During these meetings would you discuss the
16 number of complaints and the type of complaints you were
17 receiving related to Snyder?

18 A. Yes.

19 Q. Could you describe what was discussed about
20 it?

21 A. Ray Strait, before I attended and before he
22 retired, and then later myself, would present a weekly
23 composite report of all customer-escalated complaints,
24 regulatory and nonregulatory, slamming and nonslamming
25 complaints, and that was the format.

1 Q. Was it ever brought to your attention that
2 employees of Snyder may have been forging customer
3 signatures on letters of authorization?

4 A. Yes.

5 Q. When did you first become aware of that?

6 A. I believe it was March or April 1998.

7 Q. What did you do about it when you found that
8 out?

9 A. When you say "you," do you mean me
10 specifically or our department?

11 Q. Both. Let's start with you specifically.

12 A. I specifically did not take action. I
13 assisted Ray, because he was still attending the meeting
14 at that time -- I was not -- with compiling the weekly
15 report that showed slamming complaints along with all
16 other complaints as before.

17 Q. What was Ray's reaction when you were -- I
18 assume that you told him that some of these complaints
19 dealt with forgeries of signatures.

20 A. Yes.

21 Q. What was his reaction to that when you told
22 him?

23 A. He was not pleased.

24 Q. Did you ever have occasion to discuss with him
25 what type of action you should take about that, "you"

1 meaning the company?

2 A. Not that I recall.

3 Q. Other than being not pleased, do you recall
4 any action that Ray Strait recommended taking?

5 A. I don't recall because I was not involved in
6 any meetings that he attended until he retired.

7 Q. Was his retirement related to the problems
8 with Snyder Communications?

9 A. No.

10 Q. You started attending these weekly meetings in
11 July of 1998?

12 A. Yes.

13 Q. Was the problem with Snyder discussed when you
14 started attending those meetings?

15 A. Yes.

16 Q. Was it ever discussed what action they should
17 take with regard to Snyder?

18 A. Not specifically.

19 Q. Why do you say not specifically? I don't
20 understand. What did you discuss about Snyder if not
21 what actions should be taken?

22 A. Our department and me specifically, we were
23 not in a recommending function. We simply reported the
24 weekly numbers of complaints, and other people at the
25 meeting who had direct responsibility for the vendor,

1 Snyder, were the ones dealing directly with Snyder. We
2 were not.

3 Q. Who were those persons?

4 A. Ted Gilmore, Keith McGee, M-C-G-E-E.

5 Q. Anyone else?

6 A. They had staffs, but I don't recall all of
7 their names.

8 Q. They were in charge of managing the
9 relationship with Snyder?

10 A. Yes.

11 Q. What relationship did you have with those two
12 persons?

13 A. Very minimal.

14 Q. Do you know whether those two persons still
15 are employed by GTE?

16 A. They are not.

17 Q. Do you know where they are now?

18 A. No.

19 Q. Does John Havens work in the Dallas area still
20 for GTE?

21 A. Yes.

22 Q. And he's still assistant vice president of GTE
23 Long Distance?

24 A. His current title, I believe, is vice
25 president, Verizon Long Distance.

1 Q. What services did Snyder do for GTE?

2 A. Ethnic marketing and sales for GTE Long
3 Distance.

4 Q. Could you describe in a little more detail
5 what that means?

6 A. It was my understanding that Snyder marketed
7 specifically to ethnic customers to sell long distance
8 on GTE's behalf in the form of face-to-face sales and
9 telephone sales.

10 Q. Does Snyder still work in any way for GTE that
11 you're aware of?

12 A. Yes.

13 Q. What do they do now?

14 A. I believe customer service, call center type
15 functions.

16 Q. Does that include telemarketing?

17 A. Not to my knowledge.

18 Q. You're aware at some point toward the end of
19 November of 1998 their foot sales were terminated by
20 GTE; is that correct?

21 A. Yes.

22 Q. Did Snyder continue to perform other marketing
23 type functions for GTE after that point?

24 MR. WOFFORD: Are you talking about in
25 Florida or anywhere?

1 BY MR. BECK:

2 Q. Anywhere, anywhere in the nation.

3 A. I don't know.

4 Q. You do know -- correct me if I'm wrong -- that
5 they did both foot sales and telemarketing during 1998.

6 A. Yes.

7 Q. And you're aware of the foot sales being
8 terminated in November of '98.

9 A. Yes.

10 Q. Do you know when or if the telemarketing
11 functions were terminated?

12 A. No.

13 Q. Could you describe how Snyder went about their
14 foot sales, what sorts of things they did for GTE?

15 A. I believe they marketed to ethnic customers in
16 ways such as fairs, setting up booths and displays in
17 supermarkets, ethnic-type events, special events,
18 marketing.

19 Q. And they did this in Florida as well as other
20 states?

21 A. Yes.

22 Q. Would they try to get people to sign letters
23 of authorization authorizing GTE Long Distance as their
24 long distance company?

25 A. Yes.

1 Q. Do you know what they were supposed to wear at
2 these functions? For example, at fairs did they wear
3 T-shirts that said GTE on them?

4 A. I don't know.

5 MR. WOFFORD: Are you asking what they're
6 supposed to wear or what they actually wore?

7 MR. BECK: Either.

8 BY MR. BECK:

9 Q. Do you know what they were supposed to wear?

10 A. I do not.

11 Q. Do you know whether they ever wore ball caps
12 that said GTE on them?

13 A. I don't know.

14 Q. Do you know whether they were representing
15 themselves as representatives of GTE?

16 MR. WOFFORD: Objection. I think that
17 calls for speculation.

18 THE WITNESS: I don't know.

19 BY MR. BECK:

20 Q. Was there any discussions that you ever
21 attended where GTE people were concerned about the fact
22 that people may be getting or people may be thinking
23 that the Snyder employees are GTE employees?

24 A. No.

25 Q. Were you ever in a meeting where it was

1 discussed that the Snyder people were making GTE look
2 bad?

3 A. Not a meeting.

4 Q. If not at a meeting, where else?

5 A. I read letters from customers where customers
6 said that.

7 Q. Do you know whether GTE Long Distance ever had
8 an audit conducted of Snyder?

9 A. I heard mention of an audit. I don't know the
10 specifics or the time frame.

11 Q. Were you ever involved in any meetings where
12 the results of an audit of Snyder were discussed?

13 A. No.

14 Q. Were there any states that you're aware of
15 where you were not having problems with Snyder in
16 connection with forgeries of customer signatures?

17 A. Yes.

18 Q. Where was that?

19 A. California.

20 Q. Do you know why there were no problems in
21 California?

22 A. It was my understanding that California law
23 required all sales to be verified via tape recording in
24 addition to LOA, which was a quality measure that
25 ensured that there was not a slamming problem.

1 Q. Do you know whether Snyder employees use cell
2 phones to do that sort of third-party verification in
3 California?

4 A. I heard that they did.

5 Q. Could you describe what that process entailed?

6 A. I don't know the specific process for using
7 those phones.

8 Q. Was it ever discussed that you're aware of at
9 GTE whether that type of system should be employed in
10 other states to reduce forgeries by Snyder?

11 A. I believe it was.

12 Q. Why do you say you believe it was?

13 A. I know that based on California having almost
14 no customer complaints in regards to Snyder that
15 employees of GTE wanted other states to emulate what was
16 going on there as a means of quality control.

17 Q. What happened with that idea?

18 A. I don't know. I don't know if that idea
19 reached an executive level.

20 Q. Was it ever discussed at the weekly meetings
21 that you attended?

22 A. Not that I recall.

23 Q. Did you ever have occasion to discuss that
24 with anyone at GTE?

25 A. With our Post-Sale Fulfillment group, I did.

1 Q. Could you describe what brought about that
2 conversation?

3 A. I work hand-in-hand with Post-Sale Fulfillment
4 on a daily basis to resolve all customer complaints. I
5 worked closely with the manager of that department daily
6 on all issues, including Snyder, including slamming, and
7 we strive to ensure every customer is satisfied. We
8 don't like to get complaints. The fewer complaints we
9 see, the better as far as we're concerned.

10 Q. So you discussed this with the person at
11 Post-Sale Fulfillment?

12 A. Yes.

13 Q. They weren't in any position to take any
14 action though, were they, about that, or were they?

15 A. Not to take action; to have discussions with
16 Snyder.

17 Q. Was the idea that they might discuss with
18 Snyder having them, Snyder, implement the third-party
19 verification with cell phones?

20 A. Yes.

21 Q. Did anything ever come from that?

22 A. Not to my knowledge.

23 Q. Did you ever discuss this with any of your
24 superiors?

25 A. No.

1 Q. And it was never discussed at any of the
2 weekly meetings that you attended?

3 A. Not that I recall.

4 Q. We mentioned briefly earlier about the
5 termination of Snyder's foot sales. That was done in
6 Florida toward the end of November of 1998, was it not?

7 A. As I recall, yes.

8 Q. Were you involved in any of the discussions
9 that led up to that?

10 A. No.

11 Q. Mr. Commons, let me start asking you a few
12 questions about some documents if I could. What I'm
13 going to do is refer to documents by Bate number pages.
14 These are Bate stamps that were put on these documents
15 when they were produced for us in response to requests
16 for production of documents.

17 Let me start by showing you a document that's
18 Bates stamped 16307. Let me hand this to you and your
19 counsel and ask if you've ever seen that document
20 before.

21 A. Yes.

22 Q. Could you describe what that document is?

23 A. This is a document I helped prepare for the
24 weekly executive meetings showing Snyder complaints week
25 by week.

1 Q. Were you the first person who started this
2 form or was this form in existence before you started?

3 A. I was asked to create this.

4 Q. Can you recall the time frame?

5 A. Spring 1998.

6 Q. Was the first report of this type presented on
7 May 2nd, 1998?

8 A. I don't recall, meaning --

9 Q. If you'll look at the top row, it has some
10 dates.

11 A. Right.

12 Q. And the first date as I see it is May 2nd of
13 1998.

14 A. Yes.

15 Q. Do you recall whether you were providing those
16 numbers that were used on that report?

17 A. I was.

18 Q. And this was a report that was used at the
19 weekly meetings that you discussed earlier?

20 A. Yes.

21 Q. You started attending those weekly meetings in
22 about -- or when did you start attending the weekly
23 meetings?

24 A. Here, July 1998.

25 Q. But you were preparing this report prior to

1 your actual attendance at the meetings, back into
2 May 2nd of 1998; is that right?

3 A. Yes.

4 Q. And would your boss then take this report to
5 meetings, to your knowledge?

6 A. To my knowledge, yes.

7 Q. That would be Ray Strait?

8 A. Yes.

9 Q. Did you design the columns or the types of
10 columns that were on the report?

11 A. Together with my director.

12 Q. Which is whom?

13 A. Joe Caliro, C-A-L-I-R-O.

14 Q. What's his job?

15 A. Director, customer relations.

16 Q. I'm trying to picture where he fits in
17 vis-a-vis you and Mr. Strait.

18 A. He was Mr. Strait's boss.

19 Q. The first row under type is unauthorized
20 change; is that right?

21 A. Yes.

22 Q. And then there's a number of subheadings under
23 that; is that right?

24 A. Yes.

25 Q. Okay. Is the idea that each of those

1 subheadings would add up to the total of the
2 unauthorized changes?

3 A. Yes.

4 Q. And under unauthorized change you have
5 subheadings for fraudulent LOA, LOA exists, customer
6 misinformation, Snyder rep error, other; is that right?
7 And then there's more rows after that.

8 A. Customer misunderstood.

9 Q. Whose decision was it to make a row that said
10 fraudulent LOA?

11 A. I don't recall specifically which individual.

12 Q. But that decision would have been made in
13 conjunction with yourself and your director; is that
14 right?

15 A. Yes.

16 Q. What did you mean by fraudulent LOA?

17 A. Meaning after the investigation by Post-Sale
18 Fulfillment, at the closure of the complaint the
19 customer maintained that the LOA was indeed fraudulent.

20 Q. And would that be the conclusion of GTE as
21 well at that point?

22 A. Yes.

23 Q. On May 2nd it lists ten fraudulent LOA's.
24 Just for the record, LOA stands for letter of
25 authorization, does it not?

1 A. Yes.

2 Q. And that's the form the customer would sign
3 that would authorize the change of his long distance
4 company to GTE Long Distance; is that right?

5 A. Yes.

6 Q. Does number 10 reflect the nationwide number
7 for GTE Long Distance?

8 A. Yes.

9 Q. Did you provide the inputs for that report on
10 fraudulent LOA's?

11 A. Do you mean the number?

12 Q. Right. Who would compile those numbers?

13 A. I would.

14 Q. So, for example, did you compile the number
15 that showed ten fraudulent LOA's for the week of
16 May 2nd, 1998?

17 A. Yes.

18 Q. And likewise the number of 29 fraudulent
19 LOA's for the week of May 9th; is that right?

20 A. Yes.

21 Q. Did you ever have any discussions with
22 Mr. Strait or your director about having that many
23 fraudulent LOA's?

24 A. Yes.

25 Q. Could you describe those discussions?

1 A. I don't recall the specific discussions. We
2 agreed that these numbers were higher than we had seen
3 before.

4 Q. Did any of you discuss what should be done
5 about that?

6 A. Not specifically. We relied on the direct
7 owners, so to speak, of the vendor to take care of the
8 problem.

9 Q. That would be Ted Gilmore and Keith McGee?

10 A. Yes.

11 Q. Were they given this information as well?

12 A. Yes.

13 Q. How were they given this information?

14 A. They attended the weekly meetings where this
15 chart was presented.

16 Q. Was John Havens the senior person who attended
17 these weekly meetings where this chart was presented?

18 A. No.

19 Q. Who was the senior person?

20 A. Chris Owens.

21 Q. Who is Mr. Owens?

22 A. Former president, GTE Communications; and his
23 successor attended the weekly meetings after he left
24 that position, Pam Jacobson.

25 Q. Could you give me the time frames when

1 Mr. Owens and then Ms. Jacobson attended those meetings?

2 A. I don't recall specifically when the change in
3 jobs took place.

4 Q. When you started attending the meetings in
5 July of 1998, which of those two persons was attending?

6 A. I believe Pam was; if not immediately, shortly
7 after I started going to the meetings. I don't recall
8 the exact time frame when they changed jobs.

9 Q. How long did these weekly meetings go on? Do
10 these weekly meetings still take place?

11 A. The last of these meetings was held two weeks
12 ago, and it's my understanding that the format is being
13 revised to reflect the recent merger between GTE and
14 Bell Atlantic.

15 Q. Are you still attending these meetings?

16 A. I was until the last one.

17 Q. So you've attended these meetings continuously
18 from July of '98 until two weeks ago?

19 A. Yes.

20 Q. And the norm was that the president of GTE
21 Communications attended these meetings, whoever that
22 person might be?

23 A. Usually for at least part of the meeting. He
24 or she did not conduct the meeting.

25 Q. Who would conduct the meeting?

1 A. John Havens.

2 Q. The then-assistant vice president of GTE Long
3 Distance.

4 A. Yes.

5 Q. To your recollection, did the president of GTE
6 Communications ever ask questions at these meetings
7 concerning the fraudulent LOA's listed on the report?

8 A. Yes.

9 Q. Could you describe what types of questions
10 were asked?

11 A. As I recall, she would ask Mr. Gilmore and
12 Mr. McGee what sorts of quality control measures were
13 going to be put into place to ensure the number of
14 complaints reduced.

15 Q. Do you ever recall talk at these meetings
16 about terminating GTE's relationship with Snyder?

17 A. No.

18 Q. And I guess Mr. Gilmore and Mr. McGee would
19 talk about quality improvements measures they would take
20 to try to reduce the number of fraudulent LOA's; is that
21 right?

22 A. In a general sense, yes.

23 Q. You don't recall the termination of foot sales
24 ever being discussed at these meetings?

25 MR. WOFFORD: Are you talking about

1 termination of foot sales in Florida?

2 BY MR. BECK:

3 Q. Florida in this instance.

4 A. After it had been done, yes.

5 Q. What was the nature of those conversations?

6 A. Snyder is no longer making foot sales in the
7 state of Florida.

8 Q. Just to clear this up, all foot sales have
9 been terminated by Snyder nationwide for GTE; is that
10 right?

11 A. Today?

12 Q. Yes.

13 A. That's my understanding.

14 Q. Can you give us a time frame for when their
15 activities of foot sales on behalf of GTE Long Distance
16 were terminated? What was the sequence?

17 A. By sequence you mean --

18 Q. They were terminated in Florida at one point
19 but other states at other points?

20 A. I believe so, but I don't know the time frame
21 for the other states.

22 Q. Was Florida the first state, if you know?

23 A. As I recall, Florida was not the first state.

24 Q. To your recollection, what was the first
25 state?

1 A. I believe New York was the first state.

2 Q. Do you recall how much sooner or how much
3 earlier that was than Florida?

4 A. No.

5 Q. Do you know whether Florida was next after New
6 York?

7 A. I don't know.

8 Q. When you started attending these meetings in
9 July of 1998 were you ever questioned about the
10 fraudulent LOA's?

11 A. Questioned meaning what did this mean or what
12 did the customer say?

13 Q. Anything about them.

14 A. Generally, no. I think everyone in the
15 meeting understood what this meant, fraudulent LOA, and
16 there was generally no further discussion in those
17 meetings about it.

18 Q. And by what everybody generally understood,
19 does that mean forgery of a customer's signature?

20 A. I believe so.

21 Q. Do you see some handwritten notes on this
22 document?

23 A. Yes.

24 Q. Did you write those notes?

25 A. Yes, I did.

1 Q. Could you describe what the notes mean?

2 A. As I recall, and I'm relying on memory, these
3 are notes that I took onto this chart at the meeting
4 itself to note some sort of quality improvement action
5 on the part of Snyder to improve quality or reduce the
6 number of complaints.

7 Q. Do you recall when this chart would have
8 been -- which meeting this chart related to?

9 A. This specific chart related to complaints
10 through the week of October 19th, 1998, and would have
11 been presented at the weekly meeting following that
12 week.

13 Q. So those notes would have been made toward the
14 end of October of '98.

15 A. Yes.

16 Q. I'm going to show you a document Bates stamped
17 16271 entitled customer escalation specifics.
18 Mr. Commons, do you recognize this document?

19 A. Yes.

20 Q. What's the purpose of this document?

21 A. This was an earlier version of a document
22 showing complaints week by week. And looking back on
23 this now, I realize that the previous document was, even
24 though it dates back to I believe May '98, was not
25 created in May of '98. We were actually going

1 retroactive with the numbers on that.

2 Q. Let's go back to the previous document, which
3 is the document --

4 A. I apologize for the confusion.

5 Q. Let's get it straight. The document Bates
6 stamped 16307 that we were discussing earlier, when do
7 you recall that document being created?

8 A. Fall 1998.

9 Q. This document didn't exist when you started
10 attending the meetings in July of '98?

11 A. This document did. That one did not.

12 Q. By this document, you mean 16271 existed but
13 16307 did not?

14 A. Correct.

15 Q. Okay. Let's discuss this, which is Bates
16 stamped 16271. You have a specific section on here for
17 Snyder originating orders; is that right?

18 A. Yes.

19 Q. Snyder wasn't the only group or company that
20 was marketing for GTE Long Distance, is it?

21 A. No, they were not.

22 Q. Do you recall about how many other companies
23 were marketing for GTE?

24 A. I don't know.

25 Q. Is Snyder the only one of your marketing

1 companies that has a special spot on this report?

2 A. Yes.

3 Q. Why is that?

4 A. The volume of complaints.

5 Q. And you'll notice one of the rows for Snyder
6 originating orders is unauthorized change?

7 A. Yes.

8 Q. What would be included in that?

9 A. Customers claiming they did not order GTE Long
10 Distance but received it.

11 Q. Let me go back to the earlier document, which
12 is 16307. Why did you retroactively fill in the blanks,
13 as it were, on this form?

14 A. At the direction of my director, it was felt
15 that to make the information easier to read, easier to
16 understand, taking this piece here --

17 Q. This piece here referring to 16271?

18 A. This box.

19 Q. The right-hand box on that page?

20 A. Yes.

21 Q. Okay.

22 A. Creating a big picture page for it, the
23 information would be easier to track and monitor.

24 Q. Do you recall with more specificity when the
25 first document we discussed, which is 16307, when that

1 was created?

2 A. I believe around September 1998. I apologize
3 again for the confusion.

4 Q. It's been a while.

5 A. It has.

6 Q. This more recent document, the one that's
7 16271, this says it was last updated August 25, 1998; is
8 that correct?

9 A. Yes.

10 Q. Under the findings for the week ending
11 August 15th, there's a number of what look like
12 footnotes, but correct me if it's some other thing,
13 which say fraudulent LOA. Can you tell me how those
14 relate to the chart?

15 A. For the week ending August 15th, 11 complaints
16 were received by our office from customers claiming that
17 they were slammed. The subsequent investigation of
18 those 11 complaints showed a breakdown of four
19 fraudulent LOA's, three LOA's existing but the customer
20 having not reviewed it, two still under investigation,
21 one an issue of a customer's wife, and a final one with
22 another LOA existing containing information for another
23 customer.

24 Q. Do you recall when you started using this
25 form? Did it exist when you started attending meetings

1 in July of '98?

2 MR. WOFFORD: Objection, compound.

3 You've got a couple of questions in there.

4 BY MR. BECK:

5 Q. Do you recall when you started using this
6 form?

7 A. I believe that this form or something similar
8 to it was in place before I attended the meetings.

9 Q. Were you providing the numbers that would be
10 used in the preparation of this form even before you
11 started attending the meetings?

12 A. As I recall, yes.

13 Q. To the extent you recall, do you recall when
14 you started having a separate section on these reports
15 just dedicated to Snyder originating orders?

16 A. I don't recall.

17 Q. I'm going to hand you a document. It's Bates
18 stamped number 16284, and it's customer escalation
19 specifics. This page has information for the weeks
20 ending May 9th and May 16th, 1998, does it not?

21 A. Yes.

22 Q. But it shows at the bottom that this was
23 printed on September 24th, 1998; is that right?

24 A. Yes.

25 Q. Why is there that time difference between the

1 time the form was printed and the weeks that are being
2 reviewed in the report?

3 A. I don't know.

4 Q. Would this report have been in existence then
5 in May of 1998?

6 A. It appears so.

7 Q. The numbers that are on this report and even
8 the previous ones, do these involve all complaints about
9 Snyder received by GTE Long Distance or is it only the
10 nonregulatory ones?

11 A. All complaints received by our department.

12 Q. So whether it was received in regulatory or by
13 directly to the company, it would be included in this
14 report; is that right?

15 A. Yes.

16 Q. And it would be for the entire nation, not
17 just Florida.

18 A. Correct.

19 Q. And do you see where there's under
20 unauthorized -- there's unauthorized changes under
21 Snyder, 49 listed for the week of May 9th and 47 for the
22 week of May 16th; is that right?

23 A. Yes.

24 Q. Do you recall anybody having any reaction to
25 the numbers of that magnitude?

1 A. I don't recall. If this report were presented
2 during the weeks reflected here, I was not part of the
3 meeting at that point.

4 MR. WOFFORD: Charlie, are you done with
5 that document?

6 MR. BECK: Yes.

7 MR. WOFFORD: Let's take a break.

8 (Brief recess.)

9 BY MR. BECK:

10 Q. Mr. Commons, I was asking you about a number
11 of documents that come under a cover document, what
12 appears to be -- it says customer escalations with a
13 letter C in front of it. See, I'm showing you Bates
14 page number 16267.

15 A. Yes.

16 Q. I'm about to start going over some that have a
17 cover of B, customer relations reports. I'm referring
18 to Bates stamped page 15729. Do you see that?

19 A. Yes.

20 Q. Do these categories of documents come from
21 some larger report that has various sections, A, B, C
22 and so forth?

23 A. I don't know. I'm not familiar specifically
24 with those letters.

25 Q. And you're not familiar with some kind of

1 major category where there would be other letters and
2 other sections or someplace where these are maintained?

3 A. No.

4 Q. Are you familiar with a type of document
5 called customer relations reports in general? Let me
6 let you just get an overview. Look through Bates
7 stamped pages 15740 through 16266, if you would, just to
8 get a familiarity with the types of documents that are
9 here.

10 A. Yes, I am.

11 Q. Could you describe what these reports are and
12 what they reflect?

13 A. These weekly reports reflect category by
14 category the customer complaints week by week, including
15 customer name, phone number, and nature of the
16 complaint.

17 Q. Who prepared these reports?

18 A. Post-Sale Fulfillment.

19 Q. What was your involvement, if any, in the
20 preparation of these reports?

21 A. I used the information on this report together
22 with a reporting department in my building to generate
23 weekly Excel charts.

24 Q. Would that include the documents we were
25 looking at earlier in the deposition?

1 A. Yes.

2 Q. This is like a source document in a sense for
3 the reports we've been discussing earlier?

4 A. Yes.

5 Q. When did you have any responsibility for -- I
6 understand you had responsibility for reviewing these
7 reports then at least and making -- did you have
8 responsibility other than preparing the charts we talked
9 about earlier with respect to these customer relations
10 reports?

11 A. Not specifically, no.

12 Q. To you they were just a source for compiling
13 other reports?

14 A. Yes.

15 Q. Let me show you Bates stamped page 15743,
16 which is one of the customer relations reports, I
17 believe, for the week ending April 25th, 1998. Do you
18 see handwritten notes on the side that say fraud?

19 A. Yes.

20 Q. Do you know who wrote those?

21 A. I did.

22 Q. Could you describe what brought you to write
23 those comments on the side?

24 A. This report includes all complaints as they
25 are received, as they close, and Post-Sale Fulfillment

1 had a five-day turnaround to close nonregulatory
2 complaints and a ten-day turnaround for regulatory
3 complaints. We have a shared database between our group
4 and the Post-Sale Fulfillment group in which they update
5 the information, and each time they close any of these
6 complaints they put into the body of the database a root
7 cause for the complaint. I pulled information from that
8 electronic database to write these words.

9 Q. Is a portion of the root cause shown on this
10 report?

11 A. On two of these complaints, yes.

12 Q. What column would you see the root cause?

13 A. Corrective action and disposition.

14 Q. Do these reports only show in some cases only
15 a portion of the root cause? In other words, it's being
16 restricted by the amount of space there is to print?

17 A. Yes.

18 Q. So when you were looking at those reports, you
19 could pull up the entire root cause description.

20 A. Yes.

21 Q. Do you recall when you made these notes about
22 fraud on this document? Would you do it on a recurring
23 basis or was it one time or what?

24 A. Eventually I did it on a weekly basis to
25 produce the weekly reports we reviewed earlier.

1 Q. Do you recall when that started?

2 A. Either late spring or early summer 1998.

3 Q. When you said eventually, I mean, was there a
4 time before that where you were only doing it on
5 occasions?

6 A. I was not writing words at the beginning of
7 the year because there was no report in which that
8 information was requested.

9 Q. When was the first time you did that, to your
10 recollection? And by that I mean start writing comments
11 such as these where you say fraud.

12 A. As best I can recall, it was around May --
13 April or May, 1998.

14 Q. Other than the reports we discussed earlier,
15 were there any other way you communicated this type of
16 information to others in the company that you were
17 determining fraud was the root cause of these
18 complaints?

19 A. Yes.

20 Q. Would you describe them, please.

21 A. The ethnic marketing channel management group
22 headed by Keith McGee and Ted Gilmore would on occasion
23 ask for this type of information from our department,
24 and we would forward it to them via e-mail.

25 Q. Do you have that e-mail where you forwarded

1 that type of information to them?

2 A. I don't know if it exists in the system any
3 longer.

4 Q. Are you aware of any steps that have been
5 taken to retain e-mail related to this cause or this
6 issue?

7 MR. WOFFORD: Are you asking about
8 retaining e-mail or try to find e-mail?

9 BY MR. BECK:

10 Q. Retaining it.

11 A. Not specifically, no.

12 Q. Do you recall about how many times you may
13 have sent e-mails to the ethnic marketing managers about
14 fraud?

15 A. As best I can recall, between five and ten
16 times.

17 Q. Do you recall the time frame that that was
18 done?

19 A. I believe early summer 1998.

20 Q. Through when?

21 A. Summertime, perhaps into early fall.

22 Q. Of 1998?

23 A. Yes.

24 Q. Why do you think it ended in early fall?

25 A. I believe the information on the expanded

1 reports we looked at earlier, the full-page report gave
2 enough people enough information to where they felt that
3 was enough.

4 Q. Let me show you Bates stamp page 15747. If
5 you can, I'd like to relate to the date that these refer
6 to. Is this for the week ended April 25, 1998?

7 A. No.

8 Q. When is it for?

9 A. These show complaints received May 4th, 5th,
10 6th, and 7th of '98, so that would have been the week
11 ending May --

12 Q. May 9th?

13 A. Probably.

14 Q. And does this show that you had 74
15 unauthorized changes the week of May 9th, 1998?

16 A. Yes.

17 Q. Now, you had access to the database that
18 contained this information; is that right?

19 A. The information on here?

20 Q. Yes.

21 A. Yes.

22 Q. Who else beside you would have had access to
23 that information?

24 A. Post-Sale Fulfillment.

25 Q. Which is in the local company; right?

1 A. Right.

2 Q. Who else at GTE Long Distance would have had
3 access to that information?

4 A. Other members of my department.

5 Q. Could you name them?

6 A. Ray Strait, Karen Turner.

7 Q. And that's an online database?

8 A. It's special software, has to be installed on
9 each individual's computer, and only our department
10 utilized the system.

11 Q. But it was updated continuously more or less?

12 A. Daily.

13 Q. Would any of your higher-ups have access to
14 that database?

15 A. No.

16 Q. Again, just so I understand the format, on
17 the top of each category where it had unauthorized
18 change -- and I'm showing you Bates stamp page 15753 --
19 this column, it states at the top -- is it unauthorized
20 change?

21 A. Yes.

22 Q. CHG for change?

23 A. Yes.

24 Q. And that relates, and there's a number 34.

25 A. Yes.

1 Q. Does that mean for this week there were 34
2 unauthorized changes?

3 A. 34 complaints of unauthorized changes.

4 Q. And to determine whether they were valid
5 complaints or not, what would you do?

6 A. Post-Sale Fulfillment investigated each one of
7 these until a resolution was reached.

8 Q. Do you see written comments on the side of
9 this page, page 15753?

10 A. Yes.

11 Q. Are those your handwriting, too?

12 A. Yes.

13 Q. You'll see some places it just says FR. Do
14 you see that?

15 A. Yes.

16 Q. Is that shorthand for fraud also?

17 A. I believe so.

18 Q. Let me show you page 15764. This page shows
19 15 unauthorized changes for a week in June; is that
20 right, of '98?

21 A. Yes.

22 Q. The 602, does that mean it was closed on
23 June 2nd, or what does that mean?

24 A. 602 is a complaint code used to define the
25 nature. It's basically a subheading within the broad

1 category unauthorized change. I believe 602 is used to
2 mean in the database customer claims he or she did not
3 order GTE Long Distance and is claiming slamming.

4 Q. There's also a code 603. Do you recall what
5 that is?

6 A. As I recall, it means customer claims that he
7 or she was slammed away from GTE Long Distance by
8 another company.

9 Q. One of the notes that appears on occasion is
10 LOA exists. Do you recall that?

11 A. Yes.

12 Q. What does that mean?

13 A. That means based on the information in the
14 database, the customer claimed he or she was slammed.
15 GTE obtained from Snyder a copy of an LOA that was used
16 to change the customer's long distance service to GTE.
17 The customer either hasn't or couldn't review that LOA
18 to verify whether or not that was his or her signature.

19 Q. Would further action then be required as part
20 of the investigation to determine whether it was a
21 forgery or not?

22 A. Post-Sale Fulfillment would try a minimum of
23 three times to reach the customer after obtaining that
24 LOA. If they failed and absolutely couldn't reach the
25 customer or the customer said I don't want to see it,

1 the issue would be closed.

2 Q. Would you close that as fraudulent or not?

3 A. No. We would close it as LOA exists.

4 Q. From that would you determine -- was there any
5 determination one way or the other whether in such an
6 instance there was a forgery?

7 A. There was no determination made on those.

8 Q. Were all those cases where the customer
9 claimed that they did not authorize the change?

10 A. I believe so.

11 Q. And they just never reviewed the LOA that was
12 produced by Snyder.

13 A. Right.

14 Q. I'll hand you page Bates stamp 15789. Do you
15 see there appears to be two different types of
16 handwritten notes on this page, one in a darker felt pen
17 and another regular pen or ink?

18 A. Yes.

19 Q. Do you recall who made which of these marks on
20 this page?

21 A. I believe both of these markings are mine.

22 Q. Why do some appear in a darker pen than the
23 others?

24 A. I don't know. As I recall, the notes may be
25 from two different days simply using a different pen on

1 one day than another.

2 Q. Do you see one that says, "no - heart attack"?

3 A. Yes.

4 Q. Could you describe what that meant?

5 A. That is my handwriting. I do not recall what
6 heart attack means.

7 Q. I'd like to hand you Bates stamp page 15803
8 and ask you to look at the handwritten statements on the
9 top right side of that page.

10 A. Yes.

11 Q. Could you describe what's meant by the
12 handwritten notes on that page?

13 A. I don't know. It isn't my handwriting.

14 Q. Do you recognize the handwriting?

15 A. No.

16 Q. I'll hand you page 15816 and ask you to look
17 at the handwriting on the bottom. Is that your
18 handwriting?

19 A. Yes.

20 Q. Do you see where it says, "I believe husband
21 dead for two years"?

22 A. Yes.

23 Q. Do you recall why you made that note?

24 A. Based on the information in the database after
25 Post-Sale Fulfillment talked to the customer, in this

1 case Mrs. Hunter, the customer maintained the LOA was
2 fraudulent with her late husband's alleged signature on
3 it, which, according to her, he could not have signed
4 because he was deceased.

5 Q. Do you recall mentioning that case to anybody?

6 A. Not specifically, no.

7 Q. The next page, page 15817, has notes about the
8 husband dead for six years. Do you see that?

9 A. Yes.

10 Q. And would the explanation be similar to the
11 one you just gave except in this case the purported
12 signature is that of a person who had been dead for six
13 years?

14 A. Yes.

15 Q. You don't recall mentioning cases like that to
16 any of your co-workers or superiors?

17 A. My co-workers and myself did discuss issues
18 like this. It was not discussed as a rule in the weekly
19 executive meetings.

20 Q. Why?

21 A. Our role was not to manage the vendor, to
22 manage Snyder. We relied on the reports to show the
23 number of alleged fraudulent LOA's. We were not given
24 that meeting as a forum to make commentary such as that.

25 Q. Were you provided any other forums for making

1 commentary on what you were discovering?

2 A. Conference calls with Snyder, yes.

3 Q. Did you ever mention to your superiors at any
4 time that you were finding cases where the purported
5 signature on LOA's were those of people who had been
6 dead for years?

7 A. Yes.

8 Q. To whom did you say that?

9 A. Our director, Joe Caliro, was involved with
10 this issue.

11 Q. And he was up two levels above you in
12 management?

13 A. Yes.

14 Q. I'm sorry. You probably told me earlier. Is
15 he still employed by GTE?

16 A. Yes.

17 Q. And his position now is what?

18 A. Director, customer relations.

19 Q. And you recall or do you specifically recall
20 mentioning instances such as that to him?

21 A. Not specifically, no. It was general
22 department day-to-day discussions about complaints in
23 general, this being part of it.

24 Q. Do you know who Joe Caliro reported to at that
25 time?

1 A. In 1998?

2 Q. Yes.

3 A. I'm not sure. I believe Kevin Snyder, no
4 relation.

5 Q. What was Kevin Snyder's position?

6 A. Vice president.

7 Q. Of what?

8 A. GTE Communications, I believe consumer markets
9 or general markets. Actually, before Kevin was Jody
10 Bilney. Again, I'm not sure of the time frame for those
11 two bosses of his.

12 Q. And would they be at the same management level
13 as John Havens or was John Havens a higher level of
14 management?

15 A. Their title was vice president. His title was
16 assistant vice president.

17 Q. They were higher.

18 A. Technically it would appear so, yes.

19 Q. But you don't know?

20 A. I don't know.

21 Q. You mentioned earlier the two people who were
22 in charge of managing the Snyder contract, Ted Gilmore
23 and Keith McGee.

24 A. Yes.

25 Q. Were there others who had other types of

1 responsibilities related to Snyder that you're aware of?

2 A. Ted and Keith had staffs of administrators or
3 managers who worked directly with Snyder.

4 Q. Do you know whether any of those persons are
5 still employed by GTE?

6 A. I believe at least one is.

7 Q. Who's that?

8 A. Ann Fields.

9 Q. She was in one of the sections of either Ted
10 Gilmore or Keith McGee?

11 A. Yes.

12 Q. Do you know what her job was?

13 A. I don't recall the title.

14 Q. Do you recall what the job entailed, though?

15 A. Quality.

16 Q. Did you ever have occasion to discuss what you
17 were finding with her?

18 A. Yes.

19 Q. Could you describe those conversations?

20 A. Those were generally in the context of
21 conference calls between Ann, myself, Post-Sale
22 Fulfillment, and Snyder. Ann facilitated the calls.

23 Q. Do you recall about how many such conference
24 calls you participated in?

25 A. Ten or so.

1 Q. And do you recall the time frame of those
2 calls?

3 A. As best I can recall, early summer 1998
4 through about the end of 1998. I was not on every call.

5 Q. What was the topic of those calls? Generally
6 fraud, Snyder?

7 A. Complaints as they related specifically to
8 Snyder, both slamming and nonslamming.

9 Q. Would you relate what you were discovering
10 about the complaints concerning forgeries of customer
11 signatures?

12 A. Together with Post-Sale Fulfillment, I would.

13 Q. What was Ms. Fields' reaction to those
14 disclosures?

15 A. She was as concerned as we were.

16 Q. Do you recall any actions being taken during
17 any of those conference calls?

18 A. I recall Snyder assuring us on both the weekly
19 quality calls and the monthly quality calls that they
20 were taking measures to eliminate the problem.

21 Q. I'm going to show you a number of documents
22 that are Bates stamped 16630 through 16745. They appear
23 to be titled GTE LD slamming complaints. I want to just
24 generally ask you if you're familiar with these forms.

25 A. I have seen this. I don't recall for what

1 purpose it was created.

2 Q. Were you involved at all in the creation of
3 this report or supply any of the data in the report?

4 A. I don't remember.

5 Q. Do you know who prepared this report?

6 A. No.

7 Q. Do you know to whom it might have been
8 distributed?

9 A. I don't know.

10 Q. One of the columns on the report is listed as
11 NID. Would you know what that means?

12 A. I don't remember what NID stands for.

13 Q. Have you ever received any slamming complaints
14 that relate to actions taken at phone marts in GTE's
15 territories?

16 MR. WOFFORD: You mean any territory or
17 in Florida?

18 BY MR. BECK:

19 Q. Any territory first.

20 A. Have I received information about such
21 complaints?

22 Q. Yes.

23 A. Yes.

24 Q. What information have you received?

25 A. Information that a customer in an area where

1 GTE has a phone mart alleging that he or she was slammed
2 by the phone mart.

3 Q. Did you ever have occasion to -- again, those
4 would be investigated by Post-Sale Fulfillment of the
5 local telephone company; is that right?

6 A. Yes.

7 Q. Have you ever had occasion to review any of
8 those relating to phone marts?

9 A. Occasionally.

10 Q. Any in Florida that you recall?

11 A. I believe I recall one in Florida.

12 Q. What do you recall about that?

13 A. As best I can recall, a customer in Florida
14 claimed that he or she never ordered GTE Long Distance
15 and yet was changed to GTE Long Distance regardless.
16 When Post-Sale Fulfillment did their investigation, they
17 obtained an LOA submitted to GTE by a GTE phone mart
18 with a customer's signature. The customer maintained he
19 or she did not sign it.

20 Q. Okay. That did not involve Snyder, did it?

21 A. No.

22 Q. Do you recall what disposition was made of
23 that complaint?

24 A. I believe the employee was either put on
25 disciplinary action or fired from the phone mart.

1 Q. Do you recall which phone mart it was?

2 A. No, I don't.

3 Q. Do you recall the customer's name?

4 A. No.

5 Q. Do you ever recall reviewing a customer named
6 James Brown?

7 A. I don't recall that name.

8 Q. I'm going to show you a document Bates stamped
9 16967. It's entitled GTE Communications Corporation
10 customer complaints involving Snyder Communications,
11 Inc. Have you ever seen that form before?

12 A. No, not that I can recall.

13 Q. So you would not know the purpose of this
14 report, would you?

15 A. No, I would not.

16 Q. I'll show you a series of documents that are
17 Bates stamped 17200 through 17216 and ask you whether
18 you've seen these documents before.

19 A. The first five pages I do not recall. This, I
20 recall. It's an e-mail to me.

21 Q. And you're referring to a Bates stamped page
22 17205; is that right?

23 A. Yes.

24 Q. Go ahead.

25 A. This is an e-mail to me from an employee of

1 Post-Sale Fulfillment providing some 1998 regulatory
2 Snyder complaints by agency.

3 Q. Do you recall the purpose of the e-mail?

4 A. No, I don't.

5 Q. Are you familiar with any of the other
6 documents in this package?

7 A. I don't recall seeing 17206. It appears it
8 could possibly contain information from the
9 aforementioned e-mail. I do not recall these pages.

10 Q. You're referring to 17207 reflecting a Snyder
11 meeting about slamming?

12 A. Yes.

13 Q. Do you recall any meetings that you might have
14 attended relating to Snyder and slamming specifically?

15 A. Snyder slamming at any time?

16 Q. Well, a meeting specifically dedicated to
17 slamming by Snyder.

18 A. I recall one such meeting.

19 Q. Could you describe that?

20 A. It was a meeting held in fall 1998 to address
21 Snyder complaints, specifically Snyder slamming
22 complaints, and to raise awareness of the issue.

23 Q. Who called the meeting; do you recall?

24 A. As I recall, Karen Turner.

25 Q. Do you recall other persons who attended that

1 meeting?

2 A. As best I can recall, along with Karen and
3 myself, Liz Smith from Post-Sale Fulfillment, Jo Ann
4 Peters from GTE Network Services, and David Gadino from
5 GTE.

6 Q. Who is David Gadino?

7 A. I believe he is an attorney.

8 Q. Could you describe what was discussed at that
9 meeting?

10 MR. WOFFORD: Before you do, let me go
11 over -- can you read back his previous
12 answer?

13 (The record was read by
14 the court reporter.)

15 MR. WOFFORD: Give me a minute here.

16 (Brief recess.)

17 MR. WOFFORD: Back on the record,
18 Mr. Beck, the witness has specified that a
19 meeting took place and that it was attended
20 by, among other people, inhouse counsel for at
21 that time GTE. After conferring with the
22 witness, I'm going to instruct him not to
23 answer questions about the substance of the
24 discussions in that meeting on the basis that
25 it contains attorney-client privileged

1 material.

2 BY MR. BECK:

3 Q. Mr. Commons, I'm going to give you Bates
4 stamped page 17229 and ask you if you recognize that.

5 A. No, I do not.

6 Q. I'm going to hand you page 17436 and ask you
7 if you recognize that.

8 A. I don't recall this specific interoffice memo,
9 although my name is on it as one of the distribution
10 list people.

11 Q. Do you recall the purpose of the memo? You
12 don't recall it at all?

13 A. I do not.

14 Q. Okay. I'm going to hand you page 17437 and
15 ask you if you recall that report.

16 A. No, I don't.

17 Q. I'm going to show you a chart on page 17445
18 and ask if you've ever seen that before.

19 A. I believe I recall seeing this at one point.

20 Q. This chart is entitled total Wentzville calls
21 per day; is that right?

22 A. Yes.

23 Q. What is Wentzville?

24 A. Wentzville is a city -- I forget the state
25 it's in -- that at one point, I believe -- I'm not

1 sure -- functioned in a call center functionality for
2 GTE Long Distance, meaning they received calls from
3 customers about an array of issues.

4 Q. Would that be the number you call when you
5 receive your bill from GTE Long Distance that says if
6 you have any questions call us?

7 A. It's possible. I don't recall specifically
8 what Wentzville's specific duties were. I have not seen
9 the name Wentzville in some time.

10 Q. They're no longer your call center.

11 A. Not to my knowledge.

12 Q. Where is that function being performed now?

13 A. AFNI, Andersen Financial -- I don't know the
14 rest of the acronym.

15 Q. What state is that from?

16 A. They are in Illinois, I believe, and in
17 Arizona.

18 Q. You mention that Snyder, I believe, at some
19 point was also doing call center functions for GTE Long
20 Distance; is that right?

21 A. Yes.

22 Q. Would that be the same function that was
23 performed by Wentzville here?

24 A. I don't know specifically the differences
25 between the call center functions for Wentzville, AFNI,

1 or Snyder. I believe all three have been involved at
2 some point in performing some call center functions.

3 Q. And does call center generically refer to the
4 place where people call for questions related to their
5 bill and so forth?

6 A. Yes.

7 Q. Now, this chart shows -- let me ask you, what
8 does the chart show?

9 A. I did not create this chart. As best I
10 recall, my previous manager, Ray Strait, created this
11 chart. I don't know for what purpose or for what
12 meeting or for what audience. It appears to show month
13 by month the volume of calls per day received by the
14 Wentzville center beginning in August 1997 and running
15 until April '98.

16 Q. Does it show you that the numbers increased
17 shortly after Snyder started selling?

18 A. Yes, it does.

19 Q. You had no connection with Ray Strait creating
20 this chart?

21 A. Not that I recall.

22 Q. I'm going to show you page 17446 and ask you
23 if you recognize that.

24 A. I do not recall seeing this chart.

25 Q. The chart purports to show slamming for three

1 days in April of 1998, does it not?

2 A. Yes.

3 Q. I'll show you page 17447 and ask you if you've
4 seen that before.

5 A. I do not recall seeing this chart before.

6 Q. Do you know if this is something Ray Strait
7 created or not?

8 A. I don't know.

9 Q. Do you recall there ever being any discussions
10 about the call centers receiving increased calls about
11 complaints about Snyder?

12 A. I don't recall any specific conversations, no.

13 Q. Did you ever have any discussions with Ray
14 Strait concerning the matters that are shown on these
15 documents; in other words, calls to the Wentzville
16 center?

17 A. I did not have any discussions of that sort
18 with Mr. Strait, no.

19 Q. Do you know to whom those documents might have
20 been distributed that we just looked at concerning the
21 Wentzville center?

22 A. I don't know. I don't know the audience for
23 those documents.

24 Q. Did you ever attend a meeting concerning a GTE
25 quarterly review -- let me back up. Let me show you

1 document page 20574, which is entitled results, GTE
2 quarterly review, May 7th through 8th, 1998, and ask if
3 you're familiar with that quarterly review.

4 A. No, I am not.

5 Q. Did you ever attend any meetings reviewing
6 Snyder's performance on a quarterly basis?

7 A. Not that I recall.

8 Q. Earlier in your deposition we talked briefly
9 about the use of cell phones for third-party
10 verification.

11 A. Yes.

12 Q. Do you recall any discussions concerning the
13 cost that that would entail to implement that?

14 A. I do not recall any discussions about cost.

15 Q. Do you recall any discussions -- I mean, you
16 had some discussions on whether that would be
17 implemented nationwide instead of just in California; is
18 that right?

19 A. Liz Smith from Post-Sale Fulfillment and I
20 talked about that amongst ourselves.

21 Q. That that might be a way to decrease slamming
22 by Snyder?

23 A. We thought that possibly it would be.

24 Q. But you never communicated that elsewhere?

25 A. We may have brought it up on one of the

1 quality calls weekly or monthly with Snyder. I don't
2 recall.

3 MR. BECK: Can we break for just like
4 two or three minutes? I think I'm done, but
5 I'd like to review my notes.

6 (Brief recess.)

7 - - -

8 EXAMINATION

9 BY MR. WOFFORD:

10 Q. Mr. Commons, let me ask you some questions
11 about the document that has been marked 16307. Do you
12 see the category fraudulent LOA on that document?

13 A. Yes.

14 Q. We've spent some time discussing that category
15 today, haven't we?

16 A. Yes.

17 Q. Let me ask you a hypothetical and then try and
18 relate it to this category; all right?

19 A. Okay.

20 Q. Let's assume that a customer complains to GTE
21 that he did not order GTE Long Distance but was
22 nevertheless switched to GTE Long Distance. With me so
23 far?

24 A. Yes.

25 Q. GTE investigates, is unable to determine

1 conclusively whether the LOA was fraudulent or not.

2 With me so far?

3 A. Yes.

4 Q. The customer still maintains that the LOA was
5 fraudulently filed.

6 A. Yes.

7 Q. Is in that situation that complaint recorded
8 as a fraudulent LOA?

9 A. For purposes of this report, yes, it is.

10 Q. So therefore, am I correct in thinking that
11 the complaints recorded as fraudulent LOA on this report
12 16307 and others like it are not affirmative
13 determinations by GTE of fraudulent LOA's?

14 A. Right.

15 Q. That's the customer's opinion of what
16 happened, not necessarily GTE's opinion; correct?

17 A. Correct.

18 MR. WOFFORD: That's all the questions I
19 have.

20 (Discussion off the record.)

21

22 FURTHER EXAMINATION

23 BY MR. BECK:

24 Q. I do want to follow up on that. Once a
25 complaint is put in the fraudulent LOA category there,

1 is there further investigation done past the point where
2 your attorney questioned you?

3 A. No.

4 Q. So that is the last determination and final
5 determination by GTE as to whether there was a
6 fraudulent LOA or not; is that correct?

7 A. Correct.

8 Q. There's no further action taken beyond that.

9 A. The customer's final word being that is not my
10 signature, it would be recorded in this column as
11 fraudulent LOA, believing the customer to be telling the
12 truth when he or she says I did not sign that document
13 and taking the customer's word for it.

14 Q. And GTE contemplates no further investigation
15 beyond that at that point; is that right?

16 A. They may want to know if the salesperson at
17 Snyder who submitted that document had had previous
18 complaints lodged against him or her.

19 Q. Right. But as far as the substance of that
20 customer's complaint, that's the end of GTE's
21 investigation.

22 A. That issue is then closed.

23 MR. BECK: Thank you.

24 - - -

25 (Deposition concluded at 1:05 p.m.)

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E R R A T A S H E E T

I, the undersigned, LARRY COMMONS, do hereby certify that I have read the foregoing deposition and that, to the best of my knowledge, said deposition is true and accurate (with the exception of the following corrections listed below).

PAGE/	LINE	CORRECTION
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Notary Public
Date _____

Signature

My Commission Expires:

C E R T I F I C A T E

STATE OF GEORGIA:

COUNTY OF COBB:

I hereby certify that the foregoing transcript was taken down as stated in the caption, that the witness was first duly sworn, and the questions and answers thereto were reduced to typewriting under my direction; that the foregoing transcript is a true and correct record of the evidence given, and I further certify that I am not a relative or counsel to the parties in this case, am not in the regular employ of counsel for any of said parties, nor am I in anywise interested in the result of said case.

Disclosure pursuant to OCGA 9-11-28(d): The party taking this deposition will receive the original and one copy based on our standard and customary per page charges. Copies to other parties will likewise be furnished at our standard and customary per page charges. Applicable incidental expenses of production may be charged to any party.

This, the 20th day of November, 2000.



Sharon J. Ruschell, RMR, CRR, CCR B-1179
My Commission Expires 2-17-2004

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

Initiation of Show Cause
Proceeding Against GTE
Communications Corporation
for Apparent Violation of
Rule 25-4.118, F.A.C., Local,
Local Toll, or Toll Provider
Selection.

Docket 990362-TI
Filed November 3, 2000

Deposition of LARRY COMMONS, taken on behalf
of the Citizens of the State of Florida, pursuant to the
stipulations agreed to herein, before Sharon J.
Ruschell, RMR, CRR, CCR, No. B-1179, at the law offices
of Alston & Bird, 1201 West Peachtree Street, Atlanta,
Georgia, on the 14th day of November, 2000, commencing
at the hour of 11:00 a.m.

THE MAROTTE GROUP
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(There were no exhibits marked in this deposition.)

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PROCEEDINGS

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LARRY COMMONS,

4

having been first duly sworn, was examined and testified
as follows:

5

6

EXAMINATION

7

BY MR. BECK:

8

Q. Good morning, Mr. Commons.

9

A. Hi.

10

Q. My name is Charlie Beck. I'm with the Office
of Public Counsel. Before when we were off the record
counsel agreed that we would reserve our objections for
all matters other than those which cannot be cured at a
later time. The witness does wish to read and sign. Is
that it for stipulations?

11

12

13

14

15

16

Mr. Commons, could you state your full name,
please.

17

18

A. Larry Jan Commons, J-A-N.

19

Q. By whom are you employed?

20

A. Verizon Select Services, Inc.

21

Q. And was that previously known as GTE

22

Communications Corporation?

23

A. Yes.

24

Q. How long have you worked for them, for Verizon
or GTE?

25

1 A. Ten years.
 2 Q. What is your current position?
 3 A. Manager, customer relations.
 4 Q. Could you describe what that Job entails?
 5 A. I manage a staff of eight employees who
 6 investigate and resolve customer-escalated complaints
 7 for Verizon Select Services, Inc.
 8 Q. What services are offered by Verizon Select
 9 Services, Inc.?
 10 A. Long distance service, CLBC bundled service.
 11 Q. Is that it?
 12 A. Yes.
 13 Q. How long have you had that Job?
 14 A. Six months.
 15 Q. What position did you hold before that?
 16 A. Manager, customer relations; same title, a
 17 staff of two, working exclusively or primarily on long
 18 distance issues.
 19 Q. How long did you hold that position?
 20 A. Two years.
 21 Q. Beginning on what date?
 22 A. March 1998.
 23 Q. Through about March of 2000?
 24 A. April-May 2000.
 25 Q. Is your current position a promotion over your

1 prior one?
 2 A. Yes.
 3 Q. And before that what position did you hold?
 4 A. Administrator, customer relations.
 5 Q. Is that with GTE Communications?
 6 A. Yes.
 7 Q. Could you describe that Job?
 8 A. Investigating and resolving customer
 9 complaints.
 10 Q. How long did you hold that?
 11 A. Just over one year, March '97 'til 1998.
 12 Q. Was that working exclusively in the area of
 13 long distance?
 14 A. Yes.
 15 Q. I have to go back one more before that. What
 16 Job did you hold before that?
 17 A. Video producer, GTE Directories Corporation.
 18 Q. Do you have a college education?
 19 A. Yes.
 20 Q. What degrees do you hold and in what areas?
 21 A. B.A. in communications; major,
 22 radio/television production.
 23 Q. When did you graduate?
 24 A. 1987.
 25 Q. When was GTE Long Distance formed?

1 A. 1996.
 2 Q. How long had the company been in existence
 3 before you joined the long distance division in March of
 4 '97?
 5 A. Just over one year.
 6 Q. What led to your move to the long distance
 7 area?
 8 A. Promotional opportunity.
 9 Q. Let me focus just briefly on your Job as an
 10 administrator in customer relations that began in March
 11 '97. What types of things did you investigate?
 12 A. Customer complaints as they related to their
 13 long distance service from GTE.
 14 Q. Could you describe two or three of the main
 15 types of complaints you investigate?
 16 A. Calling card complaints, such as a customer
 17 had ordered a calling card but had not received it yet
 18 or a customer had a GTE Long Distance calling card that
 19 stopped working without the customer's authorization to
 20 have it canceled, misinformation or confusion about
 21 calling plans and rates.
 22 Q. What would you do as an investigator?
 23 A. I was the liaison with a vendor on the local
 24 GTE side. The vendor actually does the
 25 behind-the-scenes systems investigation to determine the

1 cause of the complaint and to make the customer
 2 satisfied.
 3 Q. What was the name of the vendor?
 4 A. GTE Network Services at that time, Post-Sale
 5 Fulfillment.
 6 Q. Is that a GTE company?
 7 A. Yes.
 8 Q. So it's affiliated with the company you were
 9 working for?
 10 A. The corporation I work for on the ILEC side.
 11 Q. Why do you call him a vendor?
 12 A. We, or GTE Long Distance pays that group to
 13 investigate and do the research using systems that we
 14 don't have access to. So for all intents and purposes,
 15 they are a vendor.
 16 Q. In that position as administrator in customer
 17 relations did you ever have occasion to investigate
 18 complaints of slamming?
 19 A. Yes.
 20 Q. Could you describe generally what you did on
 21 those cases?
 22 A. We, after receiving a complaint, "we" meaning
 23 our department, would forward the complaint to the
 24 vendor, Post-Sale Fulfillment. Post-Sale Fulfillment
 25 would investigate, start to finish, the complaint, the

1 slanning complaint, and report back to us their
2 findings.

3 Q. What would you do with their findings?

4 A. If the customer had written a letter to an
5 executive, I would prepare a response back to the
6 customer in the form of a letter, a response letter.

7 Q. It's not real clear to me about your
8 relationship with Network Services. This group is
9 associated with the local telephone company?

10 A. Yes.

11 Q. And they would investigate complaints of long
12 distance slanning on your behalf?

13 A. Yes.

14 Q. Why would you not investigate them yourselves?

15 A. We do not legally have access to billing
16 systems, service order systems, any of the necessary
17 systems to do the investigation ourselves.

18 Q. So you would simply follow the investigation
19 done by Network Services and then deal with your own
20 company with the results of that?

21 A. Yes.

22 Q. Would you report it to higher management, or
23 what would you do?

24 A. My predecessor at that time, who was the
25 manager, attended a weekly executive summary meeting

1 A. Yes.

2 Q. Between March of 1998 and July of 1998 you
3 were still -- were you still investigating complaints of
4 slanning among your duties?

5 A. Yes.

6 Q. When did you first become aware of any
7 problems with slanning with a company called Snyder
8 Communications?

9 A. Spring 1998.

10 Q. Can you tell us what brought about your
11 knowledge of that area?

12 A. We received complaints from customers in our
13 office, including slanning complaints, generally in the
14 form of letters or complaints that have been filed with
15 the Public Service Commission, and it was our
16 responsibility to use our vendor, Post-Sale Fulfillment,
17 to investigate those complaints.

18 Q. Were you ever the liaison with the Public
19 Service Commission concerning slanning complaints?

20 A. No.

21 Q. Who would do that?

22 A. Karen Turner.

23 Q. What was her position in relation to yours?

24 A. We were peers.

25 Q. How did your responsibilities differ from

1 where he reported week by week all customer-escalated
2 complaints.

3 Q. What's his name?

4 A. Ray Strait, S-T-R-A-I-T.

5 Q. He was your immediate supervisor?

6 A. Yes.

7 Q. In GTE Long Distance Company.

8 A. Yes, until he retired.

9 Q. And when was that?

10 A. July 1998.

11 Q. Was it his job that you took in March of '98?

12 A. I didn't take his job, but I assumed some of
13 his responsibilities, which included the weekly
14 executive report.

15 Q. So in March 1998 you started attending those
16 meetings that he had attended previously?

17 A. July 1998.

18 Q. Okay. I thought you took that job in March of
19 1998.

20 A. I was promoted to manager. His title was
21 group manager. When he retired, it was ultimately
22 filled later by another person, who is my current
23 supervisor.

24 Q. So you started attending these meetings in
25 July of 1998.

1 hers?

2 A. Her responsibilities were for regulatory
3 issues, PUC, FCC, attorney general complaints. My
4 responsibilities were exclusively for executive and
5 other customer-escalated complaints, all nonregulatory.

6 Q. Do you recall when the first complaint was
7 that concerned Snyder that you dealt with?

8 A. Spring 1998.

9 Q. Can you be any more specific?

10 A. February 1998.

11 Q. What was the occasion of it being brought to
12 your attention in February 1998?

13 A. I don't recall the specific complaint.

14 Q. What you do recall was a slanning complaint
15 related to Snyder?

16 A. I'm not exactly sure it was slanning.

17 Q. What do you recall about it?

18 A. That it involved a then new sales channel
19 known as Snyder.

20 Q. What was the complaint?

21 A. I don't recall.

22 Q. After February 1998 did you begin to get more
23 complaints related to Snyder?

24 A. Yes.

25 Q. Could you describe the occurrences that

1 happened from then on just generally, if you started
 2 getting more and what happened and what you did.
 3 A. We investigated all Snyder complaints along
 4 with all other complaints, business as usual, and
 5 reported those findings at weekly meetings as we had
 6 done pre-Snyder.
 7 Q. Who would attend these weekly meetings?
 8 A. Ray Strait, other directors, and the assistant
 9 vice president for GTE Long Distance.
 10 Q. What was his name?
 11 A. John Havens, H-A-V-E-N-S.
 12 Q. Do you recall how long John Havens was in that
 13 position?
 14 A. He's still in that position.
 15 Q. During these meetings would you discuss the
 16 number of complaints and the type of complaints you were
 17 receiving related to Snyder?
 18 A. Yes.
 19 Q. Could you describe what was discussed about
 20 it?
 21 A. Ray Strait, before I attended and before he
 22 retired, and then later myself, would present a weekly
 23 composite report of all customer-escalated complaints,
 24 regulatory and nonregulatory, slaming and nonslaming
 25 complaints, and that was the format.

1 Q. Was it ever brought to your attention that
 2 employees of Snyder may have been forging customer
 3 signatures on letters of authorization?
 4 A. Yes.
 5 Q. When did you first become aware of that?
 6 A. I believe it was March or April 1998.
 7 Q. What did you do about it when you found that
 8 out?
 9 A. When you say "you," do you mean me
 10 specifically or our department?
 11 Q. Both. Let's start with you specifically.
 12 A. I specifically did not take action. I
 13 assisted Ray, because he was still attending the meeting
 14 at that time -- I was not -- with compiling the weekly
 15 report that showed slaming complaints along with all
 16 other complaints as before.
 17 Q. What was Ray's reaction when you were -- I
 18 assume that you told him that some of these complaints
 19 dealt with forgeries of signatures.
 20 A. Yes.
 21 Q. What was his reaction to that when you told
 22 him?
 23 A. He was not pleased.
 24 Q. Did you ever have occasion to discuss with him
 25 what type of action you should take about that, "you"

1 meaning the company?
 2 A. Not that I recall.
 3 Q. Other than being not pleased, do you recall
 4 any action that Ray Strait recommended taking?
 5 A. I don't recall because I was not involved in
 6 any meetings that he attended until he retired.
 7 Q. Was his retirement related to the problems
 8 with Snyder Communications?
 9 A. No.
 10 Q. You started attending these weekly meetings in
 11 July of 1998?
 12 A. Yes.
 13 Q. Was the problem with Snyder discussed when you
 14 started attending those meetings?
 15 A. Yes.
 16 Q. Was it ever discussed what action they should
 17 take with regard to Snyder?
 18 A. Not specifically.
 19 Q. Why do you say not specifically? I don't
 20 understand. What did you discuss about Snyder if not
 21 what actions should be taken?
 22 A. Our department and me specifically, we were
 23 not in a recommending function. We simply reported the
 24 weekly numbers of complaints, and other people at the
 25 meeting who had direct responsibility for the vendor,

1 Snyder, were the ones dealing directly with Snyder. We
 2 were not.
 3 Q. Who were those persons?
 4 A. Ted Gilmore, Keith McGee, M-C-G-E-E.
 5 Q. Anyone else?
 6 A. They had staffs, but I don't recall all of
 7 their names.
 8 Q. They were in charge of managing the
 9 relationship with Snyder?
 10 A. Yes.
 11 Q. What relationship did you have with those two
 12 persons?
 13 A. Very minimal.
 14 Q. Do you know whether those two persons still
 15 are employed by GTE?
 16 A. They are not.
 17 Q. Do you know where they are now?
 18 A. No.
 19 Q. Does John Havens work in the Dallas area still
 20 for GTE?
 21 A. Yes.
 22 Q. And he's still assistant vice president of GTE
 23 Long Distance?
 24 A. His current title, I believe, is vice
 25 president, Verizon Long Distance.

1 Q. What services did Snyder do for GTE?
 2 A. Ethnic marketing and sales for GTE Long
 3 Distance.
 4 Q. Could you describe in a little more detail
 5 what that means?
 6 A. It was my understanding that Snyder marketed
 7 specifically to ethnic customers to sell long distance
 8 on GTE's behalf in the form of face-to-face sales and
 9 telephone sales.
 10 Q. Does Snyder still work in any way for GTE that
 11 you're aware of?
 12 A. Yes.
 13 Q. What do they do now?
 14 A. I believe customer service, call center type
 15 functions.
 16 Q. Does that include telen marketing?
 17 A. Not to my knowledge.
 18 Q. You're aware at some point toward the end of
 19 November of 1998 their foot sales were terminated by
 20 GTE; is that correct?
 21 A. Yes.
 22 Q. Did Snyder continue to perform other marketing
 23 type functions for GTE after that point?
 24 MR. WOFFORD: Are you talking about in
 25 Florida or anywhere?

1 BY MR. BECK:
 2 Q. Anywhere, anywhere in the nation.
 3 A. I don't know.
 4 Q. You do know -- correct me if I'm wrong -- that
 5 they did both foot sales and telen marketing during 1998.
 6 A. Yes.
 7 Q. And you're aware of the foot sales being
 8 terminated in November of '98.
 9 A. Yes.
 10 Q. Do you know when or if the telen marketing
 11 functions were terminated?
 12 A. No.
 13 Q. Could you describe how Snyder went about their
 14 foot sales, what sorts of things they did for GTE?
 15 A. I believe they marketed to ethnic customers in
 16 ways such as fairs, setting up booths and displays in
 17 supermarkets, ethnic-type events, special events,
 18 marketing.
 19 Q. And they did this in Florida as well as other
 20 states?
 21 A. Yes.
 22 Q. Would they try to get people to sign letters
 23 of authorization authorizing GTE Long Distance as their
 24 long distance company?
 25 A. Yes.

1 Q. Do you know what they were supposed to wear at
 2 these functions? For example, at fairs did they wear
 3 T-shirts that said GTE on them?
 4 A. I don't know.
 5 MR. WOFFORD: Are you asking what they're
 6 supposed to wear or what they actually wore?
 7 MR. BECK: Either.
 8 BY MR. BECK:
 9 Q. Do you know what they were supposed to wear?
 10 A. I do not.
 11 Q. Do you know whether they ever wore ball caps
 12 that said GTE on them?
 13 A. I don't know.
 14 Q. Do you know whether they were representing
 15 themselves as representatives of GTE?
 16 MR. WOFFORD: Objection. I think that
 17 calls for speculation.
 18 THE WITNESS: I don't know.
 19 BY MR. BECK:
 20 Q. Was there any discussions that you ever
 21 attended where GTE people were concerned about the fact
 22 that people may be getting or people may be thinking
 23 that the Snyder employees are GTE employees?
 24 A. No.
 25 Q. Were you ever in a meeting where it was

1 discussed that the Snyder people were making GTE look
 2 bad?
 3 A. Not a meeting.
 4 Q. If not at a meeting, where else?
 5 A. I read letters from customers where customers
 6 said that.
 7 Q. Do you know whether GTE Long Distance ever had
 8 an audit conducted of Snyder?
 9 A. I heard mention of an audit. I don't know the
 10 specifics or the time frame.
 11 Q. Were you ever involved in any meetings where
 12 the results of an audit of Snyder were discussed?
 13 A. No.
 14 Q. Were there any states that you're aware of
 15 where you were not having problems with Snyder in
 16 connection with forgeries of customer signatures?
 17 A. Yes.
 18 Q. Where was that?
 19 A. California.
 20 Q. Do you know why there were no problems in
 21 California?
 22 A. It was my understanding that California law
 23 required all sales to be verified via tape recording in
 24 addition to LOA, which was a quality measure that
 25 ensured that there was not a slapping problem.

21

1 Q. Do you know whether Snyder employees use cell
2 phones to do that sort of third-party verification in
3 California?

4 A. I heard that they did.

5 Q. Could you describe what that process entailed?

6 A. I don't know the specific process for using
7 those phones.

8 Q. Was it ever discussed that you're aware of at
9 GTE whether that type of system should be employed in
10 other states to reduce forgeries by Snyder?

11 A. I believe it was.

12 Q. Why do you say you believe it was?

13 A. I know that based on California having almost
14 no customer complaints in regards to Snyder that
15 employees of GTE wanted other states to emulate what was
16 going on there as a means of quality control.

17 Q. What happened with that idea?

18 A. I don't know. I don't know if that idea
19 reached an executive level.

20 Q. Was it ever discussed at the weekly meetings
21 that you attended?

22 A. Not that I recall.

23 Q. Did you ever have occasion to discuss that
24 with anyone at GTE?

25 A. With our Post-Sale Fulfillment group, I did.

22

1 Q. Could you describe what brought about that
2 conversation?

3 A. I work hand-in-hand with Post-Sale Fulfillment
4 on a daily basis to resolve all customer complaints. I
5 worked closely with the manager of that department daily
6 on all issues, including Snyder, including slaming, and
7 we strive to ensure every customer is satisfied. We
8 don't like to get complaints. The fewer complaints we
9 see, the better as far as we're concerned.

10 Q. So you discussed this with the person at
11 Post-Sale Fulfillment?

12 A. Yes.

13 Q. They weren't in any position to take any
14 action though, were they, about that, or were they?

15 A. Not to take action; to have discussions with
16 Snyder.

17 Q. Was the idea that they might discuss with
18 Snyder having them, Snyder, implement the third-party
19 verification with cell phones?

20 A. Yes.

21 Q. Did anything ever come from that?

22 A. Not to my knowledge.

23 Q. Did you ever discuss this with any of your
24 superiors?

25 A. No.

23

1 Q. And it was never discussed at any of the
2 weekly meetings that you attended?

3 A. Not that I recall.

4 Q. We mentioned briefly earlier about the
5 termination of Snyder's foot sales. That was done in
6 Florida toward the end of November of 1998, was it not?

7 A. As I recall, yes.

8 Q. Were you involved in any of the discussions
9 that led up to that?

10 A. No.

11 Q. Mr. Commons, let me start asking you a few
12 questions about some documents if I could. What I'm
13 going to do is refer to documents by Bate number pages.
14 These are Bate stamps that were put on these documents
15 when they were produced for us in response to requests
16 for production of documents.

17 Let me start by showing you a document that's
18 Bates stamped 16307. Let me hand this to you and your
19 counsel and ask if you've ever seen that document
20 before.

21 A. Yes.

22 Q. Could you describe what that document is?

23 A. This is a document I helped prepare for the
24 weekly executive meetings showing Snyder complaints week
25 by week.

24

1 Q. Were you the first person who started this
2 form or was this form in existence before you started?

3 A. I was asked to create this.

4 Q. Can you recall the time frame?

5 A. Spring 1998.

6 Q. Was the first report of this type presented on
7 May 2nd, 1998?

8 A. I don't recall, meaning --

9 Q. If you'll look at the top row, it has some
10 dates.

11 A. Right.

12 Q. And the first date as I see it is May 2nd of
13 1998.

14 A. Yes.

15 Q. Do you recall whether you were providing those
16 numbers that were used on that report?

17 A. I was.

18 Q. And this was a report that was used at the
19 weekly meetings that you discussed earlier?

20 A. Yes.

21 Q. You started attending those weekly meetings in
22 about -- or when did you start attending the weekly
23 meetings?

24 A. Here, July 1998.

25 Q. But you were preparing this report prior to

1 your actual attendance at the meetings, back into
 2 May 2nd of 1998; is that right?
 3 A. Yes.
 4 Q. And would your boss then take this report to
 5 meetings, to your knowledge?
 6 A. To my knowledge, yes.
 7 Q. That would be Ray Strait?
 8 A. Yes.
 9 Q. Did you design the columns or the types of
 10 columns that were on the report?
 11 A. Together with my director.
 12 Q. Which is whom?
 13 A. Joe Caliro, C-A-L-I-R-O.
 14 Q. What's his job?
 15 A. Director, customer relations.
 16 Q. I'm trying to picture where he fits in
 17 vis-a-vis you and Mr. Strait.
 18 A. He was Mr. Strait's boss.
 19 Q. The first row under type is unauthorized
 20 change; is that right?
 21 A. Yes.
 22 Q. And then there's a number of subheadings under
 23 that; is that right?
 24 A. Yes.
 25 Q. Okay. Is the idea that each of those

1 subheadings would add up to the total of the
 2 unauthorized changes?
 3 A. Yes.
 4 Q. And under unauthorized change you have
 5 subheadings for fraudulent LOA, LOA exists, customer
 6 misinformation, Snyder rep error, other; is that right?
 7 And then there's more rows after that.
 8 A. Customer misunderstood.
 9 Q. Whose decision was it to make a row that said
 10 fraudulent LOA?
 11 A. I don't recall specifically which individual.
 12 Q. But that decision would have been made in
 13 conjunction with yourself and your director; is that
 14 right?
 15 A. Yes.
 16 Q. What did you mean by fraudulent LOA?
 17 A. Meaning after the investigation by Post-Sale
 18 Fulfillment, at the closure of the complaint the
 19 customer maintained that the LOA was indeed fraudulent.
 20 Q. And would that be the conclusion of GTE as
 21 well at that point?
 22 A. Yes.
 23 Q. On May 2nd it lists ten fraudulent LOA's.
 24 Just for the record, LOA stands for letter of
 25 authorization, does it not?

1 A. Yes.
 2 Q. And that's the form the customer would sign
 3 that would authorize the change of his long distance
 4 company to GTE Long Distance; is that right?
 5 A. Yes.
 6 Q. Does number 18 reflect the nationwide number
 7 for GTE Long Distance?
 8 A. Yes.
 9 Q. Did you provide the inputs for that report on
 10 fraudulent LOA's?
 11 A. Do you mean the number?
 12 Q. Right. Who would compile those numbers?
 13 A. I would.
 14 Q. So, for example, did you compile the number
 15 that showed ten fraudulent LOA's for the week of
 16 May 2nd, 1998?
 17 A. Yes.
 18 Q. And likewise the number of 28 fraudulent
 19 LOA's for the week of May 9th; is that right?
 20 A. Yes.
 21 Q. Did you ever have any discussions with
 22 Mr. Strait or your director about having that many
 23 fraudulent LOA's?
 24 A. Yes.
 25 Q. Could you describe those discussions?

1 A. I don't recall the specific discussions. We
 2 agreed that these numbers were higher than we had seen
 3 before.
 4 Q. Did any of you discuss what should be done
 5 about that?
 6 A. Not specifically. We relied on the direct
 7 owners, so to speak, of the vendor to take care of the
 8 problem.
 9 Q. That would be Ted Gilmore and Keith McGee?
 10 A. Yes.
 11 Q. Were they given this information as well?
 12 A. Yes.
 13 Q. How were they given this information?
 14 A. They attended the weekly meetings where this
 15 chart was presented.
 16 Q. Was John Havens the senior person who attended
 17 these weekly meetings where this chart was presented?
 18 A. No.
 19 Q. Who was the senior person?
 20 A. Chris Owens.
 21 Q. Who is Mr. Owens?
 22 A. Former president, GTE Communications; and his
 23 successor attended the weekly meetings after he left
 24 that position, Pan Jacobson.
 25 Q. Could you give me the time frames when

29

1 Mr. Owens and then Ms. Jacobson attended those meetings?
 2 A. I don't recall specifically when the change in
 3 jobs took place.
 4 Q. When you started attending the meetings in
 5 July of 1988, which of those two persons was attending?
 6 A. I believe Pam was; if not immediately, shortly
 7 after I started going to the meetings. I don't recall
 8 the exact time frame when they changed jobs.
 9 Q. How long did these weekly meetings go on? Do
 10 these weekly meetings still take place?
 11 A. The last of these meetings was held two weeks
 12 ago, and it's my understanding that the format is being
 13 revised to reflect the recent merger between GTE and
 14 Bell Atlantic.
 15 Q. Are you still attending these meetings?
 16 A. I was until the last one.
 17 Q. So you've attended these meetings continuously
 18 from July of '88 until two weeks ago?
 19 A. Yes.
 20 Q. And the norm was that the president of GTE
 21 Communications attended these meetings, whoever that
 22 person might be?
 23 A. Usually for at least part of the meeting. He
 24 or she did not conduct the meeting.
 25 Q. Who would conduct the meeting?

31

1 termination of foot sales in Florida?
 2 BY MR. BECK:
 3 Q. Florida in this instance.
 4 A. After it had been done, yes.
 5 Q. What was the nature of those conversations?
 6 A. Snyder is no longer making foot sales in the
 7 state of Florida.
 8 Q. Just to clear this up, all foot sales have
 9 been terminated by Snyder nationwide for GTE; is that
 10 right?
 11 A. Today?
 12 Q. Yes.
 13 A. That's my understanding.
 14 Q. Can you give us a time frame for when their
 15 activities of foot sales on behalf of GTE Long Distance
 16 were terminated? What was the sequence?
 17 A. By sequence you mean --
 18 Q. They were terminated in Florida at one point
 19 but other states at other points?
 20 A. I believe so, but I don't know the time frame
 21 for the other states.
 22 Q. Was Florida the first state, if you know?
 23 A. As I recall, Florida was not the first state.
 24 Q. To your recollection, what was the first
 25 state?

30

1 A. John Havens.
 2 Q. The then-assistant vice president of GTE Long
 3 Distance.
 4 A. Yes.
 5 Q. To your recollection, did the president of GTE
 6 Communications ever ask questions at these meetings
 7 concerning the fraudulent LOA's listed on the report?
 8 A. Yes.
 9 Q. Could you describe what types of questions
 10 were asked?
 11 A. As I recall, she would ask Mr. Gilmore and
 12 Mr. McGee what sorts of quality control measures were
 13 going to be put into place to ensure the number of
 14 complaints reduced.
 15 Q. Do you ever recall talk at these meetings
 16 about terminating GTE's relationship with Snyder?
 17 A. No.
 18 Q. And I guess Mr. Gilmore and Mr. McGee would
 19 talk about quality improvements measures they would take
 20 to try to reduce the number of fraudulent LOA's; is that
 21 right?
 22 A. In a general sense, yes.
 23 Q. You don't recall the termination of foot sales
 24 ever being discussed at these meetings?
 25 MR. WOFFORD: Are you talking about

32

1 A. I believe New York was the first state.
 2 Q. Do you recall how much sooner or how much
 3 earlier that was than Florida?
 4 A. No.
 5 Q. Do you know whether Florida was next after New
 6 York?
 7 A. I don't know.
 8 Q. When you started attending these meetings in
 9 July of 1988 were you ever questioned about the
 10 fraudulent LOA's?
 11 A. Questioned meaning what did this mean or what
 12 did the customer say?
 13 Q. Anything about then.
 14 A. Generally, no. I think everyone in the
 15 meeting understood what this meant, fraudulent LOA, and
 16 there was generally no further discussion in those
 17 meetings about it.
 18 Q. And by what everybody generally understood,
 19 does that mean forgery of a customer's signature?
 20 A. I believe so.
 21 Q. Do you see some handwritten notes on this
 22 document?
 23 A. Yes.
 24 Q. Did you write those notes?
 25 A. Yes, I did.

1 Q. Could you describe what the notes mean?

2 A. As I recall, and I'm relying on memory, these
3 are notes that I took onto this chart at the meeting
4 itself to note some sort of quality improvement action
5 on the part of Snyder to improve quality or reduce the
6 number of complaints.

7 Q. Do you recall when this chart would have
8 been -- which meeting this chart related to?

9 A. This specific chart related to complaints
10 through the week of October 19th, 1998, and would have
11 been presented at the weekly meeting following that
12 week.

13 Q. So those notes would have been made toward the
14 end of October of '98.

15 A. Yes.

16 Q. I'm going to show you a document Bates stamped
17 16271 entitled customer escalation specifics.

18 Mr. Commons, do you recognize this document?

19 A. Yes.

20 Q. What's the purpose of this document?

21 A. This was an earlier version of a document
22 showing complaints week by week. And looking back on
23 this now, I realize that the previous document was, even
24 though it dates back to I believe May '98, was not
25 created in May of '98. We were actually going

1 retroactive with the numbers on that.

2 Q. Let's go back to the previous document, which
3 is the document --

4 A. I apologize for the confusion.

5 Q. Let's get it straight. The document Bates
6 stamped 16387 that we were discussing earlier, when do
7 you recall that document being created?

8 A. Fall 1998.

9 Q. This document didn't exist when you started
10 attending the meetings in July of '98?

11 A. This document did. That one did not.

12 Q. By this document, you mean 16271 existed but
13 16387 did not?

14 A. Correct.

15 Q. Okay. Let's discuss this, which is Bates
16 stamped 16271. You have a specific section on here for
17 Snyder originating orders; is that right?

18 A. Yes.

19 Q. Snyder wasn't the only group or company that
20 was marketing for GTE Long Distance, is it?

21 A. No, they were not.

22 Q. Do you recall about how many other companies
23 were marketing for GTE?

24 A. I don't know.

25 Q. Is Snyder the only one of your marketing

1 companies that has a special spot on this report?

2 A. Yes.

3 Q. Why is that?

4 A. The volume of complaints.

5 Q. And you'll notice one of the rows for Snyder
6 originating orders is unauthorized change?

7 A. Yes.

8 Q. What would be included in that?

9 A. Customers claiming they did not order GTE Long
10 Distance but received it.

11 Q. Let me go back to the earlier document, which
12 is 16387. Why did you retroactively fill in the blanks,
13 as it were, on this form?

14 A. At the direction of my director, it was felt
15 that to make the information easier to read, easier to
16 understand, taking this piece here --

17 Q. This piece here referring to 16271?

18 A. This box.

19 Q. The right-hand box on that page?

20 A. Yes.

21 Q. Okay.

22 A. Creating a big picture page for it, the
23 information would be easier to track and monitor.

24 Q. Do you recall with more specificity when the
25 first document we discussed, which is 16387, when that

1 was created?

2 A. I believe around September 1998. I apologize
3 again for the confusion.

4 Q. It's been a while.

5 A. It has.

6 Q. This more recent document, the one that's
7 16271, this says it was last updated August 25, 1998; is
8 that correct?

9 A. Yes.

10 Q. Under the findings for the week ending
11 August 15th, there's a number of what look like
12 footnotes, but correct me if it's some other thing,
13 which say fraudulent LOA. Can you tell me how those
14 relate to the chart?

15 A. For the week ending August 15th, 11 complaints
16 were received by our office from customers claiming that
17 they were slanned. The subsequent investigation of
18 those 11 complaints showed a breakdown of four
19 fraudulent LOA's, three LOA's existing but the customer
20 having not reviewed it, two still under investigation,
21 one an issue of a customer's wife, and a final one with
22 another LOA existing containing information for another
23 customer.

24 Q. Do you recall when you started using this
25 form? Did it exist when you started attending meetings

1 in July of '98?

2 MR. WOFFORD: Objection, compound.

3 You've got a couple of questions in there.

4 BY MR. BECK:

5 Q. Do you recall when you started using this
6 form?

7 A. I believe that this form or something similar
8 to it was in place before I attended the meetings.

9 Q. Were you providing the numbers that would be
10 used in the preparation of this form even before you
11 started attending the meetings?

12 A. As I recall, yes.

13 Q. To the extent you recall, do you recall when
14 you started having a separate section on these reports
15 just dedicated to Snyder originating orders?

16 A. I don't recall.

17 Q. I'm going to hand you a document. It's Bates
18 stamped number 16284, and it's customer escalation
19 specifics. This page has information for the weeks
20 ending May 9th and May 16th, 1998, does it not?

21 A. Yes.

22 Q. But it shows at the bottom that this was
23 printed on September 24th, 1998; is that right?

24 A. Yes.

25 Q. Why is there that time difference between the

1 A. I don't recall. If this report were presented
2 during the weeks reflected here, I was not part of the
3 meeting at that point.

4 MR. WOFFORD: Charlie, are you done with
5 that document?

6 MR. BECK: Yes.

7 MR. WOFFORD: Let's take a break.

8 (Brief recess.)

9 BY MR. BECK:

10 Q. Mr. Commons, I was asking you about a number
11 of documents that come under a cover document, what
12 appears to be -- it says customer escalations with a
13 letter C in front of it. See, I'm showing you Bates
14 page number 16267.

15 A. Yes.

16 Q. I'm about to start going over some that have a
17 cover of B, customer relations reports. I'm referring
18 to Bates stamped page 15729. Do you see that?

19 A. Yes.

20 Q. Do these categories of documents come from
21 some larger report that has various sections, A, B, C
22 and so forth?

23 A. I don't know. I'm not familiar specifically
24 with those letters.

25 Q. And you're not familiar with some kind of

1 time the form was printed and the weeks that are being
2 reviewed in the report?

3 A. I don't know.

4 Q. Would this report have been in existence then
5 in May of 1998?

6 A. It appears so.

7 Q. The numbers that are on this report and even
8 the previous ones, do these involve all complaints about
9 Snyder received by GTE Long Distance or is it only the
10 nonregulatory ones?

11 A. All complaints received by our department.

12 Q. So whether it was received in regulatory or by
13 directly to the company, it would be included in this
14 report; is that right?

15 A. Yes.

16 Q. And it would be for the entire nation, not
17 just Florida.

18 A. Correct.

19 Q. And do you see where there's under
20 unauthorized -- there's unauthorized changes under
21 Snyder, 49 listed for the week of May 9th and 47 for the
22 week of May 16th; is that right?

23 A. Yes.

24 Q. Do you recall anybody having any reaction to
25 the numbers of that magnitude?

1 major category where there would be other letters and
2 other sections or someplace where these are maintained?

3 A. No.

4 Q. Are you familiar with a type of document
5 called customer relations reports in general? Let me
6 let you just get an overview. Look through Bates
7 stamped pages 15740 through 16266, if you would, just to
8 get a familiarity with the types of documents that are
9 here.

10 A. Yes, I am.

11 Q. Could you describe what these reports are and
12 what they reflect?

13 A. These weekly reports reflect category by
14 category the customer complaints week by week, including
15 customer name, phone number, and nature of the
16 complaint.

17 Q. Who prepared these reports?

18 A. Post-Sale Fulfillment.

19 Q. What was your involvement, if any, in the
20 preparation of these reports?

21 A. I used the information on this report together
22 with a reporting department in my building to generate
23 weekly Excel charts.

24 Q. Would that include the documents we were
25 looking at earlier in the deposition?

1 A. Yes.

2 Q. This is like a source document in a sense for
3 the reports we've been discussing earlier?

4 A. Yes.

5 Q. When did you have any responsibility for -- I
6 understand you had responsibility for reviewing these
7 reports then at least and making -- did you have
8 responsibility other than preparing the charts we talked
9 about earlier with respect to these customer relations
10 reports?

11 A. Not specifically, no.

12 Q. To you they were just a source for compiling
13 other reports?

14 A. Yes.

15 Q. Let me show you Bates stamped page 15743,
16 which is one of the customer relations reports, I
17 believe, for the week ending April 25th, 1998. Do you
18 see handwritten notes on the side that say fraud?

19 A. Yes.

20 Q. Do you know who wrote those?

21 A. I did.

22 Q. Could you describe what brought you to write
23 those comments on the side?

24 A. This report includes all complaints as they
25 are received, as they close, and Post-Sale Fulfillment

1 had a five-day turnaround to close nonregulatory
2 complaints and a ten-day turnaround for regulatory
3 complaints. We have a shared database between our group
4 and the Post-Sale Fulfillment group in which they update
5 the information, and each time they close any of these
6 complaints they put into the body of the database a root
7 cause for the complaint. I pulled information from that
8 electronic database to write these words.

9 Q. Is a portion of the root cause shown on this
10 report?

11 A. On two of these complaints, yes.

12 Q. What column would you see the root cause?

13 A. Corrective action and disposition.

14 Q. Do these reports only show in some cases only
15 a portion of the root cause? In other words, it's being
16 restricted by the amount of space there is to print?

17 A. Yes.

18 Q. So when you were looking at those reports, you
19 could pull up the entire root cause description.

20 A. Yes.

21 Q. Do you recall when you made these notes about
22 fraud on this document? Would you do it on a recurring
23 basis or was it one time or what?

24 A. Eventually I did it on a weekly basis to
25 produce the weekly reports we reviewed earlier.

1 Q. Do you recall when that started?

2 A. Either late spring or early summer 1998.

3 Q. When you said eventually, I mean, was there a
4 time before that where you were only doing it on
5 occasions?

6 A. I was not writing words at the beginning of
7 the year because there was no report in which that
8 information was requested.

9 Q. When was the first time you did that, to your
10 recollection? And by that I mean start writing comments
11 such as these where you say fraud.

12 A. As best I can recall, it was around May --
13 April or May, 1998.

14 Q. Other than the reports we discussed earlier,
15 were there any other way you communicated this type of
16 information to others in the company that you were
17 determining fraud was the root cause of these
18 complaints?

19 A. Yes.

20 Q. Would you describe them, please.

21 A. The ethnic marketing channel management group
22 headed by Keith McGee and Ted Gilmore would on occasion
23 ask for this type of information from our department,
24 and we would forward it to them via e-mail.

25 Q. Do you have that e-mail where you forwarded

1 that type of information to them?

2 A. I don't know if it exists in the system any
3 longer.

4 Q. Are you aware of any steps that have been
5 taken to retain e-mail related to this cause or this
6 issue?

7 MR. WOFFORD: Are you asking about
8 retaining e-mail or try to find e-mail?

9 BY MR. BECK:

10 Q. Retaining it.

11 A. Not specifically, no.

12 Q. Do you recall about how many times you may
13 have sent e-mails to the ethnic marketing managers about
14 fraud?

15 A. As best I can recall, between five and ten
16 times.

17 Q. Do you recall the time frame that that was
18 done?

19 A. I believe early summer 1998.

20 Q. Through when?

21 A. Summertime, perhaps into early fall.

22 Q. Of 1998?

23 A. Yes.

24 Q. Why do you think it ended in early fall?

25 A. I believe the information on the expanded

1 reports we looked at earlier, the full-page report gave
2 enough people enough information to where they felt that
3 was enough.

4 Q. Let me show you Bates stamp page 15747. If
5 you can, I'd like to relate to the date that these refer
6 to. Is this for the week ended April 25, 1998?

7 A. No.

8 Q. When is it for?

9 A. These show complaints received May 4th, 5th,
10 6th, and 7th of '98, so that would have been the week
11 ending May --

12 Q. May 9th?

13 A. Probably.

14 Q. And does this show that you had 74
15 unauthorized changes the week of May 9th, 1998?

16 A. Yes.

17 Q. Now, you had access to the database that
18 contained this information; is that right?

19 A. The information on here?

20 Q. Yes.

21 A. Yes.

22 Q. Who else beside you would have had access to
23 that information?

24 A. Post-Sale Fulfillment.

25 Q. Which is in the local company; right?

1 Q. Does that mean for this week there were 34
2 unauthorized changes?

3 A. 34 complaints of unauthorized changes.

4 Q. And to determine whether they were valid
5 complaints or not, what would you do?

6 A. Post-Sale Fulfillment investigated each one of
7 these until a resolution was reached.

8 Q. Do you see written comments on the side of
9 this page, page 15753?

10 A. Yes.

11 Q. Are those your handwritings, too?

12 A. Yes.

13 Q. You'll see some places it just says FR. Do
14 you see that?

15 A. Yes.

16 Q. Is that shorthand for fraud also?

17 A. I believe so.

18 Q. Let me show you page 15764. This page shows
19 15 unauthorized changes for a week in June; is that
20 right, of '98?

21 A. Yes.

22 Q. The 682, does that mean it was closed on
23 June 2nd, or what does that mean?

24 A. 682 is a complaint code used to define the
25 nature. It's basically a subheading within the broad

1 A. Right.

2 Q. Who else at GTE Long Distance would have had
3 access to that information?

4 A. Other members of my department.

5 Q. Could you name them?

6 A. Ray Stralt, Karen Turner.

7 Q. And that's an online database?

8 A. It's special software, has to be installed on
9 each individual's computer, and only our department
10 utilized the system.

11 Q. But it was updated continuously more or less?

12 A. Daily.

13 Q. Would any of your higher-ups have access to
14 that database?

15 A. No.

16 Q. Again, just so I understand the format, on
17 the top of each category where it had unauthorized
18 change -- and I'm showing you Bates stamp page 15753 --
19 this column, it states at the top -- is it unauthorized
20 change?

21 A. Yes.

22 Q. CHG for change?

23 A. Yes.

24 Q. And that relates, and there's a number 34.

25 A. Yes.

1 category unauthorized change. I believe 682 is used to
2 mean in the database customer claims he or she did not
3 order GTE Long Distance and is claiming slandering.

4 Q. There's also a code 683. Do you recall what
5 that is?

6 A. As I recall, it means customer claims that he
7 or she was slandered away from GTE Long Distance by
8 another company.

9 Q. One of the notes that appears on occasion is
10 LOA exists. Do you recall that?

11 A. Yes.

12 Q. What does that mean?

13 A. That means based on the information in the
14 database, the customer claimed he or she was slandered.
15 GTE obtained from Snyder a copy of an LOA that was used
16 to change the customer's long distance service to GTE.
17 The customer either hasn't or couldn't review that LOA
18 to verify whether or not that was his or her signature.

19 Q. Would further action then be required as part
20 of the investigation to determine whether it was a
21 forgery or not?

22 A. Post-Sale Fulfillment would try a minimum of
23 three times to reach the customer after obtaining that
24 LOA. If they failed and absolutely couldn't reach the
25 customer or the customer said I don't want to see it,

1 the issue would be closed.

2 Q. Would you close that as fraudulent or not?

3 A. No. We would close it as LOA exists.

4 Q. From that would you determine -- was there any
5 determination one way or the other whether in such an
6 instance there was a forgery?

7 A. There was no determination made on those.

8 Q. Were all those cases where the customer
9 claimed that they did not authorize the change?

10 A. I believe so.

11 Q. And they just never reviewed the LOA that was
12 produced by Snyder.

13 A. Right.

14 Q. I'll hand you page Bates stamp 15789. Do you
15 see there appears to be two different types of
16 handwritten notes on this page, one in a darker felt pen
17 and another regular pen or ink?

18 A. Yes.

19 Q. Do you recall who made which of these marks on
20 this page?

21 A. I believe both of these markings are mine.

22 Q. Why do some appear in a darker pen than the
23 others?

24 A. I don't know. As I recall, the notes may be
25 from two different days simply using a different pen on

1 case Mrs. Hunter, the customer maintained the LOA was
2 fraudulent with her late husband's alleged signature on
3 it, which, according to her, he could not have signed
4 because he was deceased.

5 Q. Do you recall mentioning that case to anybody?

6 A. Not specifically, no.

7 Q. The next page, page 15817, has notes about the
8 husband dead for six years. Do you see that?

9 A. Yes.

10 Q. And would the explanation be similar to the
11 one you just gave except in this case the purported
12 signature is that of a person who had been dead for six
13 years?

14 A. Yes.

15 Q. You don't recall mentioning cases like that to
16 any of your co-workers or superiors?

17 A. My co-workers and myself did discuss issues
18 like this. It was not discussed as a rule in the weekly
19 executive meetings.

20 Q. Why?

21 A. Our role was not to manage the vendor, to
22 manage Snyder. We relied on the reports to show the
23 number of alleged fraudulent LOA's. We were not given
24 that meeting as a forum to make commentary such as that.

25 Q. Were you provided any other forums for making

1 one day than another.

2 Q. Do you see one that says, "no - heart attack"?

3 A. Yes.

4 Q. Could you describe what that meant?

5 A. That is my handwriting. I do not recall what
6 heart attack means.

7 Q. I'd like to hand you Bates stamp page 15803
8 and ask you to look at the handwritten statements on the
9 top right side of that page.

10 A. Yes.

11 Q. Could you describe what's meant by the
12 handwritten notes on that page?

13 A. I don't know. It isn't my handwriting.

14 Q. Do you recognize the handwriting?

15 A. No.

16 Q. I'll hand you page 15816 and ask you to look
17 at the handwriting on the bottom. Is that your
18 handwriting?

19 A. Yes.

20 Q. Do you see where it says, "I believe husband
21 dead for two years"?

22 A. Yes.

23 Q. Do you recall why you made that note?

24 A. Based on the information in the database after
25 Post-Sale Fulfillment talked to the customer, in this

1 commentary on what you were discovering?

2 A. Conference calls with Snyder, yes.

3 Q. Did you ever mention to your superiors at any
4 time that you were finding cases where the purported
5 signature on LOA's were those of people who had been
6 dead for years?

7 A. Yes.

8 Q. To whom did you say that?

9 A. Our director, Joe Caliro, was involved with
10 this issue.

11 Q. And he was up two levels above you in
12 management?

13 A. Yes.

14 Q. I'm sorry. You probably told me earlier. Is
15 he still employed by GTE?

16 A. Yes.

17 Q. And his position now is what?

18 A. Director, customer relations.

19 Q. And you recall or do you specifically recall
20 mentioning instances such as that to him?

21 A. Not specifically, no. It was general
22 department day-to-day discussions about complaints in
23 general, this being part of it.

24 Q. Do you know who Joe Caliro reported to at that
25 time?

1 A. In 1998?
 2 Q. Yes.
 3 A. I'm not sure. I believe Kevin Snyder, no
 4 relation.
 5 Q. What was Kevin Snyder's position?
 6 A. Vice president.
 7 Q. Of what?
 8 A. GTE Communications, I believe consumer markets
 9 or general markets. Actually, before Kevin was Jody
 10 Bilney. Again, I'm not sure of the time frame for those
 11 two bosses of his.
 12 Q. And would they be at the same management level
 13 as John Havens or was John Havens a higher level of
 14 management?
 15 A. Their title was vice president. His title was
 16 assistant vice president.
 17 Q. They were higher.
 18 A. Technically it would appear so, yes.
 19 Q. But you don't know?
 20 A. I don't know.
 21 Q. You mentioned earlier the two people who were
 22 in charge of managing the Snyder contract, Ted Gilmore
 23 and Keith McGee.
 24 A. Yes.
 25 Q. Were there others who had other types of

1 responsibilities related to Snyder that you're aware of?
 2 A. Ted and Keith had staffs of administrators or
 3 managers who worked directly with Snyder.
 4 Q. Do you know whether any of those persons are
 5 still employed by GTE?
 6 A. I believe at least one is.
 7 Q. Who's that?
 8 A. Ann Fields.
 9 Q. She was in one of the sections of either Ted
 10 Gilmore or Keith McGee?
 11 A. Yes.
 12 Q. Do you know what her job was?
 13 A. I don't recall the title.
 14 Q. Do you recall what the job entailed, though?
 15 A. Quality.
 16 Q. Did you ever have occasion to discuss what you
 17 were finding with her?
 18 A. Yes.
 19 Q. Could you describe those conversations?
 20 A. Those were generally in the context of
 21 conference calls between Ann, myself, Post-Sale
 22 Fulfillment, and Snyder. Ann facilitated the calls.
 23 Q. Do you recall about how many such conference
 24 calls you participated in?
 25 A. Ten or so.

1 Q. And do you recall the time frame of those
 2 calls?
 3 A. As best I can recall, early summer 1998
 4 through about the end of 1998. I was not on every call.
 5 Q. What was the topic of those calls? Generally
 6 fraud, Snyder?
 7 A. Complaints as they related specifically to
 8 Snyder, both slaming and nonslaming.
 9 Q. Would you relate what you were discovering
 10 about the complaints concerning forgeries of customer
 11 signatures?
 12 A. Together with Post-Sale Fulfillment, I would.
 13 Q. What was Ms. Fields' reaction to those
 14 disclosures?
 15 A. She was as concerned as we were.
 16 Q. Do you recall any actions being taken during
 17 any of those conference calls?
 18 A. I recall Snyder assuring us on both the weekly
 19 quality calls and the monthly quality calls that they
 20 were taking measures to eliminate the problem.
 21 Q. I'm going to show you a number of documents
 22 that are Bates stamped 16630 through 16745. They appear
 23 to be titled GTE LD slaming complaints. I want to just
 24 generally ask you if you're familiar with these forms.
 25 A. I have seen this. I don't recall for what

1 purpose it was created.
 2 Q. Were you involved at all in the creation of
 3 this report or supply any of the data in the report?
 4 A. I don't remember.
 5 Q. Do you know who prepared this report?
 6 A. No.
 7 Q. Do you know to whom it might have been
 8 distributed?
 9 A. I don't know.
 10 Q. One of the columns on the report is listed as
 11 NID. Would you know what that means?
 12 A. I don't remember what NID stands for.
 13 Q. Have you ever received any slaming complaints
 14 that relate to actions taken at phone marts in GTE's
 15 territories?
 16 MR. WOFFORD: You mean any territory or
 17 in Florida?
 18 BY MR. BECK:
 19 Q. Any territory first.
 20 A. Have I received information about such
 21 complaints?
 22 Q. Yes.
 23 A. Yes.
 24 Q. What information have you received?
 25 A. Information that a customer in an area where

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1 GTE has a phone mart alleging that he or she was slanned
2 by the phone mart.

3 Q. Did you ever have occasion to -- again, those
4 would be investigated by Post-Sale Fulfillment of the
5 local telephone company; is that right?

6 A. Yes.

7 Q. Have you ever had occasion to review any of
8 those relating to phone marts?

9 A. Occasionally.

10 Q. Any in Florida that you recall?

11 A. I believe I recall one in Florida.

12 Q. What do you recall about that?

13 A. As best I can recall, a customer in Florida
14 claimed that he or she never ordered GTE Long Distance
15 and yet was changed to GTE Long Distance regardless.
16 When Post-Sale Fulfillment did their investigation, they
17 obtained an LOA submitted to GTE by a GTE phone mart
18 with a customer's signature. The customer maintained he
19 or she did not sign it.

20 Q. Okay. That did not involve Snyder, did it?

21 A. No.

22 Q. Do you recall what disposition was made of
23 that complaint?

24 A. I believe the employee was either put on
25 disciplinary action or fired from the phone mart.

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1 Post-Sale Fulfillment providing some 1998 regulatory
2 Snyder complaints by agency.

3 Q. Do you recall the purpose of the e-mail?

4 A. No, I don't.

5 Q. Are you familiar with any of the other
6 documents in this package?

7 A. I don't recall seeing 17206. It appears it
8 could possibly contain information from the
9 aforementioned e-mail. I do not recall these pages.

10 Q. You're referring to 17207 reflecting a Snyder
11 meeting about slanning?

12 A. Yes.

13 Q. Do you recall any meetings that you might have
14 attended relating to Snyder and slanning specifically?

15 A. Snyder slanning at any time?

16 Q. Well, a meeting specifically dedicated to
17 slanning by Snyder.

18 A. I recall one such meeting.

19 Q. Could you describe that?

20 A. It was a meeting held in fall 1998 to address
21 Snyder complaints, specifically Snyder slanning
22 complaints, and to raise awareness of the issue.

23 Q. Who called the meeting; do you recall?

24 A. As I recall, Karen Turner.

25 Q. Do you recall other persons who attended that

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1 Q. Do you recall which phone mart it was?

2 A. No, I don't.

3 Q. Do you recall the customer's name?

4 A. No.

5 Q. Do you ever recall reviewing a customer named
6 James Brown?

7 A. I don't recall that name.

8 Q. I'm going to show you a document Bates stamped
9 16967. It's entitled GTE Communications Corporation
10 customer complaints involving Snyder Communications,
11 Inc. Have you ever seen that form before?

12 A. No, not that I can recall.

13 Q. So you would not know the purpose of this
14 report, would you?

15 A. No, I would not.

16 Q. I'll show you a series of documents that are
17 Bates stamped 17208 through 17216 and ask you whether
18 you've seen these documents before.

19 A. The first five pages I do not recall. This, I
20 recall. It's an e-mail to me.

21 Q. And you're referring to a Bates stamped page
22 17205; is that right?

23 A. Yes.

24 Q. Go ahead.

25 A. This is an e-mail to me from an employee of

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1 meeting?

2 A. As best I can recall, along with Karen and
3 myself, Liz Smith from Post-Sale Fulfillment, Jo Ann
4 Peters from GTE Network Services, and David Gadino from
5 GTE.

6 Q. Who is David Gadino?

7 A. I believe he is an attorney.

8 Q. Could you describe what was discussed at that
9 meeting?

10 MR. WOFFORD: Before you do, let me go
11 over -- can you read back his previous
12 answer?

13 (The record was read by
14 the court reporter.)

15 MR. WOFFORD: Give me a minute here.
16 (Brief recess.)

17 MR. WOFFORD: Back on the record.
18 Mr. Beck, the witness has specified that a
19 meeting took place and that it was attended
20 by, among other people, inhouse counsel for at
21 that time GTE. After conferring with the
22 witness, I'm going to instruct him not to
23 answer questions about the substance of the
24 discussions in that meeting on the basis that
25 it contains attorney-client privileged

1 material.

2 BY MR. BECK:

3 Q. Mr. Commons, I'm going to give you Bates
4 stamped page 17229 and ask you if you recognize that.

5 A. No, I do not.

6 Q. I'm going to hand you page 17436 and ask you
7 if you recognize that.

8 A. I don't recall this specific interoffice memo,
9 although my name is on it as one of the distribution
10 list people.

11 Q. Do you recall the purpose of the memo? You
12 don't recall it at all?

13 A. I do not.

14 Q. Okay. I'm going to hand you page 17437 and
15 ask you if you recall that report.

16 A. No, I don't.

17 Q. I'm going to show you a chart on page 17445
18 and ask if you've ever seen that before.

19 A. I believe I recall seeing this at one point.

20 Q. This chart is entitled total Wentzville calls
21 per day; is that right?

22 A. Yes.

23 Q. What is Wentzville?

24 A. Wentzville is a city -- I forget the state
25 it's in -- that at one point, I believe -- I'm not

1 or Snyder. I believe all three have been involved at
2 some point in performing some call center functions.

3 Q. And does call center generically refer to the
4 place where people call for questions related to their
5 bill and so forth?

6 A. Yes.

7 Q. Now, this chart shows -- let me ask you, what
8 does the chart show?

9 A. I did not create this chart. As best I
10 recall, my previous manager, Ray Strait, created this
11 chart. I don't know for what purpose or for what
12 meeting or for what audience. It appears to show month
13 by month the volume of calls per day received by the
14 Wentzville center beginning in August 1997 and running
15 until April '98.

16 Q. Does it show you that the numbers increased
17 shortly after Snyder started selling?

18 A. Yes, it does.

19 Q. You had no connection with Ray Strait creating
20 this chart?

21 A. Not that I recall.

22 Q. I'm going to show you page 17446 and ask you
23 if you recognize that.

24 A. I do not recall seeing this chart.

25 Q. The chart purports to show slanning for three

1 sure -- functioned in a call center functionality for
2 GTE Long Distance, meaning they received calls from
3 customers about an array of issues.

4 Q. Would that be the number you call when you
5 receive your bill from GTE Long Distance that says if
6 you have any questions call us?

7 A. It's possible. I don't recall specifically
8 what Wentzville's specific duties were. I have not seen
9 the name Wentzville in some time.

10 Q. They're no longer your call center.

11 A. Not to my knowledge.

12 Q. Where is that function being performed now?

13 A. AFNI, Andersen Financial -- I don't know the
14 rest of the acronym.

15 Q. What state is that from?

16 A. They are in Illinois, I believe, and in
17 Arizona.

18 Q. You mention that Snyder, I believe, at some
19 point was also doing call center functions for GTE Long
20 Distance; is that right?

21 A. Yes.

22 Q. Would that be the same function that was
23 performed by Wentzville here?

24 A. I don't know specifically the differences
25 between the call center functions for Wentzville, AFNI,

1 days in April of 1998, does it not?

2 A. Yes.

3 Q. I'll show you page 17447 and ask you if you've
4 seen that before.

5 A. I do not recall seeing this chart before.

6 Q. Do you know if this is something Ray Strait
7 created or not?

8 A. I don't know.

9 Q. Do you recall there ever being any discussions
10 about the call centers receiving increased calls about
11 complaints about Snyder?

12 A. I don't recall any specific conversations, no.

13 Q. Did you ever have any discussions with Ray
14 Strait concerning the matters that are shown on these
15 documents; in other words, calls to the Wentzville
16 center?

17 A. I did not have any discussions of that sort
18 with Mr. Strait, no.

19 Q. Do you know to whom those documents might have
20 been distributed that we just looked at concerning the
21 Wentzville center?

22 A. I don't know. I don't know the audience for
23 those documents.

24 Q. Did you ever attend a meeting concerning a GTE
25 quarterly review -- let me back up. Let me show you

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1 document page 28574, which is entitled results, GTE
 2 quarterly review, May 7th through 8th, 1998, and ask if
 3 you're familiar with that quarterly review.
 4 A. No, I am not.
 5 Q. Did you ever attend any meetings reviewing
 6 Snyder's performance on a quarterly basis?
 7 A. Not that I recall.
 8 Q. Earlier in your deposition we talked briefly
 9 about the use of cell phones for third-party
 10 verification.
 11 A. Yes.
 12 Q. Do you recall any discussions concerning the
 13 cost that that would entail to implement that?
 14 A. I do not recall any discussions about cost.
 15 Q. Do you recall any discussions -- I mean, you
 16 had some discussions on whether that would be
 17 implemented nationwide instead of just in California; is
 18 that right?
 19 A. Liz Smith from Post-Sale Fulfillment and I
 20 talked about that amongst ourselves.
 21 Q. That that might be a way to decrease slaming
 22 by Snyder?
 23 A. We thought that possibly it would be.
 24 Q. But you never communicated that elsewhere?
 25 A. We may have brought it up on one of the

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1 quality calls weekly or monthly with Snyder. I don't
 2 recall.
 3 MR. BECK: Can we break for just like
 4 two or three minutes? I think I'm done, but
 5 I'd like to review my notes.
 6 (Brief recess.)
 7 ---
 8 EXAMINATION
 9 BY MR. WOFFORD:
 10 Q. Mr. Commons, let me ask you some questions
 11 about the document that has been marked 16307. Do you
 12 see the category fraudulent LOA on that document?
 13 A. Yes.
 14 Q. We've spent some time discussing that category
 15 today, haven't we?
 16 A. Yes.
 17 Q. Let me ask you a hypothetical and then try and
 18 relate it to this category; all right?
 19 A. Okay.
 20 Q. Let's assume that a customer complains to GTE
 21 that he did not order GTE Long Distance but was
 22 nevertheless switched to GTE Long Distance. With me so
 23 far?
 24 A. Yes.
 25 Q. GTE investigates, is unable to determine

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1 conclusively whether the LOA was fraudulent or not.
 2 With me so far?
 3 A. Yes.
 4 Q. The customer still maintains that the LOA was
 5 fraudulently filed.
 6 A. Yes.
 7 Q. Is in that situation that complaint recorded
 8 as a fraudulent LOA?
 9 A. For purposes of this report, yes, it is.
 10 Q. So therefore, am I correct in thinking that
 11 the complaints recorded as fraudulent LOA on this report
 12 16307 and others like it are not affirmative
 13 determinations by GTE of fraudulent LOA's?
 14 A. Right.
 15 Q. That's the customer's opinion of what
 16 happened, not necessarily GTE's opinion; correct?
 17 A. Correct.
 18 MR. WOFFORD: That's all the questions I
 19 have.
 20 (Discussion off the record.)
 21 ---
 22 FURTHER EXAMINATION
 23 BY MR. BECK:
 24 Q. I do want to follow up on that. Once a
 25 complaint is put in the fraudulent LOA category there,

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1 is there further investigation done past the point where
 2 your attorney questioned you?
 3 A. No.
 4 Q. So that is the last determination and final
 5 determination by GTE as to whether there was a
 6 fraudulent LOA or not; is that correct?
 7 A. Correct.
 8 Q. There's no further action taken beyond that.
 9 A. The customer's final word being that is not my
 10 signature, it would be recorded in this column as
 11 fraudulent LOA, believing the customer to be telling the
 12 truth when he or she says I did not sign that document
 13 and taking the customer's word for it.
 14 Q. And GTE contemplates no further investigation
 15 beyond that at that point; is that right?
 16 A. They may want to know if the salesperson at
 17 Snyder who submitted that document had had previous
 18 complaints lodged against him or her.
 19 Q. Right. But as far as the substance of that
 20 customer's complaint, that's the end of GTE's
 21 investigation.
 22 A. That issue is then closed.
 23 MR. BECK: Thank you.
 24 ---
 25 (Deposition concluded at 1:25 p.m.)

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EXHIBIT TO DEPOSITION TRANSCRIPT

OF

LARRY J. COMMONS

(Bates Stamped Order)

**B. Customer Relations
Reports**

Unauth Ch		37	In Franchise: 9		Business 0	Regulatory: 12						
TYPE	B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CAL	Source	Complaint Issue	Corrective Action	DISP
07	R		CHLU, KIN LAU	2127320665	Mart	4/30/98		601	Fax Ray Strait	Cust not satisfied with GTELD, wants to switch back to original carrier.	<i>Misinfo about...</i>	
							Total Reason:	1				
05	R		COOKSON, O. H.	5056226305	Dell	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.		
05	R	IF	WONDERLE, BRUCE	9416889116	Dell	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.		
05	R		DODSON, DAVID	9044332822	Bett	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.	FRAND	
05	R		MIRAND, MARIA	3058845381	Eliza	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.	<u>FRAND</u>	
05	R		MARTINEZ, JOSEPHINE	3057572644	Dell	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.		
05	R		LISS, MICHAEL	9155875886	Bett	4/27/98	4/30/98	602	Fax Sitel	Cust was switched to GTELD without authorization.	Snyder has loa signed by Lorenzo Belisle w/ssn 462-90-8132. Belisle is cust's father-in-law, has different ssn and said didn't sign. LDX has been changed from GTE.	602 <i>frand</i>
05	R		LISENDY, KENT	9155842789	Mart	4/30/98	5/1/98	602	Fax Sitel	Cust switched to GTELD without authorization.	Snyder has loa, cust said not signature. Credited account. Advised cust would have to switch carriers himself, he finally agreed. Forwarded to Michael Lyons.	602 <i>frand</i>
05	R		LEE, LIANA	2122680844	Mart	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.	<i>frand</i>	
05	R	IF	LEASURE, LESTER	2188452411	Phyll	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.		
05	R	IF	ROBERTS, EDDENE	9034853079	Mar	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.		
07	R		RUSSELL, EDGAR	9544579006	Mar	4/29/98		602	Email Ray Strait / HOT	Cust switched to GTELD without authorization. Cust wants \$100 for troubles. Maryland - 301/863-8538.	<i>frand</i>	
05	R		KURBY, JEANETTE	6105868152	Mar	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.	<i>frand</i>	
05	R		SLOAN, BEVERLY	6158680707	Eliza	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.		
05	R		PEREZ, MONICA	7185655531	Davi	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.		
05	R	IF	WADE, SANDRA	8139208700	Mart	4/30/98		602	Fax Sitel	Cust switched to GTELD without authorization.		
05	R		FERNANDEZ, RAUL	2092297298	Dell	4/27/98		602	Fax Sitel	Cust was switched to GTELD without authorization.	<i>frand</i>	

05 R Betts, Mr. 6.16682e+009 5/5/98 5/5/98 499 Note from customer Didn't want to be solicited by GTELD over the telephone -- requested written info about GTELD plans. Sent letter and brochures to customer (customer's first name is illegible on his note) 499

Total Reason: 1

Unauth Chg 74 In Franchise: 15 Business 2 Regulatory: 5

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CAL	Source	Complaint Issue	Corrective Action	DISP
04	R	ZAMORA, RODOLFO	9155331067	Dell	5/7/98	601		TX/NM Cust Rel	Received fulfillment letter, didn't authorize switch to GTELD wants to know who did.	fraud	
05	R	CHIN, KOK	4087328390	Dell	5/4/98	601		Fax Snyder	Cust received fulfillment letter, doesn't want GTELD wants previous carrier. Cust was advised would have to contact local lec and also to file pic restriction, cust refused.	fraud	

Total Reason: 2

05	R	BULL, BURL	9724791369	Eliza	5/6/98	602		Sitel	Cust switched to GTELD without authorization.	LOA exists	
05	R	ALDA, JOSEFINA	7184467748	Eliza	5/6/98	602		Snyder	Cust switched to GTELD without authorization.	fraud	
05	R	FIERRO, ROBERTO & YOLANDA	9155917128	Davi	5/5/98	602		Sitel	Cust switched to GTELD without authorization.	fraud	
05	R	FELDER JR., THOMAS	2152330318	Bett	5/6/98	602		Snyder	Cust switched to GTELD without authorization. OOF billing issued credit for inconvenience.	12/1/98	
03	R	FEINBERG, ALBERT	9158338234	Mar	5/5/98	602		Larry Commons	Cust called John Havens, advised was switched to GTELD without authorization.	fraud	
MIS	R	BAERG, DAVID & LORI	8162468277	Davi	5/4/98	5/4/98 602		Fax Karen Cureton	Cust was switched to GTELD without authorization.	This is a BFIC account, not a GTELD issue.	699
07	R	BENITES, BARBARA C.	3055416070	Mar	5/6/98	602		Larry Commons/Letter	Cust switched to GTELD without authorization.	fraud	
05	R	BERNADINE, JEANETTE	7182761793	Bett	5/6/98	602		Snyder	Cust switched to GTELD without authorization.	LOA exists	
05	R	CANIS, LARA	3057572994	Phyli	5/6/98	602		Snyder	Cust switched to GTELD without authorization.	not exists	
05	R	ELIAS, CARMEN	7187566284	Phyli	5/6/98	602		Snyder	Cust switched to GTELD without authorization.	not exists	
07	R	CHAPMAN, MICHELLE	7035808001	Phyli	5/7/98	602		Larry Commons	Cust was switched to GTELD without authorization, again.	other	

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IF FELCHER, GERALD 8088281883 Bett 5/14/98 503 Just Rel Place on DNS list. Was contacted by rep that was pushy, wouldn't send written information concerning what rates GTELD offers.

Unauth Chg 34 In Franchise: 7 Total Reason: 1 Business: 2 Regulatory: 5

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL Source	Complaint Issue	Corrective Action	DISP
05 R		PENA, KENIA <i>Other</i>	7183658373	Phyl	5/13/98	602	Snyder	Switched to GTELD without authorization. Doesn't want any long distance service.	<i>lit exist S</i>	
05 R	IF	WILSON, BARBARA <i>Other</i>	9182581965	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05 R		PALMER, ODETTE <i>Other</i>	2125688125	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05 R	IF	PHAM, DUNG <i>O</i>	7148952928	Dell	5/13/98	602	Snyder	Switched to GTELD without authorization. Wants GTELD canceled from service.	<i>rep error</i>	
05 R		CHASE, NATHAN	3165637606	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.	FR	
05 R		RAYMOND, CHARLES <i>O</i>	2129774002	Bett	5/14/98	602	Sitel	Switched to GTELD without authorization.	<i>FRAUD</i>	
05 R		ALARILIN, BLANCA <i>O</i>	3059569511	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05 R		ANDERSON, THOMASYNE <i>O</i>	3014596249	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>LOA</i>	
05 R		NOVOA, JORGE <i>O</i>	7182412378	Dell	5/13/98	602	Sitel	Switched to GTELD without authorization.		
07 R		SCOTT, LOREN	9999999999	Davi	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Please cancel.		
05 R		BARROSO, ELIBEL <i>O</i>	3058235777	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
07 R		VALCIN, SERGE <i>EX</i>	7188594211	Dell	5/12/98	602	Ray Strail	Switched to GTELD without authorization.	<i>FR</i>	
07 R	IF	CARPENTER, GARY	7126842978	Mar	5/14/98	602	Ray Strail/Survey	Switched without authorization for signing up for a car.		
05 R		DOMINGUEZ, BRIAN <i>O</i>	9155813908	Dell	5/13/98	602	Snyder	Switched to GTELD without authorization. Claims reported to Attorney General's office.	<i>LOA</i>	
04 R	IF	DAOUST, RAYMOND L.	5178217131	Davi	5/12/98	602	NE Cust Rel	Switched to GTELD without authorization. Calling cards not working. Has blue and black calling cards. Needs re-rating.		
07 R		FELICIANO, CECILIA <i>EX</i>	9999999999	Eliz	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Letter written in Spanish.	<i>fraud</i>	
07 R		LUEGE, ANTONIO M. <i>EX</i>	9549999999	Eliz	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization, letter written in Spanish.	<i>LOA</i>	
07 R		FAUSTIN, JOSEPH <i>EX</i>	5164838730	Chol	5/14/98	602	Larry Commons / Letter	Switched to GTELD without authorization. Received bill.	<i>LOA</i>	
07 R		LIRIANO, CRISTINA <i>EX</i>	7187280937	Phyl	5/13/98	602	Ray Strail/Internet	Switched to GTELD without authorization. Wants switching fee removed.	<i>FR</i>	
05 R		MARTINEZ, RICARDO <i>O</i>	9155654387	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
MIS R		GRAPHIC ARTS INC	3053711401	Bett	5/13/98	5/14/98 602	Sitel	Switched to GTELD without authorization.	Switched by Least Cost routing. Called cust and gave number for Least Cost Routing. Not GTELD.	602
05 R		GALVAN, RAMON <i>O</i>	9157725371	Bett	5/13/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
05 R		HANNAH, BARBARA <i>O</i>	9158219210	Eliz	5/11/98	602	Sitel	Switched to GTELD without authorization.	<i>FR</i>	
07 R		KOTOUC, DENEK	4089651292	Dell	5/14/98	602	Karen Cureton	Switched to GTELD without authorization.		
05 R		HUA, GANG	4082830977	Phyl	5/13/98	602	Sitel	Switched to GTELD without authorization.		

07	R	IF	GEORGE, KRISTI	7178457939	Chri	6/8/98	6/12/98	502	jan Robinson	Add to DNS list. Spanish speaking TMA form GTE called cust, hung up when cust wouldn't give tn. TMA called again, hung up when asked to put on DNS list. TMA super hung up when asked to put on DNS list	Added cust to DNS list Telespectrum contacted cust in 1/98. Rodolfo/Snyder called cust, advised his supervisor Elliot only called 1. Called cust, advised added to DNS
07	R	IF	SAMPAYAN, ROBERT	3103057325	Mar	6/11/98		502	Robert Taylor / HOT	Place on DNS list, received 6 calls last week.	

Total Reason: 2
 Business: 2 Regulatory: 10

Unauth Chg

15

In Franchise: 6

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Source	Complaint Issue	Corrective-Action	DISP
04	R	IF	RADTKE, KAREN	8133604028	Mart	6/12/98	602	FL Cust Rel	Switched to GTELD without authorization.		
07	R		ROSENBLUTH, LAWRENCE	2124273312	Belt	6/9/98	602	Larry Commons	Switched to GTELD without authorization.	fr	
01	R		SIMON, ALVIN	7182243575	Davi	6/12/98	602	Karen Cureton	Switched to GTELD without authorization.	fr	
02	R	IF	BUCKINGHAM, DORIS	8135447288	Davi	6/9/98	602	Karen Cureton	Switched to GTELD without authorization.		
02	R	IF	ABRAHAM, STEPHEN & ROBERTA	8054844002	Davi	6/9/98	602	Karen Cureton	Switched to GTELD without authorization.		
01	R		SAINT BRENDAN CORP	3107822333	Davi	6/12/98	602	Karen Cureton	Switched to GTELD without authorization.		
01	R	IF	BRUNDY, MICHAEL	8138542390	Davi	6/12/98	602	Karen Cureton	Switched to GTELD without authorization.		
10	R		MILLER, ROBERT	2175850500	Davi	6/9/98	602	Karen Cureton	Switched to GTELD without authorization.		
02	R		FLINT, HARRY	9413691960	Davi	6/11/98	602	Karen Cureton	Switched to GTELD without authorization.		
02	R	IF	MURRAY, ELIZABETH J.	8136334901	Davi	6/11/98	602	Karen Cureton	Switched to GTELD without authorization.	cust misand.	
02	R		ROHDE, DAVID D.	2127440121	Davi	6/11/98	602	Karen Cureton	Switched to GTELD without authorization.	fraud	
07	B	IF	A & J ANSWERING SERVICE	5628069440	Mar	6/9/98	602	Ray Strait / HOT	Switched to GTELD without authorization.		
07	B		METROPOLITAN PROPERTIES	4089428898	Mart	6/10/98	602	Ray Strait / Internet	Switched to GTLED without authorization. E-mail address: pplenkoski@aol.com.		
EM	R		HICKS, MOCHELLE	8435278487	Bett	6/9/98	603	Ray Strait	Switched from GTELD without authorization. Lost discounts and tried to put pic freeze on Intra, but still shows 5448.		
01	R		HASSAN, SIDEK	2023282785	Davi	6/12/98	699	Karen Cureton	Switched by Building Future in Communication.		

Total Reason: 13

Total Reason: 1

Total Reason: 1
 Business: 3 Regulatory: 2

Billing

13

In Franchise: 4

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Source	Complaint Issue	Corrective Action	DISP
09	B	IF	DC FOOTE & ASSOCIATES	8054820091	Eliz	6/11/98	701	Goodwill Response	Billed by another carrier, wanted GTELD, but has dropped the ball, so went with occ.		
EM	R		HOVANEK, JOHN	8172837064	Mar	6/8/98	702	Exec Cut Rel	Hasn't received a GTELD bill. Made payment arrangements and has not received a bill.		

Total Reason: 1



Customer Relations Report for Week Ending 8/8/98

TOTAL COMPLAINTS **133**

Total In Franchise: 77

Total Business: 8

Total Regulatory: 18

THE "COMPLAINT" IS...
 SIGNIFICANTLY DIFFERENT WITH THE NEW...
 COMPARE THIS TO THE DATA WE WERE
 RECEIVING PREVIOUSLY...

ARE WE MISSING DATA? OR WILL ALL
 COMPLAINTS BE DESCRIBED BY
 ABBREVIATED CATEGORY DESCRIPTIONS?

Provisioning Delay: 8

In Franchise: 7 Business: 1 Regulatory: 0

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Corrective Action	DISP	
09 R	IF	HEASLEY JR. M.L.	2814262669	ME	8/4/98	8/4/98	101				
03 R	IF	PANTALION JOE	4095679694	MP	8/7/98	8/7/98	101				
04 R	IF	RUST WALTER	8059229885	DR	8/3/98	8/7/98	101	DELAYED SERVICE ACTIVATION	Could not call out long distance was quoted a 10 to 14 days commitment. I called GTELD repair to see what the trouble was and the commitment given to the customer. Was advise of a 2 to 16 hour com	101 GTELD 4082	
07 R	IF	KERSIS BRUCE	7603421744	DR	8/6/98	8/6/98	101				
07 R		STROUD PETE & MARIANNA	7273472334	EG	8/3/98	8/3/98	101	DELAYED SERVICE ACTIVATION	ROOT CAUSE: QUALITY OF PERFORMANCE LOB: GTE CLEC IN FRANCHISE CUSTOMER SATISFIED	101 GTELD	
07 R	IF	SWARTZ BOYD	4194584701	MP	8/5/98	8/5/98	101				
05 B	IF	FULBRIGHT AND CASSELBERRY	8068722103	CLM	8/3/98	8/7/98	101	DELAYED SERVICE ACTIVATION	Customer switched to another carrier without his permission. I order processed on 7/30 & PIC restrict request. Verified with Equal Access & Worldcom customer is back with GTE as of 7/31 however GT	101 GTELD	
					Total Reason: 7						
09 R	IF	EASTVIEW CHRISTIAN CHURCH	3096629376	ME	8/3/98	8/3/98	103				
					Total Reason: 1						

Calling Card: 79

In Franchise: 47 Business: 4 Regulatory: 0

TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Corrective Action	DISP
06 R	IF	COBB SUSAN	8707724291	EG	8/5/98	8/7/98	201	NO CARDS, STILL WAITING	Customer has not received calling cards due to NPA split. RPMS issued correct TCSI code but Card Operations does process that file and therefore there was no active pins contacted Van Banks/Card Ope	201
06 R	IF	BECKETT DEBBIE	7603774264	LY	8/5/98	8/5/98	201			
06 R	IF	OLSON LYLE	7603410086	DR	8/5/98	8/5/98	201			
06 R	IF	NEWNAM DON	9373390698	CM	8/3/98	8/3/98	201			
06 R	IF	BRYANT JIMMY	6067846256	DR	8/4/98	8/4/98	201			
06 R		MERCEDES ALFREDO	7182201253	LY	8/3/98	8/3/98	201			

Ron

15803

TMA		3		In Franchise: 2		Business:		Regulatory: 0			
TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Call Description	Corrective Action	DISP
MIS R		FREEMAN JENNIFER	7276699583	DR	8/11/98	8/13/98	402	402	MIS - GTELD TMAs calling cust late at night	CLEC MSDIRECT	402
04 R	IF	MCMULLEN TENA	3082348443	EG	8/13/98		403	Total Reason: 1	04 - Received call from GTELD TMA offering	GTELD	
04 R	IF	WILLIAMS PAUL	3307258388	CM	8/13/98		405	Total Reason: 1	04 - Not told promotion expired in 8 month	Snyder	

Unauth Chg		22		In Franchise: 5		Business: 0		Regulatory: 9			
TYPE B/R	Fran	CUSTOMER NAME	BTN	WHO	RECEIVED	CLOSED	CALL	Complaint Issue	Call Description	Corrective Action	DISP
04 R		WONG JEFF	6262843889	ME	8/11/98	8/14/98	602	602	04 - Switched to GTELD without authorizati	Customer was switched without authorization. Spoke to customer. Customer had called about this a few months ago. They were told that this would be taken care of but they continue to get bills. Th	602

EX. fraudulent LOA - Snyder

MIS R	IF	SOUTHEASTERN IND	8126894111	CLM	8/11/98		602	602	mis- Switched to GTELD without authorization. Rec	Misdirect- LCR Customer forwarded to Rod Davis.	602
05 R		CROSBY MR.	4078965830	CLM	8/13/98		602	602	05 - Switched to GTELD without authorizati	Called customer & apologized again & explained that his # had been transposed from a # that was being keyed into the system which accidentally switched him. I told him it was not done intentionally &	602

Keying error @ Business - Branch

07 R		WEED MERRILL	(313)279869	EG	8/10/98	8/13/98	602	602	07 - Customer received a GTELD welcome	Customer switched to GTELD without authorization. LOA received from Snyder. LoA Fraud. Customer does not know Terry Weeder or ss#. Credited given for calls made on GTELD. Customer is switched ba	602
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EX. fraudulent LOA - name wrong - customer very upset + even mentioned suing Snyder

07 R		HUNTER MRS.	(773)386962	EG	8/13/98	8/14/98	602	602	07 - Switched to GTELD without authorizati	This customer was slammed by Snyder Communications. Rep is being terminated for signing up deceased. Could not get hold of customer. This phone number is disconnected. Cannot due a DNS without cu	602
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EX. fraudulent LOA - husband dead for 2 years - she called her attorney Snyder

15816

C. Customer Escalations

Customer Escalation Specifics

Billing	Week Ending	
	8/15	8/22
Being billed by other carrier	4	6
800 billing problem	0	1
Requesting combined billing	0	1
Other Billing	3	4
	In Franchise	6
	Out of Franchise	1
	Regulatory	0

Promotions	Week Ending	
	8/15	8/22
Not receiving correct discounts	2	4
Needs more product information	2	2
Other promotions	4	3
	In Franchise	4
	Out of Franchise	4
	Business	0
	Regulatory	1

Other	Week Ending	
	8/15	8/22
Unknown concern	0	2
Other	1	2
	In Franchise	0
	Out of Franchise	1
	Business	1

Snyder Originated Orders (Summary)	Week Ending	
	8/15	8/22
Unauthorized Change	11	13
Marketing/Promotions	2	0
Billing	1	1
Provisioning Delay	1	0
TMA	1	0
Other	0	2
	In Franchise	2
	Out of Franchise	14
	Regulatory	5

Findings For Week Ending 8/15

Unauthorized Change (11)

- 4 - Fraudulent LOA.
- 3 - LOA exists, but customer won't review it, or hasn't reviewed it yet.
- 2 - Still open.
- 1 - Customer said his wife was in car accident 2 years ago and shouldn't have changed their LD service since she's not able to make decisions.
- 1 - LOA exists, contains information for another customer (unable to prove fraud).

Marketing/Promotions (2)

- 2 - Customers claim they should have received a \$25 check for signing up via Kiosk at a shopping mall, but Snyder doesn't offer such a sign-up bonus.

Billing (1)

- 1 - Not GTELD (Customer billed by another carrier).

Provisioning Delay (1)

- 1 - Customer's LEC (not GTE) delayed the service activation.

TMA (1)

- 1 - Customer believes TMA could have done a more thorough job of explaining the promotion.

Updates of Findings For Week Ending 8/8

Unauthorized Change

- 3 - Fraudulent LOA (Where open on last week's report)

NEW

Customer Escalation Specifics

Billing	Week Ending	
	5/9	5/16
Being billed by other carrier	6	7
Requesting Combined bill	1	0
GTELD customer but not being billed	0	0
Other (Including Code#706)	7	13
In Franchise	9	15
Out of Franchise	5	5
Business	1	5
Regulatory	3	6

Promotions	Week Ending	
	5/9	5/9
Not receiving correct discounts	18	19
Needs more product information	6	2
Other	6	3
In Franchise	26	18
Out of Franchise	4	6
Business	0	1
Regulatory	2	2

Other	Week Ending	
	5/9	5/16
Unknown concern	2	4
GTELD prices are too high	0	0
Other	6	7
Network Issue	1	0
In Franchise	4	6
Out of Franchise	5	5
Business	1	4

Snyder Complaints (Summary)	Week Ending	
	5/9	5/16
Calling Cards	0	0
TMA & Handoffs	0	3
Cust. Activations (Delays)	0	0
Unauthorized Change	49	47
Billing	0	0
Promotions	2	4
Other	0	1
In Franchise	0	6
Out of Franchise	51	49
Business	0	1

Last Updated 9/24/98 3:35 PM

GTE Proprietary

Data Source: Master Log

16284

Customer Escalation Specifics

Snyder Originated Orders

Type	Week Ending																								
	2-May	9-May	16-May	23-May	30-May	6-Jun	13-Jun	20-Jun	27-Jun	4-Jul	11-Jul	18-Jul	25-Jul	1-Aug	8-Aug	15-Aug	22-Aug	29-Aug	5-Sep	12-Sep	19-Sep	26-Sep	3-Oct	10-Oct	19-Oct
Unauthorized Change	14	55	20	4	10	14	4	6	10	4	5	18	6	17	9	11	16	10	18	7	13	30	22	30	22
Fraudulent LOA	10	29	13	1	5	3	3	1	4	2	2	16	4	9	5	5	11	8	11	6	5	23	14		
LOA exists	0	12	6	1	3	11	0	1	3	1	1	0	1	8	1	4	4	1	5	1	8	5	7		
Customer misunderstood	1	6	0	0	0	0	1	1	3	0	1	0	0	0	0	1	1	1	0	0	0	0	0		
Snyder rep error	3	6	1	1	2	0	0	2	0	0	0	1	0	0	2	1	0	0	1	0	0	2	0		
Other	0	2	0	1	0	0	0	1	0	1	1	1	1	0	1	1	0	0	0	0	0	0	1		
Marketing / Promotions	0	2	4	1	1	1	2	4	1	1	0	3	1	0	2	2	0	4	1	3	1	2	1	8	8
Billing	0	0	0	1	0	1	1	1	0	2	1	1	2	1	0	1	0	0	1	3	2	3	2	3	2
Provisioning Delay	0	0	0	0	0	0	4	2	0	0	0	0	0	0	0	1	0	0	2	0	0	2	1	0	1
TMA	0	0	3	1	0	1	1	1	1	0	0	0	1	0	1	1	1	1	2	2	2	0	0	0	0
Other	1	0	0	0	0	0	0	0	0	1	0	0	1	2	1	0	0	0	2	2	1	1	0	0	2
Totals	13	51	24	5	8	16	10	18	11	8	6	21	10	15	13	16	16	13	26	17	19	38	27	41	35
Regulatory	1	1	2	1	4	13	2	1	7	0	4	7	2	10	3	5	11	6	9	6	6	20	13	15	15

in 3 weeks
↓

Updates on Findings For Week Ending 10/3 (these were still open on last week's report)

Unauthorized change - 9

- 6 - Fraudulent LOA (6),
- 3 - LOA exists, but customer hasn't reviewed it (3).

Findings For Week Ending 10/10

Unauthorized change - 30

- 6 - Fraudulent LOA
- 1 - LOA exists, but customer hasn't reviewed it (1)
- 1 - Snyder representative keyed an incorrect phone number into the system.
- 1 - Customer ordered GTELD but later changed his mind.
- 4 - Still Open (13)

Marketing/Promotions - 15

- 1 - Customer wanted to know when the Free Minutes would begin and the details of using them.
- 1 - Customer received poor thorough information about GTELD rates and promotions.
- 1 - Customer received incorrect information.
- 1 - Third party verifier did not clarify that Free Minutes are on weekends only.
- 1 - Customer misunderstood the rates he was billed (he was billed correctly).

Billing - 3

- 1 - Customer bill was not at an incorrect address.
- 1 - Customer's LBO didn't notify GTELD that his service was disconnected.
- 1 - Still Open (1)

FL
300 reps in field
- over 100 reps from
Haiti team
were terminated
100% QC

manager chargeback for bad order
2x
what the rep gets charged back
25
GTR Penalties

GTELD Slamming Complaints

Source	IF/OOF	Name of account or complaining party	ND	State	Phone	Receipt Date	Sales Channel	GTE Slam?
FCC	IF	Haberkamp, Sandy		TX	(972) 2549297	8/29/96	CCC	No
FCC	IF	Greenberg, David & Janet		CA	(619) 6731423	8/29/96	TMA	Yes
Customer	IF	Zomar, Joe		WA	(206) 3343318	9/1/96	Sitel	
Customer	IF	Hood, Stephen		KY	(606) 2339886	9/25/96	Snyder	
PUC	IF	Dunn Ms. Guy	X	FLA	(941) 9675190	9/25/96	Zacson	
FCC	IF	Excel Photography		OH	(217) 8922402	9/27/96		
PUC	IF	Lynch, Mel (Boyle Engineering)+C78		FLA	(813) 2237900	10/1/96		
FCC	IF	Kenny, Denis		FLA	(813) 9370134	10/7/96	Sitel	No
FCC	OOF	Lamon, Robert		TX	(817) 4733319	10/7/96	Sitel	Yes
Customer	IF	Steel, Patricia		IL	(309) 6624403	10/23/96	Cldco - LEC	
Customer	IF	Robbins, Arlene		TX	(972) 4943642	10/29/96	Snyder	
Customer	IF	All, Mir		TX	(512) 3390786	11/12/96	BFIC	No
Customer	IF	Gerber, Margaret		FLA	(813) 3479652	11/13/96	Sitel	
FCC	IF	Kirner, Trish		WI	(808) 8436385	11/20/96	CCC	Yes
Customer	IF	PAGE, JAIME		KY	(606) 2716787	11/26/96	Sitel	No
Customer	IF	LEAKE, JANET		WI	(414) 9253701	12/1/96	Zacson	No
Customer	IF	WINNER, MARK		FLA	(813) 2511292	12/2/96	Sitel	
FCC	IF	Ferguson, James L.		TX	(214) 2526613	12/4/96	Sitel	No
Customer	IF	King, Todd		IN	(219) 4785316	12/9/96	Zacson	No
FCC	IF	Meltzer, Dixie		FLA	(813) 9320750	12/9/96		
Customer	IF	Nausherwan, Ahmad	X	TX	(512) 3356934	12/9/96		
Customer	IF	Hoffman, Don		FLA	(941) 9563657	12/10/96		
Executive	OOF	Texas Commerce Bank		TX	(972) 9222300	12/10/96		
Customer	IF	Watson, William	X	FLA	(813) 8559148	12/12/96	Sitel	
Customer	IF	ALYN, SUZANNE		WA	(509) 7633428	12/12/96	Sitel	No
Executive	IF	Gerhart, James		PA	(717) 8654192	12/12/96	Zacson	No
Customer	IF	Manwell, James		WA	(360) 8349370	12/12/96	Zacson	No
Executive	IF	Giordano, Charles Ms.		FLA	(813) 7250246	12/13/96	External IXC	No
Customer	OOF	Leathers, Nancy	X	TX	NotAvailable	12/16/96		
Executive	OOF	Garelik, Shelly		CA	(818) 8863241	12/19/96	Zacson	Yes
Customer	IF	GIBSON, MACK	X	MI	(517) 2792574	12/19/96	Zacson	

16630

GTE Communications Corporation Customer Complaints Involving Snyder Communications, Inc.

(Complaints are from January 1, 1998 to June 22, 1998)

Total Customer Complaints (Slamming only)..... 320

Snyder Slamming Complaints:

Alaska	1
Alabama	2
Arizona	5
California	33
Colorado	1
Connecticut	2
Washington D.C.	3
Delaware	1
Florida	48
Georgia	6
Iowa	1
Illinois	2
Indiana	1
Louisiana	3
Massachusetts	2
Maryland	5
Michigan	1
Missouri	1
North Carolina	1
New Jersey	4
New Mexico	1
New York	114
Ohio	3
Pennsylvania	15
South Carolina	1
Texas	48
Utah	1
Virginia	5
Washington	9

TOTAL 320

Comments:

This is information on Snyder to date. All of these are for 1998, as they were not doing business with GTE Long Distance until January 23, 1998.

To: Larry Commons@CO.LDSVCS.4

From: Beth Gomez@NCO.PSF

Cc:

Bcc:

Subject: Regulatory Snyder Complaints

Attachment:

Date: 1/13/99 11:07 AM

Docket No. 990362-T1

Exhibit REP-9

Page 111 of 118

The breakdown for 1998 Regulatory Snyder Complaints by Commission Agency is as follows:

FCC	26
PUC/PSC	297
Atty Gn	5
Other Agencies	25
TOTAL	353

12

Thanks,
Beth Gomez
Long Distance Fulfillment
972/718-6581

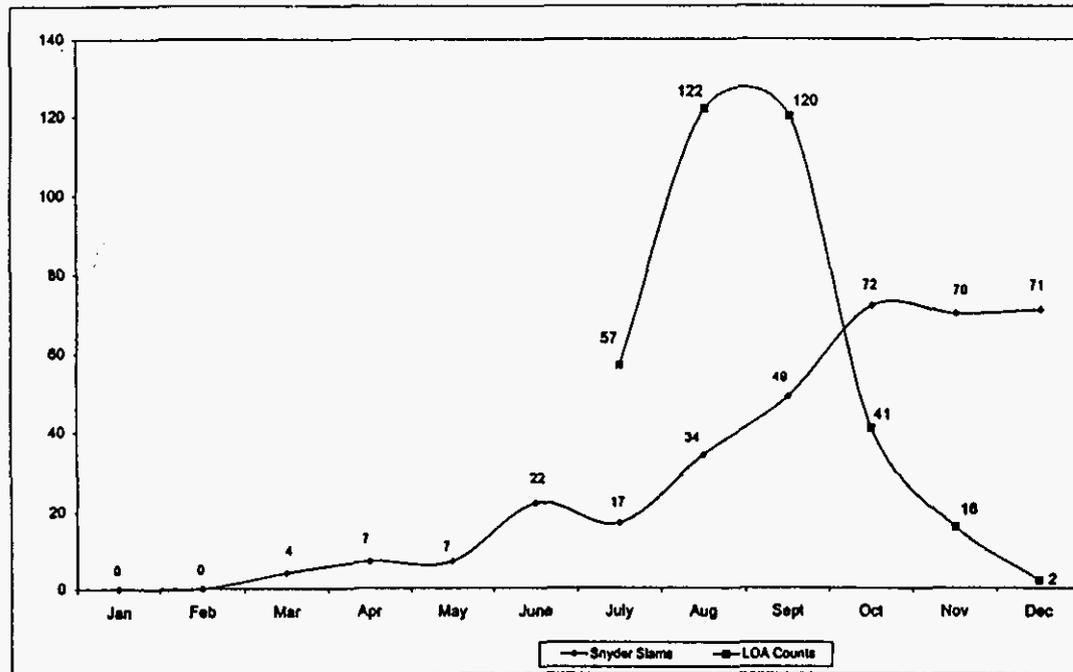
353
31
 384

91%

561,174
2,576,411

73 = 70%
31
 104

SNYDER REGULATORY SLAMMING COMPLAINTS



SLAMMING COMPLAINTS
by Month Closed and State of Complaint

1998	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
FL	0	0	2	2	0	1	8	17	28	64	50	42	204
NY	0	0	1	3	4	6	3	8	10	12	11	18	76
TX	0	0	0	2	1	13	4	2	2	3	1	4	32
MI	0	0	0	0	0	0	0	6	3	0	4	2	14
IL	0	0	0	0	0	0	0	0	0	2	2	3	7
CA	0	0	0	0	1	3	0	0	1	1	0	1	4
VA	0	0	0	0	1	6	1	6	0	0	0	1	20
AL	0	0	0	0	0	1	0	0	0	0	0	0	2
WA	0	0	0	0	0	0	0	1	1	0	0	0	2
WV	0	0	0	0	0	0	0	1	1	0	0	0	2
CO	0	0	0	0	0	0	0	0	0	0	1	0	1
DE	0	0	0	0	0	1	0	0	0	0	0	0	1
NE	0	0	0	0	0	0	0	0	0	0	1	0	1
NJ	0	0	0	0	0	0	0	0	1	0	0	0	1
PA	0	0	0	0	0	0	0	0	1	0	0	0	1
SC	0	0	1	0	0	0	0	0	0	0	0	0	1
TN	0	0	0	0	0	0	0	0	1	0	0	0	1
TOTAL	0	0	4	7	7	22	17	34	49	72	70	71	353

17206

SNYDER MEETING SLAMMING

- **REGULATORS AND CONSUMERS ARE INCREASINGLY SLAMMING INTOLERANT**

AT&T and Texas: \$300K fine and agreement to cease community event marketing with contractors

**AT&T and Florida: Negotiating fine which could be as high as \$5.5 M
Per Miami Herald, Commission Staff noted that AT&T averaged 11 slamming complaints per month from January 1997 through May 1998.**

- **GTE REGULATORY SLAMMING COMPLAINTS ARE ON THE RISE**

GTE answered 152 regulatory Slamming complaints from the Snyder Channel since January 1998.

Based on the date of the LOA, we had a low of 5 slamming complaints in May. After May, complaints continue to increase.

- **GTE HAS SIGNIFICANT REGULATORY EXPOSURE IN SEVERAL STATES**

**Florida
New York
Texas**

17207

GTE CONFIDENTIAL

Docket No. 990362-TI
Exhibit REP-9
Page 113 of 118



INTEROFFICE MEMO

TO: Distribution
FROM: Ann Fields *AF*
DATE: October 9, 1998
RE: Customer Service Complaints

Attached is the first report detailing the customer service complaints we are receiving in the Quality Assurance Department.

As you review the attached report, please keep in mind that this report only reflects complaints/inquiries received from the customer service groups. This report does not account for regulatory complaints. In addition, one of the complaint types is listed as "Misunderstanding". This category refers to complaints where the customer was confused about a rate, promotion, pricing plan, etc. In future reports, this category will be removed and integrated with other categories.

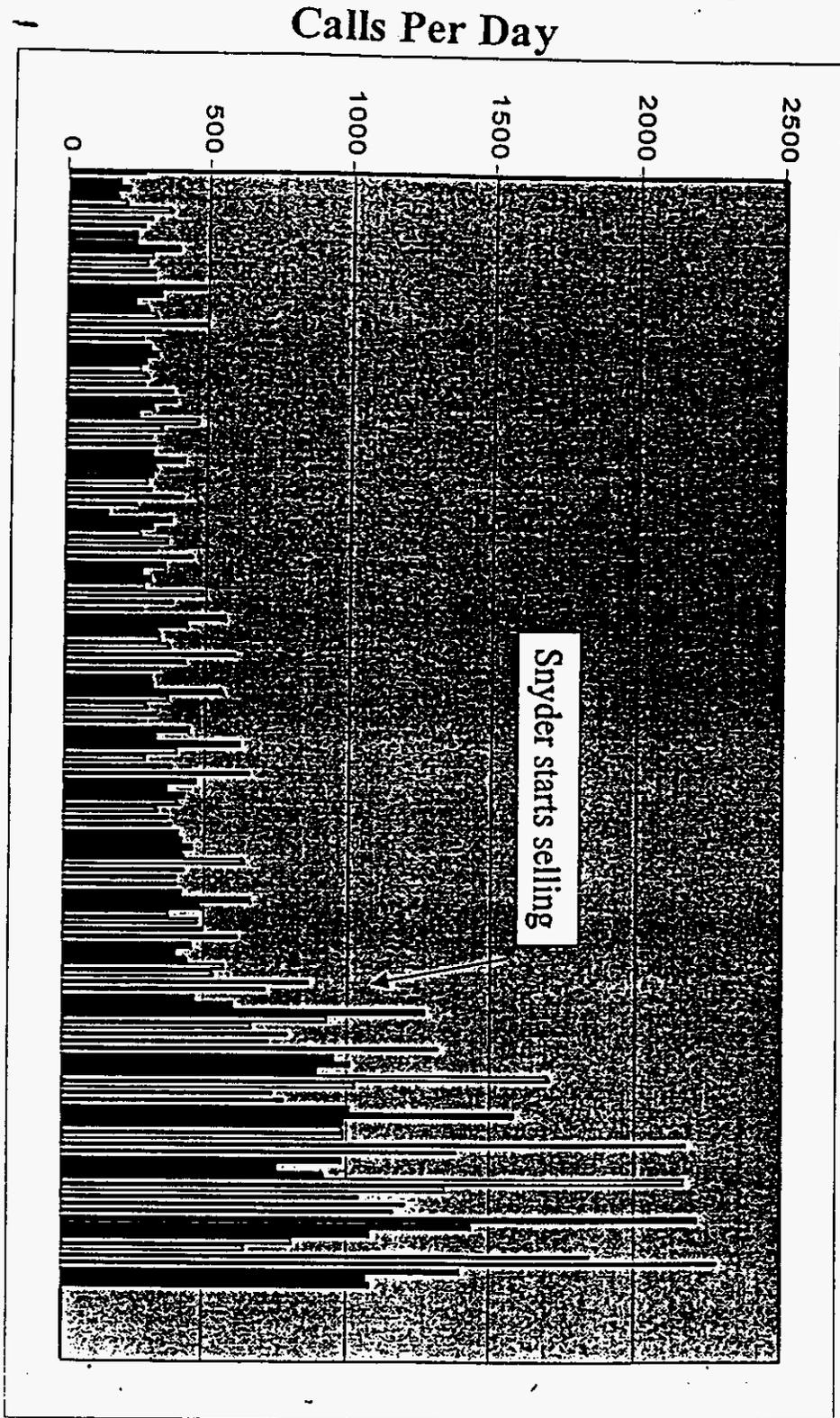
Also, because the receipt of these complaints is dynamic in nature (we receive bundles of these complaints on infrequent timetables), the numbers for the various months will adjust on a quarterly and yearly basis.

Please feel free to call me if you have any questions. Thanks!

Distribution List:

Ted Gilmore
Keith Magee
Ed Miller
Matthew Murray
Jeff Fugitt
Sandhya Karachiwala
Shawn Barney
Emilio Coronado
Michael Lyons
Joe Caliro
Karen Cureton
Larry Commons
Liz Smith

Total Wentzville Calls Per Day



August
1997

February
1998

March
1998

April
1998

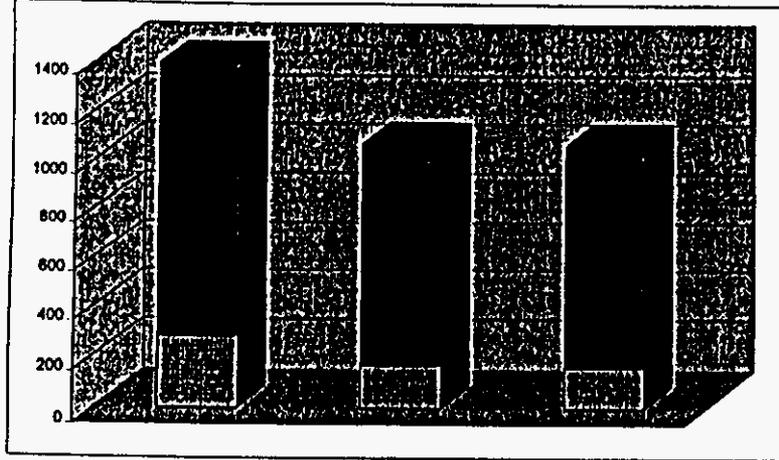
Wentzville Snyder Calls April, 1998

17446

1115 Taken
280 Abandoned

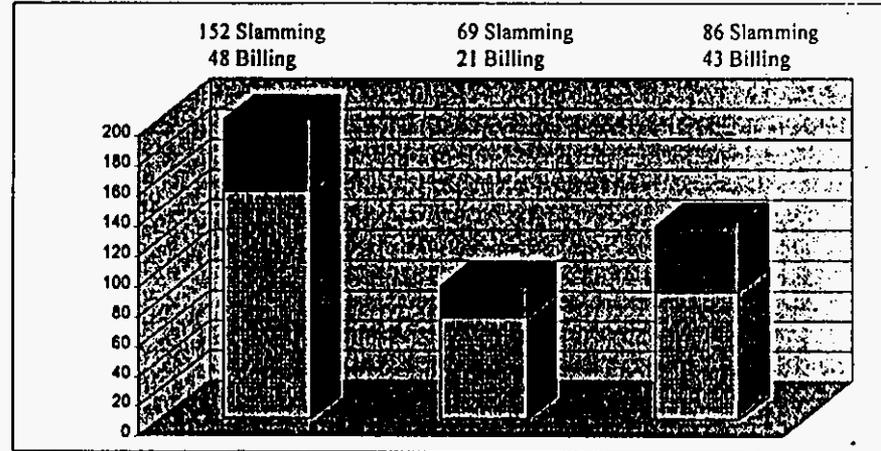
905 Taken
164 Abandoned

904 Taken
159 Abandoned

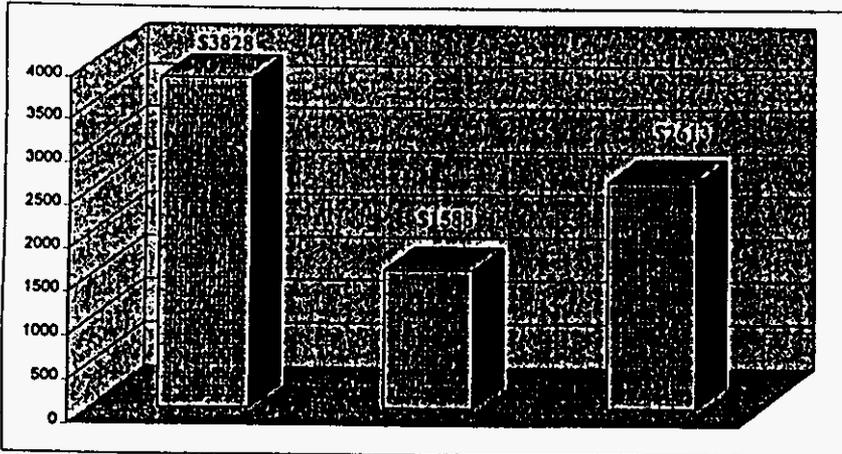


← Abandoned calls to Wentzville

Slamming vs Billing Complaints →



← Daily Write-Offs for Snyder



April 15 April 16 April 17

Wentzville Specifics

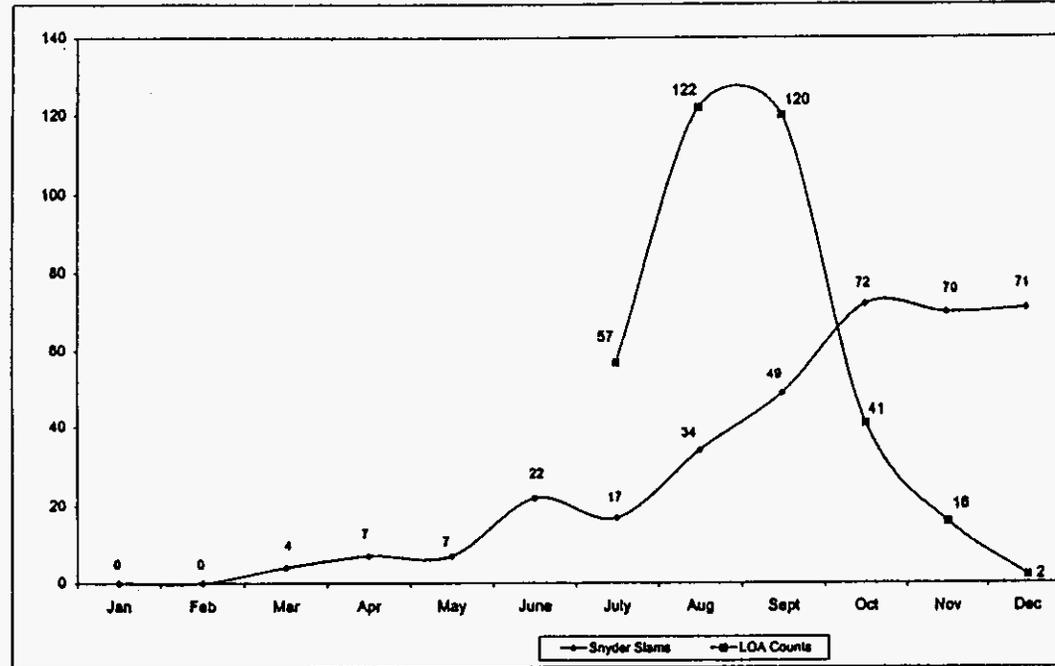
17447

- **Wentzville calls for Wednesday, Thursday and Friday**
 - 3527 calls offered to center
 - 603 abandoned calls, 2924 taken by reps
 - 419 dealt with Snyder (307 slamming and 112 billing)
 - \$8,031 written off during calls
- **Wentzville logging how much they are writing off Snyder calls**
- **Customers calling number on bill.** Appears problem may be that bill may have two 800 numbers. In the yellow section, the OOF Wentzville main number and at the bottom the OCC number
- **Billing complaints** about free minutes and erroneous rates (5-7 cents per minute quoted to customers (about 1/2 are repeat calls))

Exhibit REP-10
Docket No. 990362-TI

SNYDER REGULATORY COMPLAINTS

SNYDER REGULATORY SLAMMING COMPLAINTS



SLAMMING COMPLAINTS
by Month Closed and Sale of Complaint

1998	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
FL	0	0	2	2	0	1	8	17	28	64	60	42	204
NY	0	0	1	3	4	6	3	8	10	12	11	18	78
TX	0	0	0	2	1	13	4	2	2	3	1	4	32
MI	0	0	0	0	0	0	0	0	3	0	4	2	14
IL	0	0	0	0	0	0	0	0	0	2	2	3	7
CA	0	0	0	0	1	0	0	0	1	1	0	1	4
VA	0	0	0	0	1	0	1	0	0	0	0	1	3
AL	0	0	0	0	0	1	1	0	0	0	0	0	2
WA	0	0	0	0	0	0	0	1	1	0	0	0	2
WI	0	0	0	0	0	0	0	1	1	0	0	0	2
CO	0	0	0	0	0	0	0	0	0	0	1	0	1
DE	0	0	0	0	0	1	0	0	0	0	0	0	1
NE	0	0	0	0	0	0	0	0	0	0	1	0	1
NJ	0	0	0	0	0	0	0	0	1	0	0	0	1
PA	0	0	0	0	0	0	0	0	1	0	0	0	1
SC	0	0	1	0	0	0	0	0	0	0	0	0	1
TN	0	0	0	0	0	0	0	0	1	0	0	0	1
TOTAL	0	0	4	7	7	22	17	34	49	72	70	71	353

17206

Exhibit REP-11
Docket No. 990362-TI

600 ORDERS; 600 SLAMS

fwd: More Snyder Slamming Allegations

mailbox/C%7C/Program%20Files/Netscape/Na...@txirvhqw006.irngtr.tel.gte.com&number=

B-13.1
E 4/2/98
WWE/108

Subject: fwd: More Snyder Slamming Allegations
Date: Thu, 2 Apr 98 11:18:19 CST
From: "Karen Smith" <karen.smith@telops.gte.com>
To: <mrsmith@gte.net>

Let's try it this way.

Original Text

From: Karen Smith@RGA.RLTNS@TXIRV, on 4/2/98 9:40 AM:
To: Mark Smith@INTERNAL.AUDIT@TXIRV.SVC

For your information.

Redacted

From: Robert Robinson@CO.LDSVCS@TXIRV, on 4/2/98 7:31 AM:
To: Karen Smith@RGA.RLTNS@TXIRV
Cc: David Gudino@GC.CSRM.BSRA@TXIRV

From: Gail Kathan@CO.CLEC@TXIRV, on 4/1/98 1:47 PM:
To: Cedric Tracy@CO.LDSVCS@TXIRV, Robert Robinson@CO.LDSVCS@TXIRV

FYI...In case you haven't seen this yet.

From: <Michael_Lyons@psi.gte.com>, on 3/31/98 11:10 AM:
To: smtp[<george.wolfand@snyder.com>], smtp[<Mitch.gershman@snyder.com>],
smtp[<Ted_Gilmore@psi.gte.com>], Ed_Miller@CO.LDSVCS.2@TXIRV
Cc: smtp[<barbara.baker@snyder.com>], Gail Kathan@CO.CLEC@TXIRV

As you know we were calling the customers that Snyder sold consumer plans that were business lines and of the first 30 we contact all of them were slammed. Therefore, we need to get a situation analysis, hopefully we can get that by our Thursday call on the roughly 600 Business orders. What we are looking for is the following:

- Number of Reps involved
- Status of those reps as of today (Still with Snyder or previously let-go on XX/YY date)
- Corrective plan for those reps still with Snyder.
- Detailed plan of action to call customers to apologize

My assumption is that since we have been sending you the business BTNs since the beginning of February, you have taken corrective action with these reps already to let them know that they sold business customers but now that we know they slammed these customers, we would like additional action.

Michael Lyons

----- Forwarded by Michael Lyons/HQTX/GTEPSNOTES on
03/31/98 10:26 AM -----

(Embedded
image moved "Donna Hegdahl" <donna.hegdahl @ cc.gte.com>
to file: 03/30/98 04:35 PM
PIC08065.PCX)

18539

Please respond to donna.hegdahl@cc.gte.com

GTE Communications Corp.
Snyder Communications Investigation
Various Locations // Audit No. 98:00:025
Attorney - Client Privileged Material
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1/3

wd: Marc Snyder Slamming Allegations

mailto:mailbot/C%7C/Program%20Files/Netscape/Na...@airvhqw006.irngtx.tcl.gtc.com&number=11

To: "Ed Miller" <ed.miller @ cc.gte.com>
cc: Michael Lyons/HQTX/GTEPSNOTES, "Dianne Metcalf" <dianne.metcalf @ cc.gte.com>
Subject: fwd: International Recovery Calls

Ed: Here's the results of our test calling for the Jan/Feb International Recovery Project. These calls were to customers signed up in error for residential plans on their business lines. Based on these 30+ completed calls, we will halt this process and turn the recovery over to Michael Lyons and Snyder's standard recovery process.

Let me know what additional information, if any, you need.

Donna Hegdahl
GTE Long Distance
972-465-4622

Original Text

From: "Leslie Wehrmann" <leslie.wehrmann@bertram-mckee.com>, on 3/30/98
4:00 PM:

To: Donna Hegdahl@CO.LDSVCS.4@TXIRV

Per our phone conversation, the following is a breakdown of the calls we made on International Recovery:

30 completes by criteria outlined on Friday:

- 14 Wrong Number/Likely Slams: Darren or Sean talked with someone at the business number on list; there was not anyone at the business by the name we had, and the person we talked with had no knowledge of that person.
- 3 Wrong Number/Fax Number: When Darren or Sean dialed the number on the phone list, the number was a fax number, with no other number available to call.
- 2 Disconnected: Two of the numbers were disconnected.
- 9 Slams: Nine of the people Darren or Sean talked with indicated that they had not changed to GTE, and had been slammed.
- 2 Sold New Service/Slammed: Two of the people Darren and Sean talked with indicated that they had been slammed, but were willing to talk with us and signed up for GTE plans.
- 2 Pending/Slam or Likely Slam: One person was the man who wanted a copy of the LOA that he supposedly signed faxed to him (he said he was slammed). The other was a gentleman who did not speak enough English to communicate with - Darren indicated that he was Asian. We are categorizing this as a likely slam.

Other categories from our calls to reach the 30 completes:

- 22 No Answer: There was no answer in 22 of our attempts.
- 5 Answering Machines: We reached five answering machines. We did not leave messages.
- 9 Voice Mails: We reached nine voice mails. We did not leave messages.
- 6 "Out": Six of the people we called were out when we called. We did not leave messages.

Please let me know any other information that you need on this. Thanks, and we're looking forward to the other project!

Redacted

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18540

B-13.2
2/22/98
WWS/ky

GTE Communications Corp.
Snyder Communications Investigation
Various Locations // Audit No. 98:00:025
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GTE1

From: Donna Hegdahl[SMTP:donna.hegdahl@cc.gte.com]
Sent: Wednesday, April 22, 1998 4:08 PM
To: GTE1
Subject: fwd: RE: 30 test calls

Susan: here is the email I mentioned.

Donna

Original Text

From: "Leslie Wehmann" <leslie.wehmann@bertram-mckee.com>, on 4/6/98 3:38 PM:
To: Donna Hegdahl@CO.LDSVCS.4@TXIRV

Donna,

Darren is not in this afternoon, and I don't have all of the call sheets. I know that there are two that we are getting more information on, so that we can properly change them to GTE Long Distance - they are still on the floor (Darren has been re-calling both people, and as of Friday, had still not connected with either). I'm still one name short, so I'll track that down tomorrow. I can get the rest of the information to you by the end of day tomorrow (I'm in training all morning). I hope this will work until I can get you the other three names.

Redacted

Did you have a chance to review script that I e-mailed on Friday? Please give me feedback. Marvin and I have met regarding setting up project, with new parameters and reporting. We are also working on the lists that we have in-house to determine exactly what we have (total number of names, etc.). I will have that information for you in the morning (I'll e-mail you).

Contact Name	Phone Number	State	Disposition
Jay Feinstein	301/384-6776	MD	Slam/got switch notice and called Bell Atlantic to have them block switch
Jinette Ulise	561/992-0703	FL	Likely slam - Disconnected number
John Conigliard	718/953-8163	NY	Slam - switched back to AT&T
John A. Roger	305/593-1190	FL	Likely slam - Wrong number - no one there by that name
Joseph Jean Pierre	718/778-4900	NY	Likely slam - wrong number - CRW Car Stereo (business) - no one there by that name
Jullilian Ramos	718/919-4339	NY	Likely slam - number is a fax number
Chamber Albia	515/932-5108	IA	Likely slam - Albia Chamber of Commerce - no one there by that name
AM Young	417/485-7492	MO	Disconnected number
Suresh Patel	941/665-4179	FL	Likely slam - customer will change LD carrier
Awilda Cortes	718/584-3328	NY	Likely slam - Wrong number - this is a private line into school principal's office - does not know who this person is
Jason Lewis	718/735-4417	NY	Likely slam - wrong number - Brooklyn Childrens' Museum - no one there by that name
John Williams	718/625-3785	NY	Slam - wrong number - no one there by that name
Maxo Cazeau	305/751-3530	FL	Likely slam - wrong number - no one there by that name
Luis M. Nino	954/964-8495	FL	Likely slam - this number is a fax number
Maria Elena Banagas	602/583-0081	AZ	Likely slam - city of El

18541

1/2

Mirage Tobacco Prevention Project - no one there by that name
Marie Jacques 718/617-1532 NY Likely slam - Prestige
Management - no one there by that name
Mikhail Ibragimov 718/896-6198 NY Confused, language
barrier - did not understand what we were talking about
Paul Cohen 215/624-7418 PA Likely slam - hung up on
interviewer - this is a dentist's office and would not talk with us
Barry Cutright 804/799-1100 VA Slam - customer had already
called GTE to say he wouldn't pay bill because he did not authorize .
switch - switched back to previous carrier
Brenda Jenkins 717/622-7444 PA Slam - customer had already
talked with Tony Hastings (GTE?) and told him to switch back to previous
carrier
Calvin Gideny 202/723-1333 DC Possible slam - doctor's office
- He's in the hospital
David Osborne 201/652-0060 NJ Slam - customer very angry about
being slammed - had already contacted AT&T and changed service back
Edward Grossman 610/363-6660 PA Slam - he was surprised to get
a
GTE bill in the mail. He wasn't mad, but was going to switch back to
previous carrier.
Evarista Portal 305/887-5029 FL Likely slam - no one here by
this name
Rose Korline Ledon 305/358-3710 FL Slam - this is a jewelry
store and there's no one there by that name
Victor Gregory 215/639-6133 PA Slam - has already switched
back
to AT&T. Angry that he got slammed.

—Original Message—

From: Donna Hegdahl
Sent: Monday, April 06, 1998 2:34 PM
To: leslie.wehrmann@bertram-mckee.com
Subject: 30 test calls

Leslie: Our attorney has requested information on the 30 test
calls. He
would like to know who was called and what states they are in.
Can you
quickly put together an email response with name, telephone
number and
state. It does NOT need to be a formal. We will get the
information on ALL
the customers at the end of the project. For now, he just wants
notes on
the 30. Call me if there is a question on this.

Thanks

Donna

18542

2/2

Exhibit REP-12
Docket No. 990362-TI

20 SLAMS PER DAY

Complaints Receipt Testwork Results

B-12.10
for 4/23/18

Number of complaints on hand at GTECC sent to Snyder on 3/10/98*	28
Less: Complaints not due to unauthorized switches	-8
Less: Complaints traced to log at Snyder	-8
Equals: Number of complaints not received by Snyder on 3/10/98	B-12 3/4 12 E4
Percentage of complaints no received by Snyder on 3/10/98	43%

* Michael Lyons' group at complaint resolution at GTECC does not keep a log complaints sent to Snyder. Only a copy of the complaint is kept on hand. For testwork purposes, a days worth of complaints on hand at GTE (28 on 3/10/98) was traced to Snyder's log.

GTE Communications Corp.
Snyder Communications Investigation
Various Locations // Audit No. 98:00:025
Attorney - Client Privileged Material
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Document - (complaints (non-escalated)
receipt testwork summary
source - Auditor prepared

18536

Attorney Client Privileged Material - Do Not copy or disseminate

4/1

Exhibit REP-13
Docket No. 990362-TI

32% FLORIDA COMPLAINTS

Customer Complaints Testwork

B-12.1
Susan North

#	BTN	TranDate	Req Date	Rep ID	Action Plan	Recd Date	Audit by QA	Testwork steps:					
								a	b	c	d	e	
B-12.3 1	212-427-3312	2/25/98	3/23/98	6866	Suspended/later term.	3/24/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	<input checked="" type="checkbox"/>	n/a	Term 3/30/98
2	212-427-3312	3/18/98	3/23/98	6866	Suspended/later term.	3/24/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	<input checked="" type="checkbox"/>	n/a	Term 3/30/98
3	212-769-3963	2/11/98	3/23/98	6883	Suspended/later term.	3/24/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	<input checked="" type="checkbox"/>	n/a	Term 3/30/98
B-12.3 4	281-496-9474	1/30/98	3/26/98	11210	Terminated 4/8/98	4/8/98	No	E1 & E2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
5	305-651-6513	2/27/98	3/20/98	10176	Written warning/invest	4/1/98	Yes	E1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>
6	318-989-8056	2/7/98	3/27/98	9992	Re-Training 4/17/98	4/13/98	No	E2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>
7	516-486-6142	2/8/98	3/14/98	7759	Terminated 2/24/98	3/16/98	Yes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
8	718-468-8740	2/7/98	3/23/98	8186	Written warning	3/25/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>	
9	718-499-0200	2/12/98	3/31/98	6631	Terminated 2/24/98	4/15/98	No	E1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
10	718-627-6352	1/15/98	3/19/98	6212	Terminated	3/23/98	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See d	<input checked="" type="checkbox"/>	n/a	
11	718-927-3953	2/9/98	3/26/98	8131	Terminated	4/14/98	No	E1	<input type="checkbox"/>	See d	<input checked="" type="checkbox"/>	n/a	
12	281-298-7292	2/1/98	3/18/98	3923	Re-Training 3/19/98	3/23/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>	
13	305-225-9146	1/25/98	3/2/98	1781	Re-Training	3/10/98	No	E2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>
14	305-56-8203	2/18/98	2/17/98	54081	Re-Training/later term.	3/3/98	No	E1&E2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/> Term. 3/16/98
15	305-754-7270	2/12/98	3/18/98	4110	Re-Training/later term	3/31/98	No	E1&E2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/> Term. 4/98
16	305-770-0313	2/27/98	3/19/98	3498	Re-Training	3/31/98	No	E1&E2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>
17	305-854-9150	1/15/98	3/4/98	7720	Backend-Retraining	3/10/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>	
18	305-888-0438	1/28/98	3/2/98	54081	Re-Training/later term.	3/10/98	Yes	E2	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/> Term 3/16/98
19	407-656-3325	2/3/98	3/18/98	9041	Re-Training	3/31/98	Yes	E1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>
20	516-798-7521	1/15/98	3/12/98	7759	Terminated 2/24/98	3/12/98	Yes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
21	516-877-9563	1/13/98	3/2/98	7760	Terminated 2/24/98	3/5/98	Yes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
22	713-664-6115	2/3/98	3/18/98	17433	Written warning	3/23/98	Yes	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>	
23	718-257-4485	2/10/98	3/13/98	5510	Terminated	3/18/98	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	
24	718-897-5980	2/5/98	3/12/98	8885	Written warning	3/16/98	No	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	<input checked="" type="checkbox"/>	
25	718-919-8863	2/10/98	3/18/98	18428	Terminated 3/30/98	3/23/98	No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	n/a	n/a	

GTE Communications Corp.
 Snyder Communications Investigation
 Various Locations // Audit No. 98-00-025
 Attorney - Client Privileged Material
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The following tests were performed for the columns listed:

- a) Verified the receipt of action plan (rec'd date) was within 72 hours per Snyder & GTE policy.
- b) Traced to supporting documentation.
- c) If the action plan was listed as termination, verified the rep. was listed as inactive in CAPS with description of termination listed as unauthorized sales. CAPS is the payroll system.
- d) If the action plan was listed as termination or suspension, but rep. was listed as active in CAPS, ran a production report on the representative to see if they are inactive
- e) If action plan was re-training, traced rep. ID to entire log to ensure was only 1 complaint and if action plan was written warning ensured that there was no more than two complaints.

Tickmarks:

- Tested with no exceptions
- Obtained verbal verification from manager that rep. participated in re-training.
- For confidentiality reasons, did not want to give us termination forms, HR mgr. verified that these reps. were terminated.
- This rep. only received re-training after 1st complaint and was later fired after investigation of 2nd complain

E-1 See B-12
E-2 2/4

SOURCE -
 Auditor
 Prepared
 Document -
 Customer
 Complaints
 Testwork

Attorney-Client Privileged Material. Do Not copy or disseminate

Docket No. 990362-71
 Exhibit REP-13
 Page 1 of 1

B-12.1
 8/28/98
 WJN

18499

H

Exhibit REP-14
Docket No. 990362-TI

40,000 SALES PER MONTH

GTE Field Commissions Summary: Pay Date 3/27/98

SALES FROM 3/6/98-3/19/98

REVENUE

# of WBs Invoiced	12,784
Rate	\$76.53

EXPENSE

	Payout	% Payout	% Pay vs Rev	# of Pd WBs	Roll Up %	# Missed
Rep Commissions	\$ 179,895	56.75%	18.39%	11980	93.71%	804
Buddy Bonus (Acct)	\$ 4,649	1.47%	0.48%	4600	35.98%	8,184
Buddy Bonus (\$100)	\$ 700	0.22%	0.07%	n/a	n/a	n/a
GTE Training Salary (2 wks)	\$ 15,520	4.90%	1.59%			
GTE Production Draw (2 wks)	\$ 55,620	17.55%	5.69%			
Kickoff Bonus	\$ 16,625	5.24%	1.70%	n/a	n/a	n/a
T/C Overrides	\$ 8,564	2.70%	0.88%	Pers/Ovr 698/4282	35.43%	840
Sr T/C Overrides	\$ 13,506	4.26%	1.38%	Pers/Ovr 211/6753	53.71%	comb above
T/C SR T/C Draw	\$ 12,651	3.99%	1.29%	n/a	n/a	n/a
DSM Overrides	\$ 7,491	2.36%	0.77%	11966	93.60%	818
RSD Overrides	\$ 1,198	0.38%	0.12%	11980	93.71%	804
Chargeback on 3/13/98 Adv on Sub	\$ (10,811)	-3.41%	-1.11%			
Advance to <\$300 & >6 Submits	\$ 11,364	3.59%	1.16%			
Total Expense	\$ 316,972	100.00%	32.40%			

Total Revenue	\$978,360
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NOTES:

- 1) Third Time Commissions are being paid for GTE Program (2nd Time on 2 wks of PICs)
- 2) Commissions paid on all LEC Confirmed Sales received by Snyder from 3/6/98 through 3/19/98.
- 3) New Compensation Plan implemented. All GTE PICs paid at flat \$15 per regardless of volume.
- 4) Chargebacks made for Advances given on 3/13/98 Paydate. If terminated, chargeback as much as possible, If less than 5 submits in week (3/7-3/13), chargeback as much as possible, If 6 or greater submits in week (3/7-3/13) chargeback 10% of commission amount.
- 5) Advance on Submit of \$5 per good GTE Submit given to all reps who were 1) Not Terminated 2) Had 6 or more good GTE Submits in Week 3/7-3/13 3) Earned less than \$300 in total compensation on 3/27/98 paydate. If an employee qualified for this Advance, then the chargeback in #4 was reversed and credited in the advance.

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GTE OTM Commissions Summary: Pay Date 3/27/98

SALES FROM 3/6/98-3/19/98

REVENUE

of WBs Invoiced 7833
 Rate \$76.53

EXPENSE

	Payout	% Payout	% Pay vs Rev	# of Pd WBs	Roll Up %	# Missed
TSR Commissions	\$ 20,976	83.59%	3.50%	7661	97.80%	172
Sup Overrides	\$ 2,640	10.52%	0.44%	6604	84.31%	1229
Mgr Overrides	\$ 1,226	4.89%	0.20%	7660	97.79%	173
Buddy Bonus	\$ 252	1.00%	0.04%	N/A	N/A	N/A

Total Revenue \$599,459

Total Expense \$ 25,094 100.00% 4.19%

NOTES:

- 1) Third Time Commissions are being paid for GTE Program (2nd time on 2 wks of PIC)
- 2) Commissions paid on all LEC Confirmed Sales received by Snyder from 3/6/98 through 3/19/98.
- 3) OTM Compensation Plan was changed per Nish Aghajanian email dated 3/5/98; 11:57AM to adjust for 9 day count of invoices instead of the standard 10 days (old levels multiplied by 90%)

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Exhibit REP-15
Docket No. 990362-TI

40,000 SALES, \$3 MILLION COMMISSION

