

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

AR 464

In the Matter of a Proposed Rulemaking to)	
require that telecommunications utilities)	Comments of City of Portland
include government and human services)	on Proposed Rule 860-032-0700
information within their published)	
telephone directories)	

TO: Administrative Law Judge Allan Arlow
Hearing Date: February 8, 2005

I. SUMMARY

1. City of Portland supports adoption of a Blue Pages rule. The City of Portland supports adoption of a rule requiring that telecommunications utilities include a specialized directory containing government, school, and human service information within their annually-published telephone directories. As provided in the proposed rule, the City supports the requirement that the specialized directory must have blue or green colored borders, unless the directory has traditionally used other colors as borders.
2. The Proposed Rule is better than no rule at all. The Proposed Rule 860-032-0700 represents an improvement on having no rule in place at all. Without a rule, the future of the “Community Blue Pages” as a strictly voluntary inclusion into the directory by QwestDex remains very much in doubt. We need look no further than the unilateral elimination by QwestDex of the Blue Pages listings from the current Portland Yellow Pages, with no notice to government or community stakeholders, to see what the future may hold for Blue Pages listings in Oregon in the absence of a Public Utility Commission rule.
3. The Proposed Rule could be improved. As elaborated in our recommendations set forth in paragraph 9 hereof, the City of Portland believes the proposed Rule could be improved through the incorporation of changes designed to make the rule more specific and less general.

II. CONTEXT FOR CITY'S RECOMMENDATIONS

4. Blue Pages significant and relied upon. The “Community Blue Pages” (“Blue Pages”) have been included as a significant public interest component of the telephone directories published by telecommunications utilities in the City of Portland for many years. The Blue Pages are relied upon by citizens throughout Portland and the metropolitan area to locate and contact government offices, schools, and many community services.
5. Blue Pages currently strictly voluntary. The Blue Pages have been included in the phone directory published by the incumbent telecommunications company in Portland (currently Qwest) for several decades strictly as a voluntary matter. Such phone directory, provided to every household in Portland, remains the “phone directory of record” for most citizens despite the existence of various alternatives. This confers preferred status for the incumbent telecommunication utility’s phone directory as the baseline directory relied upon by most citizens and households for access to essential listings such as those included in the Blue Pages.
6. Future of Blue Pages in doubt. There is currently no rule or law requiring that incumbent phone directories include the Blue Pages or their equivalent. In an era of widespread competition in the telephone business, including the spin-off of the telephone directory business of Portland’s incumbent telecommunications utility (Qwest) to a subsidiary (“QwestDex”) and increasing pressure on QwestDex to provide a commercial return on every page of its directory, the future inclusion of the Blue Pages in Portland’s telephone directory remains in doubt.
7. Portland has unique Blue Pages issues due to a split directory. Portland also faces unique issues with respect to the Blue Pages due to Portland’s size and “split directory.” That is, due to the large number of listings, the Portland telephone directory was split into two volumes (White Pages and Yellow Pages) in recent years. Initially, all business listings as well all Blue Pages listings were duplicated in both volumes. This is important to Portland citizens and visitors, because many individuals face circumstances (e.g. at

telephone booths or commercial establishments) where only one volume of the directory is available or can be accessed (usually the Yellow Pages volume).

8. Blue Pages listings already eliminated from Portland’s Yellow Pages volume. Without notice or comment to anyone concerned, QwestDex has recently unilaterally eliminated the Blue Pages from its separate Portland Yellow Pages volume, despite continuing to publish identical, duplicate alphabetical business listings in both volumes. This has created a burden on Portland citizens and visitors who can no longer access the Blue Pages at locations (typically non-residential venues) where only Qwest’s Yellow Pages volume is available. Ironically, anyone turning to the “blue pages” (blue-bordered pages) featured in the current QwestDex Portland Yellow Pages volume will now find, instead of Government and Community Service listings, a blue-bordered commercial listing of attorneys.

III. RECOMMENDED CHANGES TO PROPOSED RULE

9. The Proposed rule could be improved. Although the proposed Rule 860-032-0700 is an improvement on having no rule at all, the rule as written could be significantly improved, and such improvement is merited given the vital and continuing role of the Blue Pages in providing citizen access to government, schools, and human services. The City of Portland respectfully submits the following recommendations for improvement to the proposed Rule:
 - a. Require more than “good faith effort” for accuracy and recency. The proposed rule is weak in its command that only a “good faith effort” must be made to identify entities for inclusion in the Blue Pages. Portland has seen the results of such “good faith” efforts. Many of the Portland Blue Pages current listings are inaccurate or out-of-date¹, and there appears no clear process or command to keep listings accurate, up-to-date, or relevant. At a minimum, the rule should require a process of participation

¹ For example, the current Portland Blue Pages lists the referral line for voter information in Multnomah County as (503) 248-3720 – a telephone number containing a prefix that has been out of date for more than six years.

and consultation with the designated representatives of Blue Pages stakeholders to ensure accurate and up-to-date information is collected and published for these critical contacts.

- b. Require inclusion of URLs, 211, and accurate toll-free calling numbers. In an era of greatly-reduced government budgets, and the provision of many human services by non-profit organizations instead of government agencies, it is critical for the public health and welfare that the Blue Pages be accurate and up-to-date in sending interested citizens to the best and most comprehensive sources of information. By an annual consultation process with Blue Pages stakeholders, the Blue Pages could truly “join the 21st century” by including not only telephone numbers, but enriched contact information such as Internet website URL’s², toll-free numbers, reference to “211” information referral (when available) and similar resources that help put citizens in need in touch with the government and community services that are available. The City of Portland urges that the rule include such a requirement, in tandem with consultation with interested stakeholders.
- c. Improved display and format could benefit citizens. As other commenters in this proceeding have demonstrated³, many improvements could be made in the format, categorization, and display of the information contained in the Blue Pages. The City wishes to associate itself particularly with the recommendation that the telephone companies subject to the rule be required to work with local information and referral service providers in order to improve and make more accessible these listings.
- d. Blue Pages should be included in each published volume. The disadvantage to users created by Portland’s split directory structure can be addressed by simply amending the proposed rule, paragraph (1), last

² Portland City Council discussion also referenced the possible need for web-based Blue Pages listings.

³ The City specifically references and endorses the comments, separately submitted in this proceeding, of John R. Dutt, Information and Referral Supervisor for the City of Portland and Multnomah County, from the City’s Office of Neighborhood Involvement (ONI).

sentence to provide that “The specialized directory must be placed after the customer guide and before the white pages listings in single-volume directories, and must be placed adjacent to alphabetical business listings in any yellow pages volume published separately from the white pages listings.”

CONCLUSION

10. Improved and accurate Blue Pages listings benefit everyone, including the telephone company. A Blue Pages rule should be adopted which requires the continuance of the Blue Pages, with the requirement that such listings be included in each published volume of the telephone directory of a subject provider, and providing for a process for improvements in format, content, categorization, and display by required consultation between the subject telecommunications utility and the stakeholders’ designees. Such a rule not only will benefit citizens and visitors to the Portland area, but should also help---not harm--- the business interests of the telephone company. A telephone directory that contains Blue Pages listings that are accurate and up-to-date becomes simply that much more valuable to its users, and in turn becomes more widely used. Thus, the importance and reach of the incumbent’s telephone directory is enhanced by including accurate, updated Blue Pages listings, which in turn make the directory more valuable to all users---citizens and businesses alike.

To summarize, the City of Portland strongly supports adoption of a “Blue Pages Rule” by the Oregon Public Utility Commission, and supports improvements in the proposed Rule as set forth herein.

Respectfully submitted,

David C. Olson, Director
Office of Cable Communications & Franchise Management
City of Portland, Oregon

Attachment: Resolution No. 36288, passed by the City Council, February 2, 2005

RESOLUTION No.

36288

Authorize the Office of Cable Communications & Franchise Management to participate in the Blue Pages proposed rulemaking action of the Oregon Public Utility Commission, AR 464, in coordination with the City Attorney's Office, ONI Information & Referral, and other interested City bureaus. (Resolution)

WHEREAS, the Blue Pages listings in the incumbent telephone directory have assisted citizens in locating government and community services, offices, and public officials for many years; and

WHEREAS, the Blue Pages are often the first place citizens look to locate contact information for federal, state, and local government services, and

WHEREAS, there currently is no legal requirement that Blue Pages be retained in the telephone directories published by incumbent telephone companies regulated by the Oregon Public Utility Commission; and

WHEREAS, Blue Pages listings are sometimes not fully accurate or updated, and do not necessarily include other potentially valuable information for citizens about government and community services, such as websites and ways of obtaining additional information; and

WHEREAS, the Blue Pages listings currently appear in only one volume of the 2-volume incumbent telephone directory for the City of Portland; and

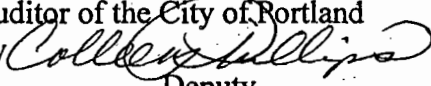
WHEREAS, the Oregon Public Utility Commission ("OPUC") has opened a rulemaking (AR 464) to determine if OPUC-regulated telephone companies should be required to publish specialized directories ("Blue Pages") containing listings for government entities and schools, and encouraging the listing of non-profit agencies providing community services; and

WHEREAS, a hearing on the proposed rule is scheduled February 8, 2005;

NOW THEREFORE, BE IT RESOLVED, that the Portland City Council directs the Office of Cable Communications and Franchise Management to participate in the Blue Pages proposed rulemaking action of the Oregon Public Utility Commission (AR 464) in coordination with the City Attorney's Office, ONI Information & Referral, and other interested City bureaus

Adopted by the Council: FEB 02 2005

Mayor Tom Potter
Prepared by: David Olson/do
January 24, 2005

Gary Blackmer
Auditor of the City of Portland
By 
Deputy