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May 21, 2012

VIA E-FILING

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

Re: Docket UT-120451 - Rulemaking to Consider Modifications to, or
Elimination of, the Requirement Related to Distribution of
Telephone Books in WAC 480-120-251

Dear Mr. Danner:

By Notice dated April 20, 2012, the Commission has provided an opportunity to file written comments in this rulemaking docket. The Washington Independent Telecommunications Association (WITA) welcomes the opportunity to provide its initial comments. As stated in the Notice, the premise for the rulemaking is that "Due to changes in technology, the number of people who rely on printed directories of telephone numbers has decreased significantly and continues to decline. Telephone numbers are readily available on the Internet, which an increasing number of consumers access in place of printed directories."

The Notice goes on to point out that many communities are also concerned with the environmental impact of printed directories. Indeed the Notice states that local governments are beginning to encourage their citizens to forego printed directories as a means of reducing both the waste and the expense related to directory disposal. To consider these concerns, the Commission has listed a series of five questions on which it desires comment. WITA will now address the questions set out in the Notice.

1. Do all telephone company customers need printed directories of telephone numbers? If not, which types of customers continue to need such directories?

RESPONSE: Not all telephone company customers need printed directories of telephone numbers. The few customers without Internet access might still need directories, but they constitute a relatively small number based on WITAs members' experience with their customers in their service areas. There is no detailed study to determine exactly the number of customers in this class, but it appears to be a shrinking number as more and more customers familiarize themselves with the use of the Internet.

2. If all customers do not need printed directories, should the Commission continue to require telephone companies to provide them?

RESPONSE: The Commission should not require telephone companies to continue to provide directories. In the competitive market faced by all telecommunications companies, it should be a matter of company choice as to whether directories will be provided and in what format. Virtually every WITA member faces competition. It may be competition from wireless carriers or it may be competition from cable companies. But the fact is that competition exists. Given this competitive environment, the Commission should not be imposing requirements on incumbent local exchange carriers that do not exist for its competitors. These are competitors that are not even currently regulated by the Commission.

Instead, it should be a matter of choice by the companies as they seek to retain their customers and become more efficient whether printed directories are part of that service offering or not.

3. Should telephone companies give their customers the option to receive a printed directory?
 - a. If so, should customers be given the option not to receive a printed directory (opt out) or should customers be required to affirmatively request a directory (opt in)?
 - b. What costs would a telephone company incur to implement optional distribution of printed directories?
 - c. If any such costs would be significant, how should the

company recover those costs?

RESPONSE: Consistent with the response to Question 2, WITA believes it should be a company's choice whether to provide a directory or not. If it does provide a directory, then an opt-out type of provision seems to make sense. This gives the customer the affirmative choice whether or not to receive a printed directory if the company has made the decision to provide directories. This opt out choice seems to be an appropriate balancing of customer choice.

As to the cost portions of this question, WITA is not aware whether the cost has been studied to determine whether such an opt-out choice would be more or less expensive than providing directories today. An obvious advantage of opt out over opt in is that the company will know how many directories to print and will not be faced with having to print additional runs of directories if some customers opt in at a later date or, on the other hand, having an excess supply of directories sitting around waiting for customers to make an opt in type of decision.

4. Should the rule explicitly allow a telephone company to seek an exemption from the rule to relieve it of the obligation to print and/or deliver printed directories to customers? If so, what standard should the Commission consider?

RESPONSE: If the Commission accepts the recommendation from WITA, there would be no need for an exemption process.

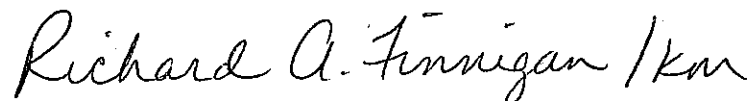
5. Should the Commission give telephone companies the option to provide online directories of telephone numbers instead of printed directories?

RESPONSE: It should not be up to the Commission whether a company provides an online directory or not. Nor should it be a matter of whether Commission permission must be granted for an online directory to be developed and provided. If a company desires to provide an online directory, it can do so today and a rule on any such action is not needed.

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Thank you for the opportunity to provide these comments. WITA looks forward to continued participation as this docket moves forward.

Sincerely,

A handwritten signature in black ink that reads "Richard A. Finnigan / km". The signature is written in a cursive style with a horizontal line through the middle of the letters.

RICHARD A. FINNIGAN

RAF/km