

RULEMAKING: Distribution of White Pages Directories
DOCKET UT-120451
Comment Matrix

General Comments		
Commenter	Comment	Staff Position
Broadband Communications Association of Washington (BCAW) Represented by Ron Main	Supports repealing the existing rule.	
Sightline Institute Represented by Eric de Place	The draft rule does not do enough to serve the public. An opt-in process would better serve the public.	
Dex One Represented by Brooks Harlow	Supports repealing the existing rule. The draft rule creates mandatory opt-out provisions, raising First Amendment issues.	
Frontier Communications Represented by Carl Gipson	Supports repealing the existing rule.	
Public Counsel Represented by Lisa A. Gafken	Supports an opt-out process.	
Seattle Public Utilities Represented by Timothy Croll	Supports draft rule language.	
WITA Represented by Betty S. Buckley	Supports repealing the existing rule.	
Century Link Represented by Lisa Anderl	Recommends adding language that the directory must be published no less frequently than once every 13 months.	
Jeanette L. Henderson	Supports an opt-in process.	
Comments and Recommendations on the Proposed Rule Language		
Commenter	Comment	Staff Position
BCAW	Agrees with subsection (1). Believes subsection (2) to be too prescriptive; recommends the following language: (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	

	<p>published a printed telephone directory that includes <u>such</u> 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.</p> <p>Recommends that (3) reads as follows: A LEC must establish reasonable means for its customers to request to exclude some or all of their <u>listing</u> information from the LEC's directory listings and to request to receive, or not to receive, a printed directory.</p>	
Sightline Institue	<p>Recommends that section (2) be changed to read: "...<u>free</u> access to directory listings..."</p> <p>Recommends that subsection (6) of the current rule remain in the revised rule. (This subsection requires directories to include a consumer information guide.)</p>	
Dex One	<p>Dex One provided three alternative revisions to the proposed rule.</p> <p>Alternative 1:</p> <p>(1) Basic local exchange service includes access to <u>basic</u> directory listings 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.</p> <p>(2) A LEC must ensure that each of its basic local exchange service customers has access to <u>basic</u> directory listings for the customer's local calling area through at least one of the following means:</p> <p>(a) Electronically via a document, database, or link on the LEC's <u>or its publisher's</u> 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</p> <p>(b) In hard copy via publishing or arranging to be published a printed telephone directory that includes the <u>basic</u> directory listings and distributing that directory to the LEC's customers, provided that a printed telephone directory shall<u>need</u> not be distributed to any customer who requests not to receive a printed directory.</p> <p>(3) A LEC must establish <u>or arrange for</u> reasonable means for its customers to request to exclude some or all of their information from the LEC's <u>basic</u> directory listings and to request to receive, or not to receive, a printed directory.</p>	

Alternative 2:

(1) Basic local exchange service includes access to basic directory listings 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.

(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;

~~(b) provided that the LEC also distribute~~ Distributing or arranging to be distributed 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 the basic directory listings and distributing that directory to the LEC's customers, provided that a printed telephone directory ~~shall need~~ not be distributed to any customer who requests not to receive a printed directory.

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

Alternative 3:

(1) Basic local exchange service includes access to basic directory listings 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.

(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 distribute~~ Distributing or arranging to be distributed 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 the basic directory listings and distributing that directory to the LEC's customers, provided that a printed telephone directory ~~shall need~~ not be distributed to any customer who requests not to receive a printed

	<p>directory.</p> <p>(3) A LEC must establish <u>or arrange for</u> reasonable means for its customers to request to exclude some or all of their information from the LEC's <u>basic</u> directory listings and to request to receive, or not to receive, a printed directory.</p>	
Frontier Communications	<p>If the rule is not repealed, Frontier recommends the following rule language:</p> <p>(1) Basic local exchange service includes access to directory listings 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.</p> <p>(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:</p> <p>(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</p> <p>(b) In hard copy via publishing or arranging to be published a printed telephone directory that includes 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.</p> <p>(3) A LEC must establish reasonable means for its customers to request to exclude some or all of their information from the LEC's directory listings and to request to receive, or not to receive, a printed directory.</p>	
Public Counsel	<p>Recommends the following rule language:</p> <p>WAC 480-120-251(2): A LEC must ensure that each of its basic local exchange service customers has access, <u>free of charge</u>, to directory listings for the customers local calling area through at least one of the following means:</p> <p>(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 customer who request a printed directory; and/or</p> <p>(b) In hard copy via publishing or arranging to be published a printed telephone directory that includes 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.</p>	

	<p>WAC 480-120-251(2)(X): A LEC must establish reasonable ways by which a customer may request a written directory, or request to opt out of receiving a written directory, including making all of the following options available:</p> <ul style="list-style-type: none"> (i) Calling a toll-free telephone number; (ii) Submitting a written request via e-mail or on-line registration; or (iii) Mailing a written request to a specified address. <p>WAC 480-120-251(X): <u>A LEC must provide reasonable notice to customers describing the ways by which they may request a directory, or request to opt out of receiving a written directory, including, but not limited to, all of the following forms of notice:</u></p> <ul style="list-style-type: none"> (a) <u>Providing the information in at least one bill insert each calendar year;</u> (b) <u>Maintaining the information in a prominent place on the LEC’s website;</u> (c) <u>Including the information in a prominent place on the LEC’s website;</u> (d) <u>Including the information in the consumer information guide required in subsection (6) of this section;</u> (e) <u>Including the information in at least one press release each calendar year;</u> (f) <u>Providing the information on the last printed directory a customer receives.</u> <p>WAC 480-120-251(X) <u>A LEC must provide a printed copy of emergency and government listings to all customers and provide clear notice to customers stating where this information will be provided.</u></p> <p>Public Counsel recommends that subsection 5 be retained. This is the requirement for LECs to revise white pages directories every 15 months.</p> <p>Public Counsel recommends that subsection 6 be retained. This is the consumer information guide requirement.</p>	
Seattle Public Utilities	WITA states that if the commission continues to require the provision of directories, it supports the rule revision as proposed.	
CenturyLink	<p>Recommends the following rule language:</p> <ul style="list-style-type: none"> (1) Basic local exchange service includes access to directory listings 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. 	

	<p>(2) A LEC must ensure that <u>shall determine how</u> each of its basic local exchange service customers has <u>will receive</u> access to directory listings for the customer's local calling area through using at least one of the following means:</p> <p>(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</p> <p>(b) In hard copy via publishing or arranging to be published a printed telephone directory that includes 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.</p> <p>(3) A LEC must establish reasonable means for its customers to request to exclude some or all of their information from the LEC's directory listings and to request to receive, or not to receive, a printed directory.</p> <p><u>(4) The directory listings must be updated no less frequently than once every 15 months.</u></p>	
Jeanette Henderson	Suggests that the proposed rule would be improved subsections 2 (a) and (b) both referred to delivery of hard copy printed directories to customers who request them.	
Comments about Procedural Issues		
Commenter	Comment	Staff Position
Public Counsel	A supplemental CR-102 will be required.	
Seattle Public Utilities	Issue a supplemental CR-102.	
CenturyLink	Issue a supplemental CR-102.	