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February 4, 2010



Via Electronic Filing & Overnight Mail

Walter Thomas, Secretary
Alabama Public Service Commission
100 N. Union Street
Suite 850
Montgomery, Alabama 36104

**Re: In the Matter of BellSouth Telecommunications, Inc., d/b/a AT&T Alabama's
Application for Waiver of the Unsolicited General Distribution Requirement of
White Page Directories Under Rule T-9(B) of the Commission's Telephone Rules
Docket No. 15957**

Dear Mr. Thomas:

Enclosed for electronic filing today please find the original and one (1) copy of BellSouth Telecommunications, Inc., d/b/a AT&T Alabama's Application for Waiver and Motion for Expedited Treatment regarding the unsolicited general distribution requirement of white page directories under Rule T-9(B).

Please distribute as needed and thank you for your assistance in this matter.

Sincerely,

Francis B. Semmes
General Attorney - Alabama

FBS/mhs
Enclosures

cc: Honorable John Garner, Chief ALJ
Darrell A. Baker, Director, Telecommunications (via email)
APSC Telecommunications Service List

**BEFORE THE
ALABAMA PUBLIC SERVICE COMMISSION**

In the Matter of BellSouth Telecommunications,)
Inc., d/b/a AT&T Alabama's Application)
for Waiver of the Unsolicited General Distribution) Docket No. 15957
Requirement of White Page Directories Under)
Rule T-9(B) of the Commission's Telephone Rules)

**AT&T ALABAMA'S APPLICATION FOR WAIVER
AND MOTION FOR EXPEDITED TREATMENT**

BellSouth Telecommunications, Inc., d/b/a AT&T Alabama ("AT&T Alabama") respectfully requests the Alabama Public Service Commission ("Commission") to waive, pursuant to Rule T-1(B)¹ and on a trial basis, the general delivery requirement of Rule T-9(B) and instead allow AT&T Alabama the option to provide a paper copy of the residential white page telephone directory to households and businesses in the Mobile directory area only upon request (and at no charge).

The traditional residential white page telephone book no longer provides the same utility it once did. Based on trials AT&T has recently conducted, it appears that the vast majority of customers neither need nor use these often quite large, bound paper directories delivered to their homes each year. AT&T Alabama thus proposes a directory delivery trial whereby AT&T Alabama would initially deliver the AT&T Real Yellow Pages directory in the Mobile market. In addition to traditional Yellow Pages listings, that directory would also contain the business white page listings, the Government listings, the customer guide information, and other information required under the Commission's Rules. Also included will be materials informing customers they can receive a printed white pages directory containing residential listings, which

¹ Rule T-1(B) provides, "If unreasonable hardship to a utility or to a customer results from the application of any rule herein prescribed, application may be made to the Commission for the modification of the rule or for temporary or permanent exemption from its requirements."

will be mailed at no cost to the customer. Customers tend to find their residential listings in today's marketplace in a manner other than by using the printed white page directories, so publishing largely unused residential white page books is an inefficient use of environmental resources.

At this time, AT&T Alabama intends to continue distributing residential white page listings in other markets throughout the State. After evaluating the results of the trial proposed herein, AT&T Alabama may make further application to the Commission regarding distribution of white pages directories in other directory markets.

AT&T Alabama respectfully requests that the Commission take action on this Application by March 15, 2010, a date that would meet AT&T Alabama's deadline for specifying the quantity of paper and procuring printing capacity that will be needed to print the upcoming white pages directory in Mobile.

In support of its waiver request, AT&T Alabama states:

Background on Applicant

1. AT&T Alabama is a Georgia corporation with its principal Alabama office at 600 North 19th Street, Birmingham, Alabama 35203. It may be contacted at the regular and electronic mail addresses and telephone and facsimile numbers of its attorney as set out under the signature block of this Application.

2. All correspondence, pleadings, orders, decisions, and communications regarding this proceeding should be sent to:

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AT&T Alabama's Waiver Request

3. Rule T-9(B) requires a company furnishing basic local telecommunications service to distribute telephone directories to its customers:

Upon issuance, one copy of each directory shall be distributed to all customers served by that directory and two copies of each directory shall be furnished to the Commission.

4. Consistent with this rule, AT&T Alabama currently provides households and businesses in its Mobile service territory a printed white pages directory containing residential listings.

5. For years, the residential white page directory was likely one of the most utilized books, and it served its purpose well. However, times have changed. While usage of AT&T's Business White Page and Yellow Page directories remain strong, AT&T Alabama's customers are now turning less and less to the residential white pages directory and are instead looking to online and other resources for listing information. In Austin, Texas and Atlanta, Georgia, AT&T ran trials to help gauge customer demand for a bound paper copy of the white pages residential directory. Beginning in late November 2008, customers in Austin received one book from AT&T containing the Business White Pages, the Yellow Pages, the Customer Guide and all other information required under the Texas Commission's Rules, along with materials informing customers that they could receive a printed white pages directory containing residential listings, which would be mailed at no cost to the customer. Customers in Atlanta received the same information in two volumes, with the Business White Pages being separately bound.² After four months, only a fraction of AT&T's customers have requested a paper copy of the printed

² In those markets, customers in addition received a CD-ROM of the white pages directory containing residential listings.

residential listings. When delivering based on customer requests, AT&T in Austin needed 2.50% of what it had to print the previous year. In Atlanta, it was 2.06%.

6. Consumers tend not to use the residential listings in the white pages directory because of the following:

- Growing number of homes do not have traditional wireline service.³
- Most telephone numbers are not in the white pages.⁴
- Ability of wired and wireless devices to store large volumes of numbers.
- Expanding use of Caller ID and similar technologies that capture numbers.
- Phone lists and directories from work, schools, places of worship, civic associations, and similar organizations.
- Free directory assistance services.
- Expanding use of online directory services.

7. The diminishing use of the printed residential white pages directories by customers and the growing reliance on and desire to use technological applications to retrieve directory information suggests that change is in order. It is possible that it no longer makes sense for AT&T Alabama to annually distribute a bound paper copy of the residential white pages directory to every customer, without regard for the customer's own choice based on his or her

³ The FCC has reported that as of year-end 2006, 19.3% of households in the country were "households with wireless only." FCC Wireline Competition Bureau's August 2008 Trends in Telephone Service, available for download at www.fcc.gov/wcb/iatd/trends.html, Table 7.4. This customer segment has grown dramatically and continues to grow. In 2001, this segment represented less than 2% of households. From 2005 to 2006 alone, the segment grew over 70%. Id.

⁴ Based on FCC data, the number of Alabama telephone numbers not in white page directories far outweighs the number that are in the directories. The FCC's Wireline Competition Bureau's most recent report shows that in Alabama, as of June 30, 2007, there were 3,605,490 wireless subscribers (Table 11.2), nearly all of whom are not in white page directories. On the other hand, the FCC's report shows that there are only 1,982,341 lines provided by ILECs (Table 8.5), and 292,484 lines provided by CLECs (Table 8.5). And many of those customers have chosen not to have their telephone numbers published in the white pages directory. For reference of scale, AT&T Alabama only has approximately 1,570,000 publishable listings currently in its white pages directory database (which includes both AT&T and CLEC listings).

own needs. AT&T Alabama is committed to responding to customers' changing needs as well as to employing reasonable environmental stewardship in conducting its business. Moving to replace a customer product with possibly limited usage with a more environmentally sensitive set of alternatives is a positive initiative that effectively melds customer needs and desires with more efficient resource usage. Thus, in order to facilitate customer choice, AT&T Alabama respectfully requests the option to cease automatically providing bound paper copies of the residential white pages to households and businesses in its service territory in the Mobile area.⁵ Customers would retain the option to order -- at no cost to them -- a paper white pages or CD-ROM containing residential listings.

8. Under AT&T Alabama's proposal and upon Commission approval of this Application, AT&T Alabama would continue to furnish a printed directory containing AT&T's business white pages and Yellow Pages information. All information required by Commission Rule T-9 would be provided within this directory.⁶

9. Recognizing that technological changes lead to lifestyle changes and a demand for innovative new products and services, AT&T has initiated similar directory alternatives in other states.⁷ In addition, other states have addressed the availability of optional forms of providing listing information and have adopted alternatives to delivery of the traditional printed directory.⁸

⁵ In other markets, AT&T Alabama will continue distributing a residential white page directory to every customer.

⁶ AT&T Alabama will conduct a customer education initiative prior to the date of directory delivery.

⁷ AT&T has filed similar requests in several other states and plans to make additional filings based on factors such as publishing cycles and market size. In some states, formal action was not necessary to make this directory distribution change.

⁸ Most recently, the Oklahoma Corporation Commission amended its directory rule to allow telephone companies to make the white page directory listings available through CD ROM or via the internet as long as customers could obtain a printed paper white pages directory at no charge upon request. *In the Matter of a*

10. AT&T Alabama is committed to providing its customers with the ability to choose how they access and use white pages listing information by providing this information in multiple formats. Where AT&T Alabama's proposal is implemented, residential listing information will be available to consumers across these multiple platforms:

www.realpageslive.com

www.YELLOWPAGES.com

Print copy or CD-ROM (upon request).

11. AT&T's user-friendly directory website, www.realpageslive.com, provides directory information in the traditional directory format. The same look and feel of the printed directory is provided on-line, but with valuable capabilities simply not possible with a printed version, such as adjusting the size of the font or performing electronic searches.⁹ In addition, customers are able to access their local directory from any location where they can establish an Internet connection. All of the existing directory information is located on this site, including

Rulemaking of the Oklahoma Corporation Commission, Amending OAC 165:55, Telecommunications Service Rules, Cause No. 2000800005, submitted for legislative approval on January 7, 2009. See also R.H. Donnelley, Petition for Variance of Section 735.180 of the Illinois Admin. Code, No. 07-0434, Order, October 24, 2007 (Illinois Commerce Commission permitted limited distribution of white pages directories); In the Matter of the Application of Cincinnati Bell Telephone Company LLC for Waiver of Certain Minimum Telephone Service Standards as Set Forth in Chapter 4901:1-5, Ohio Administrative Code, Case No. 0801197-TP-WVR, Order Issued January 7, 2009; In the Matter of the Application of AT&T Ohio for Waiver of Certain Minimum Telephone Service Standards as set Forth in Chapter 4901:1-5, Ohio Administrative Code, Case No. 09-42-TP-WVR, Order Issued February 11, 2009 (Public Utilities Commission of Ohio granted ILECs' waiver requests and allowed ILECs to cease providing residential white page directories on an up front basis and to deliver residential white page directories to only those customers who requested them); In the matter of Southwestern Bell Telephone Company d/b/a AT&T Missouri's Application for Waiver of the General Distribution Requirement of White Pages Directories Under CSR 240-32.050(4)(B), File No. IE-20090357, Order Approving Unanimous Stipulation and Agreement effective August 1, 2009; BellSouth Telecommunications, Inc. d/b/a AT&T Georgia's Petition for Waiver of GPSC Rule 515-12-1-10(3) and Request for Expedited Commission Decision, Order on Waiver Petition, October 6, 2009; In re: Petition by BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast for waiver of Rule 25-4.040(2), Florida Administrative Code, Docket No. 090082-TL, Order No. PSC-09-0492-PAA-TL, Issued July 8, 2009.

⁹ The electronic directory is superior to the printed version in a number of other ways: it is searchable electronically, and listings can be located instantaneously, while the printed book can only be consulted manually by reviewing alphabetical listings; the user can page forward or backward to check on other listings or see the other portion of a listing caption; it is easily accessible anywhere there is Internet access, even over cell phones and PDAs; business websites listed in the printed directory become hot links to the actual business websites in the electronic directory; and font size can be easily adjusted to meet the needs and preferences of each customer.

residential white pages listings, business white pages listings, government listings and the Customer Guide, which contains the information required by Commission Rules.

12. Moreover, this website also includes access to the AT&T Real Yellow Pages, and every AT&T directory in 21 states is available on this site. Thus, AT&T provides customers with access to more directory information than they currently receive in a printed directory. In order to ensure that customers continue to receive the most important information currently included in the residential white pages directory, AT&T Alabama proposes to distribute the Customer Guide information, the business white pages, and the government listings with the printed AT&T Real Yellow Pages directory that will continue to be published and distributed by its affiliate to households and businesses in its service territory.

13. In order to inform the customer of its new approach, AT&T Alabama will prominently place, in two locations in the directory, a description of the plan and the options by which customers could acquire and access directory content, including the toll free number to request a free printed copy or CD-ROM of the residential white pages listings¹⁰ as follows: (1) in the customer call guide in the front section of the AT&T Real Yellow Pages directory and (2) on a stiff bound insert in the AT&T Real Yellow Pages directory. AT&T will place a text box on the directory cover providing the toll-free number that can be called to request a free printed copy or CD-ROM of the white pages directory.

14. Given the diminished utility and demand for printed residential white pages directories, the obligation to continue to provide them on an unsolicited basis to all to households and businesses in its service territory potentially imposes unnecessary costs on AT&T Alabama and its customers and may represent an inefficient use of resources.

¹⁰ Upon ordering the printed white pages directory, customers would receive it within 10 to 15 business days.

15. Accordingly, AT&T Alabama requests a waiver of Rule T-9(B) as described above.¹¹

AT&T Alabama's Request for Expedited Treatment

16. In support of its request for expedited treatment of this Application, AT&T Alabama states:

(A) AT&T Alabama requests the Commission take action on this Application by March 15, 2010.

(B) AT&T Alabama seeks expedited treatment in order to avoid purchasing a substantial volume of paper that may not be needed and to be able to make a final commitment to its printers on the amount of printing capacity that will be needed. In order to produce and print the white page directories for Mobile, AT&T must order an extraordinarily large volume of paper approximately three to four months in advance of the target distribution date. At approximately the same time, commitments need to be made with the printer regarding the volume of directories to be printed. AT&T Alabama is currently targeting distribution of the next white pages directory for Mobile in June 2010 and would need to know by March 15 in order to meet the printer's schedule. There will be no negative effect on AT&T Alabama's Mobile customers or the general public if the Commission acts by this date.

(C) AT&T Alabama filed this application as soon as it determined it wished to change its white pages delivery method for Alabama and could prepare this filing.

¹¹ To the extent necessary, AT&T Alabama requests that any relief granted to it by the Commission also be granted to other telephone companies, such as affected competitive local exchange carriers ("CLECs"), that use AT&T Alabama's directory to comply with Rule T-9. Subscribers of affected CLECs will be able to request free copies of the printed residential white pages directory on the same basis as AT&T's subscribers.

WHEREFORE, AT&T Alabama requests that, having demonstrated good cause, the Commission issue an order on or before March 15, 2010, waiving on a trial basis the provisions of Rule T-9(B) that require AT&T Alabama to furnish a paper copy of the residential white page telephone directory to every customer in its Mobile service area and, instead, to allow AT&T Alabama the option to provide a paper copy or CD-ROM of the residential white page telephone directory only upon request (and at no charge).

Respectfully submitted this 4th day of February, 2010.

BELLSOUTH TELECOMMUNICATIONS, INC.,
d/b/a AT&T ALABAMA



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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of *AT&T Alabama's Application for Waiver and Motion for Expedited Treatment* on the parties listed below by placing a copy of same in the United States Mail, properly addressed and postage prepaid on this the 4th day of February, 2010.

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