

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE PETITION FOR A )</b>	<b>DECLARATORY RULING</b>
<b>DECLARATORY RULING BY QWEST )</b>	<b>REGARDING DIRECTORY</b>
<b>CORPORATION DBA CENTURYLINK QC AND )</b>	<b>ACCESS</b>
<b>DEX MEDIA, INC. REGARDING DIRECTORY )</b>	
<b>PUBLICATION )</b>	<b>TC15-069</b>

On November 13, 2015, the Public Utilities Commission (Commission) received a petition from Qwest Corporation dba CenturyLink QC (CenturyLink) and Dex Media, Inc. (Dex Media) requesting a Declaratory Ruling to clarify whether South Dakota statutes and regulations, specifically SDCL § 49-31-107, ARSD § 20:10:06:03, and ARSD § 20:10:32:10, relating to telephone directories and directory listings, require a paper printed format. On December 10, 2015, and January 14, 2016, CenturyLink and Dex Media responded to staff's data requests.

On November 19, 2016, the Commission electronically transmitted notice of the filing and the intervention deadline of December 4, 2016, to interested individuals and entities on the Commission's PUC Weekly Filings electronic listserv. No petitions to intervene or comments were filed.

The Commission has jurisdiction over this matter pursuant to SDCL Chapter 49-31, and ARSD 20:10:01:35 and 20:10:32:10.

At its regular meetings on January 5, 2016 and January 19, 2016, the Commission considered this matter. At the January 5, 2016, meeting, Commissioner Nelson made a motion that allows a company to fulfill its legal obligations requiring access to a local directory by providing an online directory as long as customers can also request a free printed copy of a local directory from the company. The Commission deferred the docket to January 19, 2016, and left the motion on the table. At the January 19, 2016, meeting, Commissioner Fiegen proposed an amendment to the motion from the January 5, 2015, meeting to include a standing order for customers who request a printed copy of the directory. The Commission voted 2-1 to include the amendment requiring a standing order for upon request customers. The Commission then voted unanimously to approve the motion as amended.

Pursuant to ARSD 20:10:32:10(3), a telecommunications company providing local exchange service is required to provide access to a local directory to each customer. As explained in its petition for a declaratory ruling (Petition), Dex Media publishes the directories for CenturyLink. Petition at 3. Currently, Dex Media delivers paper directories to all customers of CenturyLink in what is referred to as saturation delivery. Data Response 1-10. Dex Media also publishes replicas of its traditional print directories online at no charge to users and offers digital platforms for name and business searches. Petition at 5, 9. CenturyLink and Dex Media further noted that consumers have many options and alternatives to traditional printed telephone directories. Petition at 5-8. Dex Media states that it plans to gradually transition away from saturation delivery and will provide paper directories upon request. Data Response 1-10. Dex Media stated that it plans to provide paper directories upon request for an indeterminate number of years "until the number of requests are too few to sustain the costs to produce print directories." Data Response 1-10. Dex Media stated that the request rate for a printed directory in areas where saturation delivery of residential white pages has been discontinued "is substantially less than one percent in nearly all of Dex Media's markets and no more than two percent in any state." Petition at 9.

ARSD 20:10:32:10(3) requires a local exchange telecommunications company to provide access to a local directory but does not specify how access is to be provided. The Commission finds that access to a directory is not limited to only printed directories. A telecommunications company can also provide access through an online directory, as long as a customer is able to receive a printed directory upon request. The Commission finds that a telecommunications company must provide a customer with a printed directory upon request because not every customer has access to the internet. Providing a printed directory upon request will ensure that customers have access to a local directory as required by the rule. In addition, the Commission finds that when a customer requests a printed directory, the telecommunications company shall continue to deliver the directory as a standing order, instead of requiring a customer to call each year to request a directory.

It is therefore

ORDERED, that access to a local directory may include an online directory but must include free, upon request delivery of a printed directory to a customer. It is further

ORDERED, that when a customer requests delivery of a printed directory, the telecommunications company shall continue to deliver the directory as a standing order.

Dated at Pierre, South Dakota, this 27<sup>th</sup> day of January, 2016.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, electronically or by mail.

By: Rolayne West

Date: 1-27-16

(OFFICIAL SEAL)

BY ORDER OF THE COMMISSION:

Chris Nelson  
CHRIS NELSON, Chairman

Kristie Fiegen  
KRISTIE FIEGEN, Commissioner

Gary Hanson  
GARY HANSON, Commissioner