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June 15, 2012

VIA WUTC WEB PORTAL

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

Re: UT-120451 Request of Dex One to Expedite

Dear Mr. Danner:

Dex One Corporation (“Dex One”), filed comments last month in the above rulemaking docket. The Commission’s rulemaking is particularly timely, given that Dex One has begun to implement a change from “saturation” delivery of residential white pages to “upon request” white pages this year in major metropolitan markets in states that do not have regulations such as WAC 480-120-251. The switch to upon request delivery has been well-received by other state commissions who recognize public interest benefits of not continuing to automatically deliver printed residential white pages directories to the roughly 95% of households that are unlikely to use it even once in an entire year. Attached for filing in the docket, as a supplement to Dex One’s comments, is a slide deck that provides an overview of the reasons for the change, in addition to examples of the materials Dex One is using to notify customers of how they can request a free copy of the printed residential white pages if they want one.

This fall, Dex One will be planning for distribution of its 2013 residential white pages. Lead times for ordering printed copies are several months in major metropolitan markets, as millions of pages must be printed, bound, and shipped to distribution points in those markets. Accordingly, Dex One is hopeful the rulemaking can be concluded by early this fall—September

if possible—to ensure that cost and environmental benefits of a rule change can be realized in the 2013 publication and distribution cycles. Dex One will greatly appreciate any steps the Commission may be able to take to expedite the completion of the rulemaking to repeal or modify WAC 480-120-251.

We note that even if the current rule is repealed in its entirety, Dex One would plan to offer a free printed residential white pages directory consistent with the notice and outreach plan summarized in the attached slides. We know from experience both that the overwhelming majority of consumers in major metropolitan markets will appreciate not receiving a large book that they no longer find to be of any use and that the small percentage who do still use the printed residential white pages find it easy and convenient to call and request a free copy. The sooner Dex One can implement “upon request” delivery of residential white pages in Washington, the better for all concerned.

While Dex One continues to believe that any regulation of directory distribution—white or yellow pages—is no longer necessary to protect the public interest, should the Commission decide to retain some form of rule, we offer the following points that should be incorporated in any revision of the rule:

- Opt-in distribution should be allowed for white pages. Opt-out is not efficient and fails to achieve the public interest goals for a print publication that only about 5% or less of households will use.
- The switch to opt-in should not be mandated. It should be left to the discretion of the directory publisher (or LEC, if the LEC still publishes in-house), since it may not be efficient or consistent with consumer demands in smaller markets.
- Customer notification should be ubiquitous, but *contextual*; *i.e.* related to phone directories. But details should be left to the publisher’s discretion. If any specific notice requirement is proposed, Dex suggests that it tie notices to a publisher’s yellow pages, such as Dex One provides in other states as shown in the attached slide deck, again because such notice is contextual. Experience shows that direct mail, billing inserts, and other non-contextual notifications are very ineffective and yet can be very costly.
- Dex One does not object to requiring emergency numbers, government listings, and phone company information to be delivered on a saturation basis; *e.g.* in a publisher’s yellow pages.

- Regulations should be kept to a minimum, as the market is very competitive—particularly considering online options for consumers—and is evolving rapidly. Publishers need flexibility to keep up with the changes and to keep their print publications financially viable and healthy.

Again, Dex One appreciates the Commission's consideration of the need to update its directory rule. We have substantial experience with these issues on both the business and regulatory sides. We look forward to working with the staff and would be happy to serve as a resource for the Commission as it works through the rulemaking process.

Very truly yours,



Brooks E. Harlow

Counsel for Dex One.

CC via email:
Brian Thomas
John Cupp

Attachment