

broadband
communications



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Serving the Cable Industry in Washington State Since 1972

November 8, 2012

Mr. David Danner, Executive Director and Secretary
Washington Utilities and Transportation Commission
1300 S. Evergreen Park Drive SW
P.O. Box 47250
Olympia, WA 98504-7250

Re: Docket No. UT-120451

Dear Mr. Danner:

The Broadband Communications Association of Washington (BCAW) appreciates the opportunity to comment on the October 31, 2012 proposed changes to WAC 481-120-251. BCaw is a trade association whose membership includes over fifteen (15) cable companies providing service in Washington. The members of BCaw through their affiliates provide facilities-based competitive voice services to residential and business customers in WA.

In the October 31, 2012 notice of opportunity to comment, the WUTC asked for comments regarding a revised directory listing draft rule. One solution to address directory listings is for the WUTC to simply repeal the existing rule.

Should the WUTC decide to adopt a new rule rather than repeal the existing rule, BCaw agrees with section (1) (480-120-251) of the draft rule which states:

- (1) Basic local exchange service includes access comprised of the name, address, and primary telephone number for each customer that the local exchange

company (LEC) serves in a local calling area unless the customer requests to exclude some or all of this information from the LEC's directory listings.

BCAW believes that companies who continue to make customer numbers available to directory assistance would comply with the first part of this rule.

Section (2) of the draft rule continues to be too prescriptive. During the October 18, 2012 workshop several companies described the different mechanisms they are using to address directory listings with their customers; some reported that their customers preferred small pocket directories with limited information in them while others reported their customers preferred using online directories. The vast majority of cable voice customers bundle their voice services with the High Speed Internet. Each of these customers has access to a large array of dynamic online directories. Section (2) (a) would require all companies opting to publish online directories to go to the expense to publish a printed directory even if a infinitesimal percentage of their customers requested one. Such a requirement does not seem like a reasonable step going forward.

In addition, because section 3 of the draft, discussed below, would require local exchange companies to establish means for customers to request to receive or not to receive directories, it is unnecessary to also mandate that directories not be distributed to customers declining to receive printed directories. Moreover, as Frontier has commented, such prohibitive language could be construed by some to subject LEC's to potential liability should any errors in distribution occur.

Accordingly, BCAW recommends amending section (2) of the draft to read as follows:

(2) A LEC must ensure that each of its basic local exchange service customers has access to directory listings for the customer's local calling area through at least one of the following means:

(a) Electronically via a document, database, or link on the LEC's website. ~~provided that the LEC also distributes or arranges to distribute printed directory listings to all of the LEC's customers who request a printed directory; and/or~~

(b) In hard copy via publishing or arranging to be published a printed telephone directory that includes such the directory listings and distributing that directory to the LEC's customers, ~~provided that a printed telephone directory shall not be distributed to any customer who requests not to receive a printed directory.~~

BCAW suggests the following minor revisions to section (3) which reads:

- (2) A LEC must establish reasonable means for ~~its~~ customers to request to exclude ~~some or all~~ of their listing information from the LEC's directory listings and to request to receive, or not to receive, a printed directory.

This requirement is neither too prescriptive nor burdensome and companies can elect a number of different mechanisms to communicate with their customers to ascertain whether or not they wish delivery of a printed directory.

Thank you for the opportunity to comment and for your consideration. BCAW looks forward to working with you as this proceeding moves forward.

Sincerely,

Ron Main

Ron Main
Executive Director