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BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

DOCKET NO. 910163-TL

920260-TR

COPY

DEPOSITION OF: GEORGIA MIKLE
TAKEN AT THE INSTANCE OF: Citizens of the State of Florida, by and through Jack Shreve, Office of Public Counsel
DATE: Friday, July 31, 1992
TIME: Commenced at 8:00 a.m. Concluded at 8:55 a.m.
PLACE: 6451 North Federal Highway Room 1015A Fort Lauderdale, Florida
REPORTED BY: JANE FAUROT Notary Public in and for the State of Florida at Large

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

DOCUMENT NUMBER-DATE
11367 OCT218

STENOGRAPHY REPORTING

1 APPEARANCES:

2 REPRESENTING THE SOUTHERN BELL TELEPHONE AND
3 TELEGRAPH COMPANY:

4 ROBERT G. BEATTY, ESQUIRE
5 Southern Bell Telephone and Telegraph Company
6 Museum Tower Building
7 Suite 1910, 150 West Flagler Street
8 Miami, Florida 33130

9 REPRESENTING THE CITIZENS OF THE STATE OF FLORIDA:

10 SUE RICHARDSON, ESQUIRE
11 Office of Public Counsel
12 c/o The Florida Legislature
13 111 West Madison Street
14 Room 812
15 Tallahassee, Florida 32399-1400

16 REPRESENTING THE FLORIDA PUBLIC SERVICE
17 COMMISSION:

18 JEAN WILSON, ESQUIRE and
19 STAN GREER, Class B Practitioner
20 FPSC Division of Legal Services
21 Florida Public Service Commission
22 101 East Gaines Street
23 Tallahassee, Florida 32399-0863

24 REPRESENTING GEORGIA MIKLE:

25 JERALD C. CANTOR, ESQUIRE
Engelberg, Cantor & Kushner, P.A.
3230 Stirling Road
Hollywood, Florida 33021

ALSO PRESENT:

WALTER BAER, Office of Public Counsel.

CARL VINSON, FPSC Division of Communications.

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I N D E X

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WITNESS:

PAGE NO.

GEORGIA MIKLE

Direct Examination by Ms. Richardson

8

CERTIFICATE OF REPORTER

42

S T I P U L A T I O N S

1
2 The following deposition of GEORGIA MIKLE was taken
3 on oral examination, pursuant to notice, for purposes of
4 discovery, for use in evidence, and for such other uses and
5 purposes as may be permitted by the Florida Rules of Civil
6 Procedure and other applicable law. Reading and signing of
7 said deposition by the witness is not waived. All
8 objections, except as to the form of the question, are
9 reserved until final hearing in this cause; and notice of
10 filing is waived.

11 * * * * *

12 MS. RICHARDSON: All right. Today is Friday, the
13 31st. We will be taking depositions of Southern Bell
14 employees. And we are located at 6451 North Federal
15 Highway, Fort Lauderdale, Florida. And it is 8:00 in
16 the morning.

17 All right. Ms. Mikle, would you please face the
18 court reporter and be sworn in?

19 Thereupon,

20 GEORGIA MIKLE

21 was called as a witness, having been first duly sworn, was
22 examined and testified as follows:

23 MR. BEATTY: My name is Robert Beatty. I have
24 already introduced myself to both of you, and I
25 represent Southern Bell.

1 There are four stipulations that we have entered
2 into that I would like to make of record and advise you
3 of. The first one is that this deposition is taken
4 pursuant to proper notice by Public Counsel; secondly
5 is that without the witness' and counsel's agreement,
6 we will not go off the record at any point during the
7 deposition; that objections are saved except as to
8 form; and that the witness, of course with your
9 direction, will read and not waive signing of the
10 deposition.

11 Let me further say that, as both of you know,
12 there has been an internal investigation conducted by
13 Southern Bell. And that investigation was pursuant to
14 the attorney/client privilege and the attorney work
15 product doctrine. In order to maintain both those
16 privileges, I will appreciate it if you in your
17 testimony today would not reveal any of the substance
18 or information that you know of regarding that
19 investigation. Would you do that?

20 THE WITNESS: (Indicating yes.)

21 MS. RICHARDSON: However, should I ask you a
22 question that borders on that investigation, you must
23 let me know that you do have information, and that will
24 give Mr. Beatty an opportunity to object. Don't just
25 withhold it on your own

1 THE WITNESS: Okay.

2 MS. RICHARDSON: Okay. Now, I neglected
3 appearances, so let me start that. I am Sue Richardson
4 with the Office of Public Counsel, and with me is Walt
5 Baer.

6 MS. WILSON: I'm Jean Wilson. I represent the
7 Staff of the Florida Public Service Commission, and
8 with me is Stan Greer and Carl Vinson, both members of
9 the Commission Staff.

10 MS. RICHARDSON: Mr. Beatty.

11 MS. BEATTY: I have already done that.

12 MS. RICHARDSON: Okay.

13 MR. CANTOR: My name is Jerald Cantor, and I'm
14 here representing Ms. Mikle.

15 MS. RICHARDSON: Ms. Mikle, I have just one or two
16 little housekeeping details, also, in terms of our
17 understanding and communicating with each other, so
18 that when we both read the record that we both have the
19 same understanding of what you're telling me. And they
20 are just ~~general~~ common every day terms. But sometimes
21 people have different understandings of what they mean.

22 The first one is "I don't know." Okay, if you
23 respond to any question of mine, and you say, "I don't
24 know," or if I ask you do you know and you simply say
25 no, then I understand that, and I want to see if this

1 is the way you can understand it to mean that you have
2 no personal, direct, firsthand knowledge of the events,
3 or the incidents, or the people that we will be
4 discussing. And that you haven't heard of anything, or
5 seen anything or have any knowledge from any other
6 source. Is that acceptable for you?

7 MR. CANTOR: I would just impose an objection.
8 That seems to be a very large load to follow in a
9 simply "I don't know." And I don't know that "I don't
10 know," that that would be fairly understood by her at
11 all times. That is such a multiple negative that it's
12 like a multiple question. I think that that is a
13 little bit difficult to construe all the time.

14 MS. RICHARDSON: Okay. I guess what I'm trying to
15 say is when you say you don't know, you absolutely
16 don't know. Is that acceptable? Is that how you
17 understand when you say, "I don't know"?

18 THE WITNESS: Yes. You mean if it is something
19 that I don't know, just say I don't know?

20 MS. RICHARDSON: That's fine.

21 THE WITNESS: Yes, that's fine. You mean do I
22 feel comfortable with that?

23 MS. RICHARDSON: Yes.

24 THE WITNESS: That's fine.

25 MS. RICHARDSON: And then, "I can't remember." If

1 A Yes, I did.

2 Q And how long have you held that position?

3 A I don't know exactly, but we have been in
4 Hollywood for six years, and I was in that position then.
5 So, that's all I can say.

6 Q All right. And what pay grade is this position?

7 MR. CANTOR: What's she's asking is are you craft
8 or management.

9 THE WITNESS: Craft.

10 BY MS. RICHARDSON:

11 Q You're a craft person. Can you tell me what your
12 responsibilities are as a maintenance administrator? What
13 do you do? What are you asked to do as a maintenance
14 administrator? What is your job, in other words?

15 A We screen troubles, and we dispatch to the IRs on
16 the outside.

17 Q Okay. And anything else?

18 A That's all.

19 Q What did you do or have you worked with the
20 Company -- did you have another position with the Company
21 before your present position?

22 A Dispatch clerk.

23 Q You were a dispatch clerk?

24 A Uh-huh.

25 Q And was that in Hollywood, also?

- 1 A No.
- 2 Q Where was that?
- 3 A Fort Lauderdale.
- 4 Q Fort Lauderdale. Is there only one center in Fort
5 Lauderdale that you worked out of? Was it South Broward,
6 North Broward?
- 7 A Just one center, Fort Lauderdale. It was downtown
8 Fort Lauderdale.
- 9 Q How long did you hold that position?
- 10 A Four years.
- 11 Q About four years?
- 12 A Uh-huh.
- 13 Q When did you start with the Company?
- 14 A I have been with the Company 18 years. So, that
15 was about --
- 16 Q Eighteen or 19 years ago, then?
- 17 A I have been with the Company 18 years.
- 18 Q All right. And what was your entry position with
19 the Company?
- 20 A Operator.
- 21 Q Is that like long distance or local service?
- 22 A Long distance.
- 23 Q Who is your present supervisor?
- 24 A Martha Hill.
- 25 Q Is that H-I-L-L?

1 A Yes.

2 Q And who is her supervisor?

3 A Natalie, Nicole, and I can't think of her last
4 name.

5 Q Okay. That's fine. And if at anytime you can't
6 think, you give me part of it, you remember part of it,
7 that's great. And if you can't remember the rest, that's
8 fine. Just tell me, "I don't remember the rest," and we're
9 okay. And if I ask you something that you don't quite
10 understand or you're not sure of what I'm asking, then
11 please ask me to clarify, so that you're comfortable with
12 what you're telling me and we are on the same wavelength.

13 A Okay.

14 Q Okay. Great. I would like to go back to your
15 duties as a dispatch clerk for a minute, because we really
16 didn't talk about those. Can you tell me when you were a
17 dispatch clerk exactly what it was you had to do? What were
18 your job duties there?

19 A It was dispatching troubles out to the guys in the
20 field.

21 Q All right. So, you would receive a trouble how?
22 How would you find that you had one to dispatch?

23 A They come into the office and there were other
24 people building the troubles. And we would dispatch them
25 out. I was just dispatch then. I dispatched to the IRs.

1 Q All right. And an IR is what?

2 A The repairman on the outside.

3 Q Okay. When you say they came in, did they come in
4 through a computer screen? Were you typing at a computer
5 screen?

6 A Yes.

7 Q All right. And when the screen came up, what kind
8 of information did you see on that screen?

9 A The complete trouble, you know, the report on the
10 screen. And you have to tell the repairman what it was and
11 the address and everything.

12 Q All right. Did it tell you what kind of trouble?
13 Was it like a test already done on it, so that you would
14 know that it was an inside wire problem or that it may have
15 been a cable problem, or a short, or a ground?

16 A We didn't test troubles.

17 Q You didn't test troubles, but did it come on the
18 screen with the trouble? Did the trouble already come
19 tested to you?

20 A Yes.

21 Q It did. So, when you sent out or dispatched it
22 out, you would tell the repairman, "This looks like it may
23 be a cable problem," for instance?

24 A The trouble report was on the report. The trouble
25 was on the report. And if it was a no dial tone, can't be

1 called or whatever, we would just tell him, and tell him
2 what the test was made on the trouble.

3 Q And when the troubles came to you, were they
4 already stasured as affecting service or out-of-service?

5 A Yes, they were stasured.

6 Q Okay. And did they usually come as affecting
7 service, more often than out-of-service?

8 A I don't understand.

9 Q Do you know what a result code is on the side?

10 A Yes.

11 Q And do you know what a 900 result code is?

12 A Yes.

13 Q And what is that?

14 A A 900 is it could be just a static or noise or
15 something like that, you know, it's not out-of-service.

16 Q It's not out-of-service.

17 A Not out-of-service.

18 Q Okay. And then a 100 result code would be what?

19 A Out-of-service.

20 Q Out of service. Okay. So, when these troubles
21 came to you, generally, were they stasured 900 or 100?

22 A Some of them. If --

23 MR. BEATTY: Or otherwise?

24 BY MS. RICHARDSON:

25 Q Or otherwise?

1 A Some of them was, you know, if it is
2 out-of-service. Like I said, if it is out-of-service or was
3 it -- service affecting that is what I was trying to say.
4 If it is a service affecting or out-of-service, it would be
5 on there, you know, stated that way.

6 Q All right. When you were a dispatch clerk, were
7 you ever called upon to also clear and close reports?

8 A When the repairman called it back in, we would
9 close it out.

10 Q Okay. Did the repairman ever close it out in the
11 field?

12 A No.

13 Q He always called you?

14 A Yes.

15 Q Okay. As a dispatch clerk. Then from that
16 particular point in time, your knowledge would be -- I am
17 trying to rephrase this so you can correct me if I'm wrong.
18 When you were dispatch clerk, your duties involved just
19 accepting the trouble that had already been loaded, already
20 entered on the screen?

21 MR. BEATTY: I object to the form of the question.
22 Leading, and you are recharacterizing her testimony,
23 and the record speaks for itself.

24 MS. RICHARDSON: Mr. Beatty, the form of the
25 question objection, was that it?

1 MR. BEATTY: I object to the form of the question.
2 And the basis for my objection is that it's leading and
3 you are recharacterizing her testimony. And it
4 restates testimony already in the record.

5 BY MS. RICHARDSON:

6 Q Okay. Ms. Mikle, to make sure that I am clear,
7 okay?

8 MR. BEATTY: I object to the form of this. This
9 deposition is not designed to ensure that you're clear,
10 but rather to ask her questions.

11 BY MS. RICHARDSON:

12 Q Ms. Mikle, when the outside people, your repair
13 people, were calling back in, in your position as a dispatch
14 clerk, how did you handle the clearing and the closing
15 process?

16 A You mean closing it out?

17 Q Uh-huh. The trouble closing, clearing the trouble
18 out and closing it when they called you back to let you know
19 what was going on?

20 A We would close it out as the repairman told us to.

21 Q Okay. And "as he told you to," I'm not real clear
22 on that. What exactly would they tell you?

23 A The repairman would do the job outside, so then
24 they would call back and they would give us the codes to
25 close it out. And we would just put it in the computer and

1 that's all.

2 Q Okay. When they were giving you the codes for
3 closing these troubles out, did you ever have occasion to
4 question the kind of code they were using? Did you ever
5 think, well, maybe that one is not quite right and question
6 them, "Do you mean something else?"

7 A No.

8 Q Okay. What about clearing the reports? Were
9 troubles also cleared and closed, or was it just one closing
10 procedure?

11 MR. BEATTY: Or otherwise. I object to the form
12 as leading.

13 THE WITNESS: That is what he did is cleared it,
14 and he called back to close it. It was cleared then.

15 BY MS. RICHARDSON:

16 Q Oh, it was already cleared before you got it?

17 A When he called me back, he has cleared it. And
18 then he calls back to close it out.

19 Q Okay. When you say, "He cleared it," do you mean
20 he just repaired it and then you loaded the time that it was
21 repaired in the machine, or he loaded the time that it was
22 repaired?

23 A I loaded the time.

24 Q You loaded the time. Okay. And was it your
25 decision on what time was loaded or did he tell you what

1 time?

2 A He told me what time.

3 Q Okay. And if the time he told you was different
4 from the time that he was calling, what would you do?

5 MR. CANTOR: Object to the form of the questions.
6 There is no predicate that the proper time was ever
7 given.

8 BY MS. RICHARDSON:

9 Q Can you tell me whether or not the time that he
10 told you, that these outside repair people would call in,
11 the time they gave you was ever different from the actual
12 time that they were calling?

13 A Sometimes.

14 Q Okay. What would you do?

15 A I would tell him what I saw on the trouble, and
16 then sometimes they probably didn't notice that. And then
17 they would, say, "Oh, you know, then I didn't notice it was
18 that time." And then we would correct it, that's all.

19 Q I'm not real clear on the correction part.

20 A We correct --

21 MR. BEATTY: I would object to the form of
22 whatever that was. That was not a question.

23 MS. RICHARDSON: Okay.

24 BY MS. RICHARDSON:

25 Q I'm not real clear on the correction part. Would

1 you explain that in further detail for me?

2 A If he calls in with the trouble and the time that
3 he says that he wants to close this, you know, the time that
4 he has given me, if I see that the trouble had the different
5 times than what he said. He said, "Well, I didn't notice
6 that." You know, he would just tell me then what time it
7 was that he cleared the trouble, so I just -- and he said,
8 "Well, I cleared it at this time," so I close it out to the
9 time that he cleared it.

10 Q Okay. And can you define the term "clearing," in
11 that step? Would you give me a definition of your
12 understanding of the clearing time?

13 A The time that he completed the trouble.

14 Q Have you ever heard the term "backing up time" in
15 relation to customer trouble reports?

16 A Yes.

17 Q And what is your understanding of that?

18 A That was only on a test okay. I had nothing to do
19 with that trouble. It was a test okay.

20 Q And what does it mean to back up the time on a
21 test okay, then?

22 A I don't understand what it means. I don't
23 understand.

24 Q You don't understand my question?

25 A What you're saying what it means.

1 Q Well, explain to me how someone would back up a
2 time on a test okay?

3 A On a test okay you could back the time up to half
4 an hour to an hour on the trouble, because there was never
5 any trouble on this particular -- I guess you would call it
6 order or whatever. And we could back it up, because there
7 was no trouble on it. It was a test okay when it came in.

8 Q Okay. (Pause) Would test okay reports be
9 dispatched?

10 A No.

11 Q No. So, when the report, when a test okay report
12 came to you it was already test okay?

13 A Right.

14 Q And this is when you were a dispatch clerk?

15 A No.

16 Q No.

17 A Not a dispatch clerk. That is in the Maintenance
18 Department, but you asked me about test okay.

19 Q No, I'm just trying to get clear what time. So,
20 the test okays come to you now as a maintenance
21 administrator? And that's what you're doing now.

22 A Yes, because that is where I am screening, you
23 know. That's in the Screening Department. So, dispatching
24 was a different department from that.

25 Q Okay. So, part of your function now, then, is not

1 receiving the test okay but determining that a trouble is
2 test okay?

3 A Some of them comes in test okay.

4 Q Okay. Does the machine make the determination
5 that it's a test okay, or is that a human person who runs
6 the test and then decides that it's test okay?

7 MR. BEATTY: Object to the form of the question.
8 It's leading.

9 BY MS. RICHARDSON:

10 Q How is that done?

11 A The trouble comes in the computer as a test okay.

12 Q All right. Do you know of anyone who has taken
13 test okays and closed them out as out-of-service?

14 A No.

15 Q Have you ever heard of that being done?

16 A No.

17 Q Have you ever done that?

18 A No.

19 Q Has anyone ever asked you to do that?

20 A No.

21 Q Would it be proper under Bell procedures to do
22 that?

23 A No.

24 Q Ms. Mikle, have you recently been disciplined by
25 the Company?

1 A No.

2 Q Do you know of anyone who has?

3 A No.

4 Q Have you heard of any people being disciplined by
5 the Company?

6 A Disciplined for what?

7 Q In relation to this investigation.

8 A I don't know.

9 Q You have not?

10 A No.

11 Q Have you ever had occasion to report another
12 employee to management for mishandling customer trouble
13 reports?

14 A No.

15 Q Have you ever seen an employee doing something
16 that in your opinion was questionable in handling trouble
17 reports?

18 MR. BEATTY: I object to the form of the question.
19 It calls for speculation, And it's not relevant to
20 this proceeding. She has already testified regarding
21 the substance of this proceeding through your
22 individual questions. And you are asking questions
23 that now move her far beyond the purview of what we are
24 here about.

25 BY MS. RICHARDSON:

1 Q Ms. Mikle, in relation to this investigation, and
2 in your opinion, have you ever seen another employee
3 performing something that you thought was questionable in
4 handling a customer trouble report?

5 A No.

6 Q Do you know if anyone has ever reported you for
7 mishandling of trouble reports?

8 A Do I know?

9 Q Uh-huh.

10 A Would you repeat that?

11 Q Yes. Do you know if anybody has ever reported you
12 for mishandling trouble reports?

13 A No. No one has never reported me. I have never
14 been --

15 Q Okay. Ms. Mikle, have you had any conversations
16 with Mr. Charlie Cuthbertson from the Company, a Mr. Charlie
17 Cuthbertson?

18 A No.

19 Q Have you had any conversations with investigators,
20 internal investigators from the Company?

21 MR. BEATTY: I object to that question. What is
22 the basis for that question?

23 MS. RICHARDSON: The basis for the question is
24 relevance. I'm not sure what your objection is, Mr.
25 Beatty.

1 MR. BEATTY: My objection is that you're seeking
2 to pierce the attorney/client privilege and the
3 attorney work product privilege. To the extent that we
4 have conducted an investigation that has or has not
5 included this particular deponent is of no relevance,
6 and it does pierce those privileges.

7 MS. RICHARDSON: Are you making an objection on
8 the basis of attorney/client privileges and directing
9 the witness not to respond?

10 MR. BEATTY: I'm making my objection. My
11 objection is of record. You can proceed.

12 MS. RICHARDSON: Okay.

13 BY MS. RICHARDSON:

14 Q Then please answer my question.

15 MR. BEATTY: I'm instructing you, pursuant to your
16 counsel's advice to not answer the question.

17 BY MS. RICHARDSON:

18 Q And just for the record, Ms. Mikle, I need you to
19 tell me that you are not going to respond to the question
20 based upon your attorney's advice.

21 MR. CANTOR: I will answer for her, that she is
22 not going to respond based upon the attorney/client
23 work product privilege. She has been instructed not to
24 answer, and she will not.

25 BY MS. RICHARDSON:

1 Q Ms. Mickle, do you know another employee named Mary
2 Clipp?

3 A Yes.

4 Q Have you worked with Mary Clipp?

5 A Yes.

6 Q All right. In working with Ms. Clipp, can you
7 tell me about the time frame that you have worked with her,
8 what years or dates or --

9 A About five years.

10 Q Just recently or was this further back?

11 A The last five years.

12 Q The last five years. In the Hollywood IMC?

13 A Yes.

14 Q And what is Ms. Clipp's position?

15 A It's not in the IMC.

16 Q Oh, I'm sorry. All right. Correct me, please.

17 It's Hollywood, but it's the what, now?

18 A It's just the maintenance center.

19 Q The maintenance center?

20 A Yes.

21 Q Okay. And what is her position there?

22 A She's a supervisor.

23 Q She's a supervisor?

24 A Supervisor.

25 Q Is she your supervisor?

1 A No.

2 Q What position does Ms. Clipp supervise?

3 A She has people that she supervises.

4 Q I mean, are they maintenance administrators or
5 outside technicians, or -- that is what I'm trying to find
6 out?

7 A Yes, maintenance administrators.

8 Q All right. But she is not your supervisor?

9 A No.

10 Q In working in the same center with Ms. Clipp, have
11 you ever had occasion to notice, observe or hear any
12 activities or directions that she may have given her people,
13 her maintenance administrators, that you felt were improper?

14 A No.

15 MR. BEATTY: Objection, calls for a legal
16 conclusion.

17 THE WITNESS: I have not heard anything, anyway,
18 no.

19 BY MS. RICHARDSON:

20 Q Have you ever discussed with any other employees
21 actions taken by Ms. Clipp that, in your opinion, were
22 questionable in terms of handling customer trouble reports?

23 MR. CANTOR: Object to the form of the question,
24 because I think there's no predicate. She has already
25 said that she didn't know what Ms. Clipp told any

1 employees.

2 MS. RICHARDSON: She didn't make it that broad.

3 MR. CANTOR: There's no predicate.

4 MS. RICHARDSON: Mr. Cantor, she didn't make it
5 that broad, because I narrowed my question to
6 mishandling and improper. And so now I'm trying to
7 rephrase my question, take out the improper quality of
8 it. So, I think there is a distinction between the
9 questions.

10 BY MS. RICHARDSON:

11 Q Now that I have made that distinction, made it
12 more clear for you, thanks to your attorney asking me to
13 make it more clear, could you please answer that?

14 A Could you repeat it again?

15 Q Sure. Have you ever had an opportunity, in your
16 opinion, to discuss with other employees activities or
17 directions from Ms. Clipp that you felt were questionable,
18 not necessarily improper, just questionable?

19 MR. CANTOR: I object to the form of the question.

20 I don't understand, to have "An opportunity, in your
21 opinion," I don't know what that means.

22 BY MS. RICHARDSON:

23 Q Have you ever discussed with other employees
24 activities from Ms. Clipp that you thought were
25 questionable?

1 A No.

2 Q Okay. Do you know of anyone outside of what you
3 have previously testified to who has backed up repair times
4 to meet the out-of-service over 24 hours requirement?

5 A No.

6 Q When I say the out-of-service over 24 hours, are
7 you aware of the rule that trouble reports must be cleared
8 within 24 hours?

9 A You know, if it is not completed in 24 hours, then
10 it's not completed. We don't back up time. Is that what
11 you mean?

12 Q All right. For the first question, yes. Now
13 let's go back to the rule itself.

14 Has anyone directed you, or any of your managers,
15 or have you ever been told by anyone in the Company, about a
16 requirement to clear out-of-service reports within 24 hours?

17 A No.

18 Q Do you know of any practice in any IMC where
19 maintenance administrators are asked to call a manager to
20 get disposition and cause codes to close a trouble report?

21 A Would you say that again?

22 Q Okay. Do you know of any practice in a
23 maintenance center where MAs are directed to call a manager
24 to get disposition and cause codes to close out a trouble
25 report?

1 A No.

2 Q Okay. Have you ever heard of that being done?

3 A No.

4 Q Have you ever had occasion yourself to talk to a
5 manager before closing out a report?

6 A Yes.

7 Q Okay. Can you give me an example?

8 A Before closing out a report, if it is a trouble
9 and I don't quite understand, you know, the report of how it
10 should have been, then I would talk to my supervisor about
11 it, that's all.

12 Q Do you know of any employee who has used another
13 employee's code number to status a report?

14 A No.

15 Q And you have never done so yourself?

16 A No.

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

18 A No.

19 Q Do you know what a no access code is?

20 A Yes.

21 Q Could you briefly explain your understanding of a
22 no access code?

23 A A no access is where the repairman goes out to the
24 premise and the customer is not home. So, there is trouble
25 in -- so you can't close it out. He has to no access it

1 until they can get access to the premise.

2 Q Okay. And does he leave some kind of notice or
3 word for the customer?

4 A He leaves a note on the door.

5 Q On the door. Do you know if the no access code
6 stops the repair clock on that trouble?

7 A It stops it for the no access, but it's not
8 closed.

9 Q But it's not closed?

10 A No.

11 Q All right. How long is it held open there? Since
12 he couldn't get inside the house, how long is it held open?

13 A For 24 hours.

14 Q And then whose responsibility would it be to close
15 it then?

16 A He leaves a note on the door with the number for
17 the customer to call back. If they don't call back within
18 that length of time, then they will just close it out.

19 Q The outside repair person closes it out?

20 A No, it's closed in the office.

21 Q Okay. The maintenance administrator closes it?

22 A Yes.

23 Q Then do you know of anyone who has used a no
24 access code to stop the clock on an out-of-service trouble
25 improperly without leaving notice?

1 A No, huh-uh.

2 Q Okay. Have you ever heard of it being done?

3 A No.

4 Q And have you ever done that yourself?

5 A No.

6 Q What does it mean to exclude a trouble report?

7 A To exclude a report is something like tree limbs
8 or something like that. You know, a pole or something, you
9 know, it's not a trouble on no one's line. It's just like
10 trees or bushes or something, and we can exclude that and we
11 refer it to another office.

12 Q Okay. Have you ever heard of anyone excluding an
13 out-of-service report?

14 A No.

15 Q Would that be improper under Bell practices to do
16 so?

17 MR. BEATTY: Objection to the form of the
18 question. It calls for a legal conclusion.

19 BY MS. RICHARDSON:

20 Q In your opinion --

21 MR. BEATTY: Objection. It still calls for a
22 legal conclusion.

23 BY MS. RICHARDSON:

24 Q Would that be proper under Bell's practices?

25 MR. CANTOR: You can answer, if you know.

1 BY MS. RICHARDSON:

2 Q You can answer the question, if you know, if you
3 have an opinion.

4 A What are you saying?

5 MR. CANTOR: Repeat the question.

6 BY MS. RICHARDSON:

7 Q Let me ask you as a preceding thing. You have
8 given me what you understand to be an exclude. Do you have
9 a set of practices available to you or that you're trained
10 on that tells you when to exclude and when not to exclude a
11 report?

12 A Yes.

13 Q Okay. Then under those practices for which you
14 have been trained, is it within the scope of those practices
15 to exclude an out-of-service report?

16 A When is it?

17 Q Is it within the scope of those practices? Would
18 those practices ever give an example of excluding an
19 out-of-service report?

20 A Oh, no. No, we do not exclude out-of-service
21 troubles.

22 Q All right. Then do you know of anyone who has
23 excluded an out-of-service trouble?

24 A No.

25 Q Have you ever done so yourself?

1 A No.

2 Q Has anyone ever directed you to do so?

3 A No.

4 Q What is a commitment time?

5 A A commitment time is the time when the repair
6 people has taken the trouble and they give them a commitment
7 of 5:00 tomorrow, or whatever is their commitment time, or
8 5:00, or 12:00 tomorrow, or whenever. You know, whenever
9 they give them a commitment time, that is when that
10 commitment time is and the trouble is supposed to be met by
11 that time.

12 Q All right. What is a carryover no or a CON code,
13 the C-O-N code?

14 A That's when the customers, they do not want the
15 trouble today, you know, if they have a commitment for
16 today, they don't want it for today. They want it for
17 tomorrow, so it can be taken tomorrow as the customer wants.

18 Q And does that code stop the repair clock on that
19 report?

20 A No.

21 Q Does it change?

22 A No.

23 Q Under the practices that you have been trained,
24 have you been trained in the use of the CON code, the
25 carryover no code?

1 A Trained in what?

2 Q In the use of that, when to apply it and when not
3 to apply the carryover no code?

4 A Yes.

5 Q That was part of your training?

6 A Yes.

7 Q All right. Then under your training and your
8 experience, would it be an occasion to use the carryover or
9 CON code when the Company missed the commitment and had to
10 call the customer back and renegotiate the commitment?

11 MR. BEATTY: Object to the form of the question.
12 It's speculative and compound and very confusing.

13 THE WITNESS: Would you repeat it?

14 BY MS. RICHARDSON:

15 Q Yes. Would you ever use the CON code when the
16 Company misses the commitment and the Company has to change
17 the time?

18 A We only use CON codes on a customer requesting
19 another date. That is the only time we use CON codes.

20 Q Okay. All right. Do you know of anyone who has
21 used it in any other way?

22 A No.

23 Q Have you ever used it for any other purpose
24 yourself?

25 A No.

1 Q Has anyone ever directed you to use it for any
2 other purpose than the one you have given me?

3 A No.

4 Q Do you know of anyone who has extended a
5 commitment time with a customer without contacting the
6 customer?

7 A No.

8 Q And have you ever done so yourself?

9 A No.

10 Q And has anyone ever directed you to do so?

11 A No.

12 Q I would like to go to statusing the service
13 affecting to out-of-service now. And we briefly touched on
14 that earlier.

15 A Okay.

16 Q And you explained to me that you understood
17 something about that. Do you know of anyone who has taken
18 service affecting reports and changed them to out-of-service
19 when they were not legitimate out-of-service reports?

20 A No.

21 Q Have you ever done so yourself?

22 A No.

23 Q And has anyone ever directed you to do so?

24 A No.

25 Q Ms. Mikle, do you know of anyone who has violated

1 Company procedures in handling customer trouble reports?

2 MR. BEATTY: Objection to the form of question.
3 It calls for a legal conclusion.

4 MR. CANTOR: It's also very broad. It is overly
5 broad?

6 THE WITNESS: No.

7 BY MS. RICHARDSON:

8 Q Have you, yourself, ever done so?

9 A No.

10 Q Has anyone ever directed you to do so?

11 A No.

12 Q Ms. Mikle, do you know of any disposition codes
13 that would exempt an out-of-service report from being
14 counted as out-of-service if it went over 24 hours?

15 A No.

16 Q Let me see if I can jog your memory a little bit,
17 if any of this comes to mind.

18 MR. BEATTY: Objection.

19 BY MS. RICHARDSON:

20 Q Are you familiar --

21 MR. BEATTY: Objection. Excuse me, please. What
22 she has indicated is not that her -- not that she has
23 lost her recollection, but that she does not know.
24 Therefore, your effort to refresh her recollection is
25 wholly without foundation and, therefore, improper.

1 BY MS. RICHARDSON:

2 Q Ms. Mikle, are you familiar with a disposition
3 code for inside wire, a 1200 disposition code for inside
4 wire?

5 A Inside wiring?

6 Q Uh-huh, like a jack or wiring inside somebody's
7 house, a code, a disposition code that applies to that?

8 A Yes.

9 Q Okay. Are you familiar with a code for found
10 okay?

11 A Yes.

12 Q Disposition, it's a disposition code?

13 A Yes.

14 Q And you have already indicated you are familiar
15 with the test okay codes. Are you familiar with --

16 MR. BEATTY: Objection, Counsel, you're making
17 speeches.

18 BY MS. RICHARDSON:

19 Q Are you familiar with a code for multiple cable
20 failure?

21 A Yes.

22 Q Okay. When you place these disposition codes,
23 load them onto a trouble report, do they apply to
24 out-of-service reports?

25 A You use the code to -- it applies to whatever

1 you're closing the trouble out to at that particular time.
2 That is what you use the codes for. You have the different
3 codes that you use. That is what we use.

4 Q Okay. If you have used the 1200 inside wire code
5 to close out a report -- and I guess I had better ask you,
6 have you ever used the 1200 code to close out a report?

7 A 1200?

8 Q Any of those 1200 codes.

9 A You mean the 1200 codes? Yes, I have.

10 Q Okay. And when you have used those codes to close
11 out trouble reports, do you know if the out-of-service clock
12 is stopped by putting that code on the report?

13 A If you close the trouble out, it's closed anyway.

14 Q If the trouble had gone over 24 hours, that
15 out-of-service trouble had gone over 24 hours, and you had
16 put a 1200 code down for that report, do --

17 A If it's wiring, it's not necessary that it was
18 out-of-service.

19 Q I don't quite follow that. Can you explain it a
20 little bit more in detail?

21 A It doesn't mean that it was completely
22 out-of-service, because it was wiring. It could have just
23 been a jack in the house, so the customer didn't have to be
24 out-of-service.

25 Q Oh, I see what you're saying, okay.

1 Well, if you applied it to an out-of-service --
2 does it apply to out-of-service reports, also, then?

3 MR. CANTOR: Excuse me. I'm going to object to
4 this whole line of questioning. We are now in a
5 speculative study. There is nothing specific that
6 you're asking Ms. Mikle about that she has done or that
7 she knows about. We are now into a treatise of her
8 operations. And I think that -- rather, I don't know
9 that it's necessary to spend the time to have her give
10 everybody a lesson on what her job is. I think the
11 purpose is to find out if she has done certain things,
12 and I think we are just wasting time. Everything is
13 speculative. This what if or what happens if. This
14 could be determined from a manual.

15 MS. RICHARDSON: It can certainly be determined
16 from a manual, but I also need to know whether or not
17 Ms. Mikle is familiar with the Company's procedures and
18 policies in her training, and how she's been trained in
19 the use of those --

20 MR. CANTOR: Then you should ask her that.

21 MS. RICHARDSON: So, I'm doing that through
22 hypotheticals, Mr. Cantor.

23 MR. CANTOR: But these are not hypotheticals.

24 MS. RICHARDSON: She has indicated and testified
25 that she has used the 1200 code. She has indicated,

1 and I have laid the predicate for it, that she had been
2 trained in the use of this particular code. So, now
3 I'm trying to find out when she has applied it and when
4 she has not applied it, Mr. Cantor. And I feel like
5 that is certainly within the scope of inquiry on
6 handling customer trouble reports, which is the issue
7 in this proceeding.

8 MR. CANTOR: I just think you should be more
9 specific.

10 MS. RICHARDSON: Your objection is so noted.

11 That's fine.

12 BY MS. RICHARDSON:

13 Q Okay, Ms. Mickle, let's go back to it, if we can.
14 1200 codes apply to affecting service reports, you have
15 said. Do they also apply to out-of-service reports?

16 A No.

17 Q Other than what you ever already testified to, do
18 you know of any other means of excluding an out-of-service
19 report?

20 MR. BEATTY: Objection. It has been asked and
21 answered.

22 MS. RICHARDSON: Other than what she has already
23 testified to.

24 MR. BEATTY: I understand. But you have asked her
25 that question, and I object on the basis it's an

1 improper question because it has been asked and
2 answered.

3 MR. CANTOR: You can answer.

4 THE WITNESS: Is there any other means other than
5 the ones I just said?

6 BY MS. RICHARDSON:

7 Q Uh-huh.

8 A There are several, really, for exclude. Like if a
9 customer called in and said, "I want the repairman to call
10 me back that was at my premise the last time." We can
11 exclude that because it was just a message report and things
12 like that.

13 Q Okay. Are you familiar with a final status screen
14 for closing out reports?

15 A No.

16 Q Okay. Ms. Mickle, do you know of anyone who has
17 falsified a customer record?

18 A No.

19 MR. BEATTY: Objection. It has been asked and
20 answered.

21 MS. RICHARDSON: No, I did not ask for
22 falsification.

23 MR. CANTOR: She answered it. She said no.

24 BY MS. RICHARDSON:

25 Q Have you ever yourself falsified a trouble report?

1 A No.

2 Q Okay. Has anyone ever directed you to falsify a
3 trouble report?

4 A No.

5 Q Ms. Mikle, do you know if a customer is due a
6 rebate if their trouble is out over 24 hours?

7 A We don't deal with rebates, so I don't know.

8 MS. RICHARDSON: Ms. Mikle, I want to thank you
9 for being here. I appreciate your coming down. I have
10 no further questions, but the Public Service Commission
11 Staff may have one or two before we let you go.

12 THE WITNESS: Okay. Thank you.

13 MS. WILSON: I have no questions.

14 MR. GREER: I don't have any.

15 (The deposition was concluded at 8:55 a.m.)
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CERTIFICATE OF ADMINISTERING OATH

STATE OF FLORIDA:
COUNTY OF LEON:

I, JANE FAUROT, Notary Public in and for the State of Florida at Large:

DO HEREBY CERTIFY that on the date and place indicated on the title page of this transcript, an oath was duly administered by me to the designated witness(s) before testimony was taken.

DATED THIS 22nd day of September, 1993.



JANE FAUROT
MY COMMISSION # CC295576 EXPIRES
July 16, 1997
BONDED THRU TROY FAIN INSURANCE, INC.

Jane Faurot
JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

MY COMMISSION EXPIRES: 7/16/97

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF LEON)

I, JANE FAUROT, Court Reporter, do hereby certify that the foregoing proceedings was taken before me at the time and place therein designated; that my shorthand notes were thereafter translated under my supervision; and the foregoing pages numbered 1 through 41 are a true and correct record of the proceedings.

I FURTHER CERTIFY that I am not a relative, employee, attorney or counsel of any of the parties, nor relative or employee of such attorney or counsel, or financially interested in the foregoing action.

DATED THIS 22nd day of September, 1993.

Jane Faurot
JANE FAUROT
100 Salem Court
Tallahassee, Florida 32301
(904) 878-2221

SWORN TO AND SUBSCRIBED TO BEFORE ME THIS 22nd day of September, 1993, IN THE CITY OF TALLAHASSEE, COUNTY OF LEON,

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

Melanie Y. Bradford
3
4 NOTARY PUBLIC
STATE OF FLORIDA

