

BEFORE THE WASHINGTON UTILITIES AND TRANSPORTATION COMMISSION

RULEMAKING RELATED TO THE
MANDATORY DISTRIBUTION OF
WHITE PAGES DIRECTORIES BY
LOCAL EXCHANGE CARRIERS IN
WAC 480-120-251(3).

Docket No. UT-120451

CENTURYLINK'S SECOND REPLY
COMMENTS

- 1 On September 14, 2012, the Commission sent a notice in this rulemaking, inviting the parties to answer some additional questions regarding the timing of changes to directory publication, and the co-bound directories issue.
- 2 As a general matter, CenturyLink does not believe that the white pages should be treated differently from the yellow pages. CenturyLink believes that the only reason Dex is seeking disparate treatment for the two kinds of directories is because it generates substantial revenue from publishing yellow pages directories and does not receive the same benefit from the white pages. Dex's self-interest, however, is not consistent with the public interest. It is more consistent with the public interest to adopt an opt-out program for directories, consistent with how the yellow pages are currently administered. If the opt-out program is adopted, there would be no need to worry about "flash cut" versus "phased in", and the notices to the customers advising them of their options could be easily provided, with no risk that someone who relies on the directory will not receive it. An opt-out program is easier to administer, is more likely to result in consumers who need a white pages receiving one, and is consistent with the system used by directory publishers for yellow pages directories.

Commission Questions

1. What has been the experience in other states that have adopted either an opt-in or opt-out program for the distribution of directories?

Response: CenturyLink is familiar with the experiences of Berry and with programs in Hawaii, Alaska and Cincinnati Bell. All of these were opt-out programs.

a. How was the transition implemented (*e.g.*, by flash cut or phased in, and if phased in, over what period of time)?

Response: The transition was implemented via flash cut. However, with an opt-out, a flash cut is acceptable because customers will not suddenly be deprived of a directory. . In other words, if customers were confused and did nothing, they would still receive a directory that has historically been delivered to them.

b. How were/are consumers notified of their option, and what is the number and nature of complaints that have been received about the programs?

Response: Consumers were notified of their options by notices placed on the front cover of the directory. Additionally some publishers left door hangers on the doors of customers who had opted out confirming their choice. This seems very reasonable given a deviation from what had been the norm for so many years.

c. What has been the success rate separately for opt-in programs and opt-out programs in reducing the number of distributed directories?

Response: There is no current opt-in program that CenturyLink is aware of in markets where CenturyLink is the ILEC, so there is no data to report. With regard to opt-out, the number of opt-outs for yellow pages directories nationwide is approximately 3 million.

2. With respect to the proposal to amend the proposed rule to treat service areas with “co-bound” white and yellow page directories differently than service areas with stand-alone white pages directories, please provide the following information:

a. The number of Washington service areas in which co-bound directories currently are being distributed.

Response: See Attachment A. All Dex directories in Washington are co-bound except Seattle.

b. The total number distributed to customers in Washington of

i. co-bound directories; and

Response: CenturyLink is researching this number.

ii. stand-alone white pages directories.

Response: CenturyLink is researching this number.

c. Please provide examples and results from other states where co-bound directories are or were treated differently than stand-alone white pages directories.

Response: CenturyLink does not have any information on this issue.

3 CenturyLink again suggests that the approach that has been established by the publishing

industry in the yellow pages area seems to be an appropriate balance to strike for the white pages as well. The yellow pages process has already been established as an opt-out process which consumers are familiar with. The publishers have the website, processes, and resources in place, and could easily extend it for the white pages. CenturyLink urges the Commission to reconsider and adopt an opt-out approach for white page directories, as has been voluntarily and successfully adopted by publishers for yellow pages.

- 4 Furthermore, to the extent that co-bound directories would be treated differently, the available information shows that the exception would swallow the rule, with co-bound directories being the norm, rather than the exception.

Respectfully submitted this 25th day of September, 2012.

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Attachment A

The 38 directories DEX publishes in WA – only one is a separate white pages directory.

	Dir #	St	Directory Name	Pub Co	Pub #	Legacy Telco	Close Date	Pub Date
1	77010	WA	Aberdeen-Raymond	DEX	822	Qwest	2/5/13	Apr-12
2	77036	WA	Bainbridge Island	DEX	822	Qwest	4/23/13	Jun-12
3	77062	WA	Bellingham-Whatcom C	DEX	822	Qwest	12/10/12	Feb-12
4	77114	WA	Centralia-Chehalis	DEX	822	Qwest	10/10/12	Dec-12
5	77846	WA	Clark County	DEX	822	Qwest	8/31/12	Dec-12
6	77166	WA	Cle Elum	DEX	822	Qwest	6/6/13	Aug-12
7	77190	WA	Colville	DEX	822	Qwest	7/30/12	Oct-12
8	77049	WA	Greater Eastside	DEX	822	Qwest	7/19/12	Sep-12
9	77726	WA	Greater Snohomish Co	DEX	822	Qwest	7/23/12	Sep-12
10	110077	WA	Gtr Eastside Midi	DEX	822	Qwest	7/19/12	Sep-12
11	77075	WA	Kitsap County	DEX	822	Qwest	5/9/13	Jul-12
12	77410	WA	Longview-Kelso	DEX	822	Qwest	3/29/13	Jun-12
13	77422	WA	Lower Yakima Valley	DEX	883	Embarq	12/27/12	Mar-12
14	77470	WA	Moses Lake	DEX	822	Qwest	8/27/12	Nov-12
15	77514	WA	Okanogan-Grand Coule	DEX	822	Qwest	10/26/12	Jan-12
16	104723	WA	Olympia Plus	DEX	822	Qwest	8/9/12	Nov-12
17	77526	WA	Olympia-Lacey-Tumwat	DEX	822	Qwest	8/9/12	Nov-12
18	77578	WA	Poulsbo-Suq-Slv-Bnbr	DEX	883	Embarq	6/1/13	Aug-12
19	77550	WA	Pt Angeles-Sequim	DEX	822	Qwest	10/9/12	Dec-12

20	77562	WA	Pt Townsend-Pt Lud	DEX	822	Qwest	10/4/12	Dec-12
21	77602	WA	Puyallup	DEX	822	Qwest	12/26/12	Mar-12
22	110121	WA	Puyallup Midi	DEX	822	Qwest	12/26/12	Mar-12
23	77614	WA	Quilcene	DEX	883	Embarq	10/25/12	Jan-12
24	109875	WA	Seattle Midi	DEX	822	Qwest	4/14/13	Jun-12
25	77677	WA	Seattle(W)	DEX	822	Qwest	3/29/13	Jun-12
26	77678	WA	Seattle(Y)	DEX	822	Qwest	3/29/13	Jun-12
27	77702	WA	Shelton	DEX	822	Qwest	8/9/12	Nov-12
28	110076	WA	South King Co Midi	DEX	822	Qwest	7/6/13	Aug-12
29	77730	WA	South King County	DEX	822	Qwest	6/20/13	Aug-12
30	104398	WA	Spokane Plus	DEX	822	Qwest	6/27/12	Sep-12
31	77762	WA	Spokane-Coeur d'Alene	DEX	822	Qwest	6/27/12	Sep-12
32	77774	WA	Tacoma	DEX	822	Qwest	12/26/12	Mar-12
33	110120	WA	Tacoma Midi	DEX	822	Qwest	12/26/12	Mar-12
34	104608	WA	Tri-Cities Plus	DEX	822	Qwest	6/1/13	Aug-12
35	77538	WA	Tri-Cities Regional	DEX	822	Qwest	6/1/13	Aug-12
36	77870	WA	Walla Walla-Dayton	DEX	822	Qwest	1/26/13	Mar-12
37	77930	WA	Yakima Valley	DEX	822	Qwest	10/17/12	Jan-12
38	104609	WA	Yakima Valley Plus	DEX	822	Qwest	10/17/12	Jan-12