**RULEMAKING: Distribution of White Pages Directories**

**DOCKET UT-120451**

**Second Supplemental CR-102 Comment Matrix**

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| **Commenter** | **Comment** | **Staff Position** |
| Jeanette L. Henderson | Proposed rule would be improved by removing subsection (3). | Staff believes the revised rule as currently drafted strikes the appropriate balance between company, customer, and environmental concerns and does not recommend accepting this change. |
| Seattle Public UtilitiesRepresented by Timothy Croll | Supports the most recent draft, particularly (2)(a), the opt-in provision. |  |
| Century LinkRepresented by Lisa Anderl | The current draft does not allow for the protection of non-published customers’ information because personal and proprietary information is available to those who use the Dex online website.An opt-in approach would result in customers not getting notice that they would not receive a printed phone book.An opt-in approach should apply only to residential white pages, not business listing in the white pages, so that the company, or Dex, would not be out of compliance if it were to deliver combined white and yellow page business listings.An opt-in approach should be phased in, with a notice about how a customer can continue to receive directories.Subsection (2) should be modified so that a LEC is obligated to provide access to listings only for its own customers and customers of carriers who provide their listings at no charge. | LECs have the same ability to protect customer privacy under the proposed rule that they have under the existing rule. The proposed rule does not require a LEC *not* to publish a printed directory and thus the LEC would be able to provide what it believes is an appropriate phase-out period and notice if the LEC chooses not to publish a printed directory for all of its customers. Similarly, a LEC will not be out of compliance with the rule if it continues to publish a printed directory that combines white and yellow pages.  |
| Public CounselRepresented by Lisa A. Gafken | No further comments. |  |
| WITARepresented by Betty S. BuckleyWITA (cont’d) | Language in subsection (2) implies that a LEC must be responsible for making “all” directory listings in the local calling area available, rather than just the listings of the LEC’s own customers.There are potential problems in providing electronic listings of other LECs, related to licensing agreements, that could make some listings unavailable or burdensome to obtain.Does not understand how listings will be handled on situations where an ILEC also conducts CLEC activities in the local calling area.Recommends subsection (2) be rewritten as follows:(2) A local exchange company must allow access by the local exchange customers it serves to the publicly available listings for the local exchange company's exchange area by publishing those publicly available listings electronically via a document, database, or link on the local exchange company's web site. A local exchange company is not required to distribute a printed directory. | *See* first Staff position statement above.**CTL, WITA, and Frontier contend that the rule creates an obligation to provide access to directory listings of other LECs’ customers. The description of “directory listings” in section 1, however, makes clear that a LEC’s directory listings include only the LECs’ customers, although ILECs remain subject to the obligation to include competitors’ listings in their directories under federal law and interconnection agreements. “Exchange area” has no meaning for customers, and customers should have access to the listings within their local calling area.** |
| Dex OneRepresented by Brooks Harlow | Supports the rule as drafted and urges prompt approval. |  |
| Frontier Communications Represented by Carl Gipson | Recommends eliminating the rule altogether, or as an alternative, an opt-in rule.To eliminate the problem of a LEC being required to provide information that is unavailable, Frontier recommends the following language amendment:(2) A LEC must ensure that its basic local exchange service customers have access to directory listings ~~for the~~ of its customers’ local calling area by making those listings available electronically via a document, data base, or link on the LEC’s web site. The LEC also must distribute or arrange to distribute printed directory listings to all of the LEC’s customers who request a printed directory. A LEC is not otherwise required to distribute a printed directory. | *See* Staff position statements above. |