

STATE OF MISSOURI  
PUBLIC SERVICE COMMISSION

TRANSCRIPT OF PROCEEDINGS  
Local Public Hearing

July 8, 2009  
St. Louis, Missouri  
Volume 4

In the Matter of Southwestern       )  
Bell Telephone Company d/b/a AT&T)  
Missouri's Application for Waiver)  
of the General Distribution       ) No. IE-2009-0357  
Requirement of White Page       )  
Directories Under 4 CSR 240-       )  
32.050(4)(B)                       )

MORRIS L. WOODRUFF, Presiding  
DEPUTY CHIEF REGULATORY LAW JUDGE

ROBERT M. CLAYTON, III, CHAIRMAN  
PUBLIC SERVICE COMMISSION

REPORTED BY:  
Beth O. Zink, RPR  
MO/CCR#799; ILCSR#084.004477

## 1 APPEARANCES

2

3 Leo J. Bub, Attorney at Law

One AT&amp;T Center, Room 3518

4 St. Louis, Missouri 63101

(314)235-2508

5 FOR: Southwestern Bell Telephone

Company d/b/a AT&amp;T Missouri

6

7

Michael Dandino, Deputy Public Counsel

8 200 Madison Street, Suite 650

Jefferson City, Missouri 65102

9 (573)751-4857

FOR: Office of Public Counsel

10 and the Public

11

Sam D. Ritchie, Legal Counsel

12 200 Madison Street, Suite 900

Jefferson City, Missouri 65102

13 (573)751-4255

FOR: Staff of the Public Service Commission

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1 P R O C E E D I N G S

2 JUDGE WOODRUFF: Good evening, everyone.

3 Welcome to this local public hearing. This is local  
4 public hearing, File No. IE-2009-0357, and it concerns  
5 AT&T Missouri's Application for Waiver of the Requirement  
6 for General Distribution of the White Pages Directories.  
7 My name is Morris Woodruff. I'm a regulatory law judge  
8 for the Commission. I would like to introduce to my  
9 right, the Chairman of the Commission, Robert Clayton.  
10 Does Commissioner Clayton have any comments?

11 CHAIRMAN CLAYTON: Are we on record now?

12 JUDGE WOODRUFF: We are on the record.

13 CHAIRMAN CLAYTON: Are we webcasting tonight,  
14 Greg? I'm not sure if we're webcasting or not. I want  
15 to welcome everyone here. I want to welcome all of our  
16 guests who have not been with us for the on-the-record  
17 presentation today. I appreciate you taking the time to  
18 come out, with I'm sure very busy schedules.

19 The Commission wanted to reach out to the  
20 communities of St. Louis and Kansas City and get some  
21 public comments related to the proposal that's been  
22 placed before the Commission relating to White Pages.  
23 The white page directories have been part of, I think,  
24 the American culture for many years, and there are many  
25 people who expect that that resource is going to be

1 available and distributed free of charge without fail,  
2 and it has year after year. So we have a departure from  
3 tradition, a departure from practice, and we are  
4 certainly eager to get any comments from folks here  
5 tonight.

6           The first thing I wanted to do is recognize  
7 Representative Gina Walsh who's here. Thank you very  
8 much for coming. I would like to offer her an  
9 opportunity, if she would like to say a few words, to  
10 come forward, or not, that's certainly her choice. But  
11 we're always glad to have our friends from the General  
12 Assembly here listening in to what is going on in the  
13 utility regulatory area. So with that point, I'll turn  
14 it back over to Judge Woodruff and to introduce  
15 Representative Walsh.

16           JUDGE WOODRUFF: Representative Walsh, do you  
17 want to testify tonight or do you just want to make  
18 comments? If you want to testify, I'll swear you in as a  
19 witness.

20           REPRESENTATIVE WALSH: I just have a couple  
21 comments to make.

22           JUDGE WOODRUFF: Go ahead.

23           REPRESENTATIVE WALSH: Chairman Clayton,  
24 first of all, I never refuse an opportunity to speak to  
25 your Commission. I guess I'm here tonight to represent

1 the folks of the 69th District. I am not here to  
2 advocate or to speak against this rule change. I am here  
3 to ask that you proceed with caution, because there are  
4 folks who do not have access to computers or the internet  
5 and there are a lot of folks in my district who are in  
6 that boat. So I guess I'm asking you to write rules to  
7 govern the rule change.

8 I've spoken with SBC. They've assured me  
9 that they have put every stopgap in place, but we can  
10 always think we have everything -- our bases covered and  
11 we don't necessarily always do, so if the Commission  
12 entertains this rule change, I would just ask you to  
13 proceed with caution and be very careful what we do.

14 What brought me here today, I heard on KMOX  
15 today that you were here having this hearing, on my way  
16 to work at 4:45 this morning, and I thought I think I'm  
17 going to attend, because in our Utility Committee this  
18 was one of the questions that was asked by Representative  
19 Zimmerman, who is the ranking democrat on the Utilities  
20 Committee this year, when we heard other legislation that  
21 pertained to rule changes, if this legislation is  
22 implemented, is it going to affect other rules like the  
23 White Pages. So that is the reason I'm here tonight and  
24 I just ask you to proceed with caution, and I thank you  
25 for allowing me to speak -- address you.

1                   CHAIRMAN CLAYTON: Thank you very much for  
2 coming tonight, Representative Walsh. I don't have any  
3 questions for you, but I do want to ask for you, if the  
4 Commission decides to move forward with this waiver  
5 request, State Representatives and Senators are on the  
6 front line in addressing public concerns and hearing from  
7 the public if there is unhappiness. And if there is  
8 displeasure with the Commission or with AT&T or if you  
9 hear constituents that are upset, having difficulty with  
10 either a web site or having difficulty with the 1-800  
11 number or having difficulty dealing with the company, we  
12 certainly want to hear about it and would encourage you  
13 to give us a call and let us know.

14                   REPRESENTATIVE WALSH: Absolutely.

15                   CHAIRMAN CLAYTON: Okay. Thank you very much  
16 for coming.

17                   REPRESENTATIVE WALSH: Thank you, Mr.  
18 Chairman.

19                   JUDGE WOODRUFF: Now, before I call our first  
20 witness, I'll ask that the attorneys who are here to  
21 represent the parties identify themselves. First for  
22 AT&T.

23                   MR. BUB: Thank you, your Honor. Leo Bub for  
24 AT&T.

25                   JUDGE WOODRUFF: Thank you. For the Office

1 of Public Counsel?

2 MR. DANDINO: Michael Dandino, Office of the  
3 Public Counsel, representing the Office of Public Counsel  
4 and the public.

5 JUDGE WOODRUFF: Thank you. And the Staff?

6 MR. RITCHIE: Sam Ritchie, attorney for the  
7 Staff of the Missouri Public Service Commission.

8 JUDGE WOODRUFF: Thank you very much. I  
9 believe that's all the attorneys who are in the room  
10 representing parties. I've got a list of two names here.  
11 I'll call you down to the podium to address the  
12 Commission. I'll swear you in as a witness and then you  
13 can tell us what you want to tell us. The commissioners  
14 -- I'll give the commissioners a chance to ask you  
15 questions also and then I'll give the attorneys for the  
16 parties a chance to ask follow-up questions if they want  
17 to. So the first name on the list is Mr. Bill Haas.

18 (Whereupon, Mr. Bill Haas was sworn.)

19 JUDGE WOODRUFF: Thank you.

20 MR. HAAS: Thank you for inviting us.

21 JUDGE WOODRUFF: Could you tell us your name,  
22 first?

23 MR. HAAS: Sure. Bill Haas, H-a-a-s.

24 JUDGE WOODRUFF: Thank you very much. What  
25 would you like to tell us?

1                   MR. HAAS: Well, I typed it out so I wouldn't  
2   ramble. I'm not optimistic -- about three minutes. Is  
3   that okay?

4                   JUDGE WOODRUFF: Go ahead.

5                   MR. HAAS: I'm not optimistic that testimony  
6   changes policy very often, but I will remain hopeful.  
7   For the last seven years I have lived in an 18-unit  
8   apartment complex in the heart of the Central West End in  
9   St. Louis. All our apartments have individual access to  
10   the street. I've had a land line for all that time. In  
11   all those years I've never had a directory delivered to  
12   my apartment by AT&T unless I requested it. So every  
13   year I've called to get a directory and asked them to put  
14   us on their list so we don't have to call every year.

15                   Usually I have to call three times and talk  
16   to a supervisor. Once they connected me to the delivery  
17   company. They always promise to put my complex on the  
18   list, and they never do. Once they sent my directory by  
19   UPS - how dumb is that? A waste of money, and if I'm not  
20   home, I don't get it. It wasn't like it was an  
21   emergency. Finally last year a supervisor told me the  
22   reason we don't get them is that by their tariffs, if  
23   there are less than half the units in a complex without a  
24   land line, they weren't required to deliver directories,  
25   and many of the residents in mine are students or young



1 people who use cell phones. So the litany that AT&T will  
2 tell you, that every household gets one, is a knard.

3           Some of this happened while I was working for  
4 AT&T and a candidate for Congress and told them so.  
5 Didn't seem to help much; it might have hurt. I'll let  
6 you take your own lessons from the story. In a nutshell,  
7 I don't think we can rely on AT&T to get people  
8 directories who request one. I'm an environmentalist and  
9 would love to save paper and trees. Nevertheless, I feel  
10 strongly about this issue, and that's why I'm here, and I  
11 oppose the elimination of directories for the following  
12 reasons, and will suggest alternatives that I think would  
13 be better.

14           First, the studies that show that only a few  
15 percent of people use directories is a crock. AT&T seems  
16 to tell us that only a couple percent in the cities  
17 they've tried requests one, but no studies seem to have  
18 been done, independent studies, asking how many people  
19 know they have that right. Plus, even if it is less than  
20 50 percent, that's a whole bunch of people. I've had a  
21 computer for years, and still use the directory, even  
22 though I can barely read it because the print is so  
23 small. I find the directory faster, easier and more  
24 accurate than on-line. One of the At&T people tonight  
25 told us the site to go to get a directory, and he didn't

1 even remember the site, so expecting people to remember  
2 it is problematic.

3               Next, by and large, people won't call in for  
4 a directory even if they know they can, which they won't  
5 know. I understand the intention is to put it in the  
6 Yellow Pages, a flyer. I don't think that would be  
7 successful. A one-page bold print in the telephone bill  
8 "you will lose your White Pages Directory unless you call  
9 now to request one" would be the way to go, in my  
10 opinion. And then even if they do request one, my  
11 experience is AT&T won't be able to get them one without  
12 three calls, as in my case. I'm told they have a new  
13 system. We'll see if it works better than the old  
14 system.

15               Third, it would discriminate against people  
16 without computers, by and large seniors and those of  
17 lower income. Finally, it's partly designed to make more  
18 money for AT&T by forcing people to call directory  
19 assistance. I suggest instead the following. Print  
20 directories every other year at the very least. Or, if  
21 you eliminate directories, make directory assistance free  
22 or for a nominal fee of 10 cents. In the alternative,  
23 instead of eliminating directories and making people opt  
24 in for one, let people opt out if they don't want it and  
25 give them a credit on their bills if they do, say half

1 the money they're saving AT&T, for example. And if the  
2 company says people won't do that, that ought to tell you  
3 that they won't bother to opt in either even if they use  
4 the directory.

5                   And finally, I have good eyes for my age. I  
6 don't wear reading glasses and I still can barely read  
7 the directory, except in good light with a magnifying  
8 glass. If you really want to help older consumers,  
9 require that AT&T print large print directories for  
10 people over 50 or have free directory assistance for  
11 them. Thank you.

12                   JUDGE WOODRUFF: Chairman Clayton, do you  
13 have any questions?

14                   CHAIRMAN CLAYTON: I thought I was going to  
15 have questions, but your comments were pretty clear. I  
16 appreciate you coming out tonight. You've raised a  
17 number of issues that I think will give the commissioners  
18 something to think about. I assure you that these issues  
19 are -- have required the commissioners to be engaged in  
20 this issue and I'm sure they're going to be reviewing  
21 these transcripts, so I appreciate you coming out  
22 tonight.

23                   MR. HAAS: Thank you for caring. Is there  
24 someplace appropriate for me to turn in my remarks? Is  
25 that helpful?

1 JUDGE WOODRUFF: You can bring them up here  
2 if you like. Do any of the attorneys have any questions  
3 for Mr. Haas?

4 MR. BUB: We do not.

5 MR. DANDINO: Go ahead.

6 MR. BUB: Go ahead.

7 MR. DANDINO: I don't have questions, but we  
8 want to thank you, Mr. Haas, for coming out here and  
9 presenting your views.

10 MR. HAAS: Thank you for making me feel so  
11 welcome.

12 MR. RITCHIE: No questions. Thank you.

13 JUDGE WOODRUFF: Mr. Haas, I'm going to mark  
14 this as Exhibit 1 and we'll admit it into the record.

15 MR. HAAS: Thank you.

16 JUDGE WOODRUFF: The next name on the list is  
17 Aaron Williams. Mr. Williams, please raise your right  
18 hand.

19 (Whereupon, Mr. Aaron Williams was sworn.)

20 JUDGE WOODRUFF: And you are Aaron Williams?

21 MR. WILLIAMS: Yes.

22 JUDGE WOODRUFF: What would you like to tell  
23 us?

24 MR. WILLIAMS: I'm a community volunteer as  
25 well as a resident of the City of St. Louis and a small

1 business owner in the City of St. Louis, and I've spent  
2 the past 21 months extremely active in trying to generate  
3 real change from the green perspective in our community  
4 and culturally even nation-wide. This started -- and  
5 this research for the past 21 months has included  
6 studying the impact and trying to correct the problems of  
7 phone book distribution in this community and elsewhere.

8               My journey started on a vacation in Buenos  
9 Aires when I realized an entire culture existed that  
10 understood the value of refuse, who understood that so  
11 much of what we throw away is indeed another man's  
12 treasure in terms of looking at recyclables from a  
13 commodity perspective. And most people understand that  
14 an aluminum can has a value as a recyclable commodity,  
15 especially when metals were generating real value.

16               But this research went on, especially in our  
17 community, to include the value of everything that was  
18 being thrown away, the value of cardboard, the value of  
19 newspaper, the value of plastic bottles, the value of  
20 aluminum cans, but also the value of phone books, and  
21 then studying literally what happens to a phone book.  
22 And so the figure that I was given -- and I've been  
23 working on trying to generate a massive recycling drive  
24 in this community specifically around the baseball  
25 season. I've tried two years in a row that during the

1 opening day, much less the opening month of baseball, and  
2 which includes Earth Day in the month of April, that the  
3 Cardinals this past year would have been during the  
4 Chicago series, which would have been sold-out events,  
5 could have had a recycling drive to collect, and my  
6 estimate was 130,000 phone books in a single weekend  
7 could have been collected downtown which would have  
8 coincided with Earth Day weekend.

9                   That 130,000 phone books would have generated  
10 \$5,000 as a commodity, which I wanted to donate to a  
11 charity that would have tugged at people's hearts which  
12 was the -- I can mention this -- is the Backstoppers.  
13 And people would have -- and random, and I could do it in  
14 this room right now, that if I asked anyone, would you  
15 take the used phone books that are just gathering dust in  
16 your home and would you make the effort, if you were  
17 going to a baseball game, football game, any event, would  
18 you bring them to that event if you knew that the  
19 proceeds from collecting those books would generate a  
20 donation to charity, and everyone said, yes, if I knew it  
21 was going to benefit someone less fortunate, I would do  
22 that. But if it was just simply to "help the  
23 environment," it's a 40-year-old model of trying to lay  
24 guilt trips on people to help the environment by  
25 recycling, and the model just doesn't work. But I have

1 found the, if you will, recycling for humanity approach  
2 would work.

3           And so I really tried several years in a row  
4 now to generate this, and then on this Earth Day I did  
5 encounter people from Southwestern -- AT&T now who told  
6 me that this idea was coming to the table here in our  
7 community and that we would stop distributing White  
8 Pages. Obviously the for-profit Yellow Pages would  
9 continue to be distributed, but the figure I had  
10 originally from my research -- and I'm not off by much --  
11 was that in the St. Louis area 1.2 million White Pages  
12 were being distributed and to most of the households in  
13 the community. And I asked whether they did any formal  
14 recycling after these books were distributed.

15           I think almost every citizen knows that you  
16 not only get a White Pages, you also wind up, certainly  
17 they make a good attempt to try to deliver Yellow Pages  
18 from AT&T as well, but then the consumer is also given a  
19 smaller version of the Yellow Pages, then they're given a  
20 competitor's version of the Yellow Pages, then they're  
21 given another competitor's version of a smaller version  
22 of the Yellow Pages, which is, again, not called the  
23 Yellow Pages, and so you wind up as a citizen, much less  
24 as a business owner, having, you know, a half dozen  
25 sometimes phone books delivered; not that you're

1     requesting, they're just given to you and you have to  
2     figure out what to do with them. Which brings up the  
3     green impact problem here that is state-wide, and it  
4     varies from community to community and I clearly wanted  
5     to show up today to discuss this.

6                 And if you are in the St. Louis region, and  
7     specifically in the City of St. Louis, my household pays  
8     \$45 annually to have curb-side recycling of what's called  
9     single stream recycling, which means I can throw in any  
10    type of recyclable material and they give you -- they  
11    educate you which ones they are, and they do include  
12    phone books, they'll pick them up from my home. But the  
13    office building I work in, the office building where  
14    there is a U.S. congressman, there is no recycling. And  
15    the only way that I get to have my phone books recycled  
16    at my office building where there are dozens and dozens  
17    and dozens of phone books continuously being delivered to  
18    the building, is I have to take them to my home.

19                Now, that's a luxury that I have living in  
20    the City of St. Louis, but I'm sure the public is  
21    certainly aware that not everyone lives in an area where  
22    the recycling center is a mile from their home or their  
23    business, much less having a recycling process at their  
24    home or business, much less having it for free or a very  
25    reasonable expense compared to other cities around the



1 United States. And when you start getting into where  
2 does the phone book go, the phone book then has two or  
3 three different places in the City of St. Louis that it  
4 could go, and they're -- I'll get to the fourth one that  
5 used to be here, because that one is actually the most  
6 important, but there -- and then I asked the end  
7 purchaser of all the phone books in the City of St.  
8 Louis, the person who clearly is one of the -- is at the  
9 end of single stream recycling in the area. He is the  
10 person who has the machinery to separate all the various  
11 types of commodities that are recyclable, and I asked him  
12 where would these phone books go, and he said he was  
13 surprised that there actually was a foreign market  
14 wanting to specifically buy phone books; that that's  
15 where he would sell my 130,000 phone books.

16 I did find one -- there was one product  
17 specifically that really wants phone books, that really  
18 needs phone books to be manufactured, and that is  
19 cellulose insulation, which in itself ties into the green  
20 movement, if you will, of being able to help people  
21 better insulate their homes. It's a natural material.  
22 It's cooked up, if you will, in a soup, but one of the  
23 key ingredients in the soup, approximately 30 percent of  
24 the content has to be phone books.

25 There are only two places in the region that

1 actually make cellulose insulation. One of them is in  
2 Joplin, Missouri and the other one, unfortunately, was  
3 right across the river in Illinois, literally a 10-minute  
4 drive from here. And so when I looked to buy -- to  
5 collect 130,000 phone books, I was immediately met and  
6 repeatedly met with not only the challenge of the mass of  
7 having 130,000 phone books, which clearly would fill this  
8 room from top to bottom, left to right, front to back;  
9 this room would be one large mass of paper, but 130,000  
10 phone books was 20 trucks, 20 trucks that would have to  
11 drive -- we were fortunate at the time -- would have to  
12 drive just simply 10 minutes away to the east side of St.  
13 Louis to be processed into cellulose. That plant, that  
14 was a three-month supply that they would have used, which  
15 meant the most that they would have been consuming -- if  
16 my math works quickly here -- is 520,000 phone books.  
17 That would supply them with their entire need for the  
18 year.

19 I don't know about the Joplin facility, but I  
20 do know that because of the economy, because there aren't  
21 as many homes being built, new homes being built, that  
22 the plant that was on the east side recently closed, and  
23 so my idea of trying to have a really green event here of  
24 using used phone books, discarded phone books, is a wash  
25 because we would be collecting these to drive them to the

1 nearest sorting facility which is approximately 20 miles  
2 away from the heart of St. Louis down the highway, then  
3 they would have to be bundled and then they would wind up  
4 ultimately being shipped out of the country at a reduced  
5 cost of at the time \$25 a ton. That price has now  
6 dropped even further, so there's almost really no --  
7 there's no economic -- there's no economic reason to  
8 really be chasing after this vision that I had of a  
9 massive recycling drive.

10               Now, obviously, White Pages and Yellow Pages  
11 make up the same phone book, and I'm coming here because  
12 you're going to be facing the same challenge that I have  
13 to face here of just trying to deal with the balance, the  
14 balance of what need is in the long-term -- actually it's  
15 the short-term interest of the public good. And I agree  
16 with Mr. Haas, and obviously, I, too, would advocate that  
17 most people who carry an AARP card are challenged by the  
18 size of the print in the White Pages. But at the same  
19 time, the elderly, and I include my late parents, one  
20 parent clearly would use a computer, but -- and I include  
21 myself as now an AARP card member -- I, too, still turn  
22 to the White Pages.

23               I still turn to the Yellow Pages when I'm  
24 trying to look someone up, and I would miss the book. I  
25 think Stephen King certainly found that he wasn't selling

1 as many books for people to read on a computer as he  
2 would if it was in the hardback and the paperback, and  
3 this country likes to read on paper. If it is forced to  
4 read off a computer screen, it will, but I agree with the  
5 Representative -- representative -- that the elderly and  
6 the poor do not have access to computers.

7 I do believe that if we were to do -- if you  
8 were to indeed to go forward, to go the greener direction  
9 at least with the White Pages of reducing the 1.2  
10 million, I think the publication rate in this region, to  
11 be fair to citizens, should include census data that's  
12 readily available to anyone of how many people in that  
13 region where the White Pages are being eliminated, how  
14 many people are over the age of 50. To me, that number  
15 equals the print. How many people are at or below the  
16 poverty level in this region. To me, again, you could  
17 correlate to come up with an accurate number.

18 To me, that number gets added to the region,  
19 and then if they want, throw in your one percent on top  
20 of that, because I would be included in the -- I guess I  
21 would be included in the elderly category, too, but as a  
22 business person I do like to have a White Pages next to  
23 every phone in my office, also on the house, and I like  
24 to have three yellow -- three White Pages and three  
25 Yellow Pages, one for each floor of my house. And I

1 don't have a computer on every floor in my house. I  
2 don't have a computer in every room of my house, and I'm  
3 certainly not going to -- I go out of my way not to try  
4 to live off a phone that fits in my shirt pocket, and  
5 obviously I would be charged for looking up numbers there  
6 as well. One way or another I get charged for that  
7 service.

8                   And when I'm in a car -- if I'm in a rural  
9 area, I like having a phone book in the back of the car.  
10 In an emergency situation I like having a phone book in  
11 the back of a car, and so I would say the production run  
12 clearly is not at the one/two percent level, but I would  
13 be far more comfortable if we didn't go from 1.2 million  
14 to -- the number I was provided at the time was 15,000.  
15 I would be far more comfortable if we were at 100,000.  
16 But it doesn't stop there, because you still have me in  
17 the room saying, well, what are you going to do to  
18 collect all those other phone books that you make, much  
19 less the 15,000, the 150,000 that I'm -- instead of the  
20 150,000 that I am advocating. What are you doing to  
21 collect the phone books.

22                   You're obviously paying people to deliver the  
23 phone books whether they ask for them or not in a Yellow  
24 Pages format; that that is a profitable enterprise for  
25 you. It does represent real jobs in the state of

1 Missouri, and I'm not advocating you get rid of those  
2 jobs. I'm saying that the same promotion, the same  
3 effort you're making or proposing to me to make sure that  
4 everyone knows if you want a White Pages, you can contact  
5 us and we will give you one, my thought is -- and I have  
6 had to call sometimes to get extra Yellow Pages, more  
7 than one copy for my businesses or premises, and I do get  
8 them; that if you're coming out to pick up -- to drop off  
9 the new ones, then there's certainly more space now on  
10 the truck for you to pick up the old ones, and you should  
11 be promoting a campaign that says, you know, that you can  
12 trade in your phone book.

13 I still believe that if you -- I mean, there  
14 still is a market for used phone books as a commodity.  
15 The market is still there, it's just not within 100 miles  
16 -- it's not within a 100-mile radius of St. Louis, much  
17 less a 20-mile radius of St. Louis. You have to ship  
18 these things further out to ultimately have them all  
19 recycled. I believe the burden of having them shipped  
20 out and having them recycled shouldn't fall on the  
21 public. I believe it should fall on -- and I'll use the  
22 word, you know, succinctly, polluter. If you're making  
23 phone books that people aren't asking for and you're  
24 shoving them on their property, you're polluting that  
25 person's property. So what are you doing to clean it up?

1                   I mean, there needs to be a super fund effort  
2 relating to phone books in this country. Somebody needs  
3 to raise their hand, and perhaps it's the Missouri Public  
4 Service Commission, would say if you're going to sell  
5 every -- any kind of a phone book and make money from it,  
6 you have to be environmentally responsible and have some  
7 kind of a program to collect these, and you figure out  
8 how to make money from the collection. They should  
9 figure out where -- who wants to buy their used products.  
10 It's no different than if Chrysler was to -- you know, or  
11 GM or Lexus is to sell you a car, and next week they  
12 throw another car on your property, and next week another  
13 car is on your property and just say, hey, it's your  
14 problem to get rid of all these cars. We know you only  
15 needed one, but --

16                   CHAIRMAN CLAYTON: I would sign up for that  
17 program.

18                   MR. WILLIAMS: There you go. There you go.  
19 Here's the keys.

20                   CHAIRMAN CLAYTON: I'm not sure if that  
21 example works as well --

22                   MR. WILLIAMS: But I am saying you can only  
23 use so many -- the point is you can only use so many  
24 cars.

25                   CHAIRMAN CLAYTON: I understand. Mr.

1 Williams, would you mind if I interrupted you?

2 MR. WILLIAMS: Sure.

3 CHAIRMAN CLAYTON: I want to make sure --  
4 you're saying a lot here and I want to --

5 MR. WILLIAMS: Yeah, I knew this wasn't a  
6 five-minute speech, but it's also -- it's also a lot of  
7 work that I put into this, and I am disappointed at -- I  
8 am disappointed that we still couldn't do this massive  
9 collection drive. I really believe that you would --  
10 that if anybody, you included, if I go into your home,  
11 I'm going to find phone books that are not current to  
12 this year, and I wanted to give you the excuse to get  
13 them out of your home and to know that this commodity  
14 could benefit a worthwhile charity that would tug at your  
15 heart and that -- but it would be nice if AT&T was the  
16 one who ran this effort.

17 CHAIRMAN CLAYTON: I agree. Can I walk  
18 through a couple questions? Would you mind if I --

19 MR. WILLIAMS: No.

20 CHAIRMAN CLAYTON: If you want to keep going,  
21 that's --

22 MR. WILLIAMS: No, I'm doing fine.

23 CHAIRMAN CLAYTON: You started off talking  
24 green and you kind of came around and started talking  
25 about but I like using the phone book, and I'm not sure



1 on the basic question of whether this waiver request is a  
2 good thing or bad thing from your perspective. And I'm  
3 going to get to the recycling issue, I'm not going to  
4 ignore that, but on the question of whether phone books  
5 should be an opt-in or an opt-out type of thing, where do  
6 you stand?

7 MR. WILLIAMS: Opt in, but I think certain --  
8 I would say opt in and record who the opt-in is, so --  
9 and publicize heavily, specifically the people you know  
10 that are going to have difficulty learning about this by  
11 a computer. So, I mean, if I'm elderly, I would want  
12 AT&T to make sure I definitely know about this. Again,  
13 maybe you can have a tie-in -- and I'll just say with  
14 AARP. Maybe you can have a tie-in with other  
15 organizations that clearly will get this -- will want to  
16 collaborate with AT&T.

17 CHAIRMAN CLAYTON: The example that comes to  
18 my mind is for someone, a member of the General Assembly,  
19 Representative Walsh has raised the concern and I know  
20 members of the General Assembly have the ability to put  
21 out district directories and --

22 MR. WILLIAMS: Right.

23 CHAIRMAN CLAYTON: They have privacy reports,  
24 they have publications that they send out. This could be  
25 a phone number and an internet site that could be

1 distributed, in theory, to every voter in the state, you  
2 could have that, so everybody could address that issue  
3 through publications from members of the General  
4 Assembly. I'm assuming other government agencies could  
5 have this phone number and internet site readily  
6 available. Do you think that would be sufficient to get  
7 the word out?

8 MR. WILLIAMS: No, because you're still  
9 dealing with -- you're still dealing with the poor may or  
10 may not. You're still dealing with illiterate.  
11 Obviously you're saying illiterate people would have  
12 challenges reading a phone book, but there's people in  
13 their household who might not be, such as the children  
14 living in those households. And I would also say asking  
15 a child to look up a number in a phone book may be easier  
16 for some children than it would be to ask them to go look  
17 at something in a computer.

18 CHAIRMAN CLAYTON: Now, I'm not sure --

19 MR. WILLIAMS: I am clearly -- you do  
20 understand, I'm on both ends of this thing, which is I  
21 do believe you have to -- on the White Pages  
22 specifically, I don't really -- I could be wrong on this.  
23 Do you have a competitor on the White Pages in a book  
24 format?

25 CHAIRMAN CLAYTON: It's not sold.

1                   MR. WILLIAMS: I mean, there's no advertising  
2 in it per se.

3                   CHAIRMAN CLAYTON: It's a mandate from the  
4 Commission.

5                   MR. WILLIAMS: Right. The challenge here is  
6 is this in the public's good to have this information  
7 available to the public. I'll also say that I do keep  
8 old phone books sometimes. I still keep one from where I  
9 grew up a number of years ago where my parents still, you  
10 know, had their home listed there and I like to keep that  
11 as a souvenir.

12                  CHAIRMAN CLAYTON: I've got a cousin who uses  
13 them as furniture, so I understand what you're saying.

14                  MR. WILLIAMS: Yes.

15                  CHAIRMAN CLAYTON: As much as I'm intrigued  
16 by the concept of a PSC super fund for phone books, I'm  
17 not sure if we have legislative authority for that, but I  
18 want to ask you, have you ever reached out to AT&T about  
19 trying to put together a program?

20                  MR. WILLIAMS: Oh, I've worked on this for 21  
21 months.

22                  CHAIRMAN CLAYTON: What was AT&T's response?

23                  MR. WILLIAMS: I had a -- I had a -- and I'll  
24 just say it, because maybe somebody else out there on the  
25 internet will hear this and they can try it. I wanted a

1 three-part event. The first part was literally  
2 collecting the phone books and making it almost a  
3 circus-like event, because I don't know if anybody has  
4 ever seen 130,000 phone books.

5 CHAIRMAN CLAYTON: Most of our events are  
6 circus-like events. Did you call AT&T?

7 MR. WILLIAMS: Yes.

8 CHAIRMAN CLAYTON: I want to ask you a  
9 question and then you can elaborate on it. What was  
10 their response is what I want to know?

11 MR. WILLIAMS: Well, going to the second part  
12 of the event which I told them about was I wanted to have  
13 -- and there was a gentleman originally from Branson who  
14 held the world record for phone book ripping, and I  
15 wanted -- I told you a circus-like event. And so you  
16 would be walking away from Busch stadium and there would  
17 be a stage there and you would have a contest and you  
18 would get to pay your dollar, which again goes to  
19 charity, and attempt to break the world's record for the  
20 number of phone books that would be ripped in three  
21 minutes, which is what it takes to break the record, and  
22 there's both men and women who are ripping phone books.

23 AT&T did not like the fact that their  
24 products would be damaged, even if it was a used phone  
25 book that they no longer had any control over because it

1 was a private citizen's possession. So I'll just say  
2 they didn't like that. The third event was -- and I did  
3 have -- I did believe I would get access to the  
4 convention center, to be able to take over the convention  
5 center and have a domino fall of phone books. And you  
6 would be able to write your name on one of the 1,100  
7 books that would be needed and have it go throughout the  
8 entire convention center to attempt to break the world  
9 record, and you would wind up like a marathon run for  
10 charity or a bike race for charity. You would have  
11 people who would bid on how many phone books you actually  
12 would be able to have fall to break the record and  
13 generate more income, again for the charity. So two of  
14 the three they actually didn't have a problem with. The  
15 third one they did, but I think they understood that I  
16 was a neutral party who had identified a problem and I  
17 was asking for them to partner up with it.

18 Part of it was the venue became a problem.  
19 Part of it was who's going to pay to have all these books  
20 transported. And again, it really came into an economic  
21 challenge which comes back to there are a lot -- there is  
22 this residual -- a significant residual amount of phone  
23 books that are remaining in the state of Missouri that no  
24 longer have value. They're simply in people's closets.  
25 Who's going to clean all these up and get them preferably

1 out of the way, not going to a landfill, but to have them  
2 recycled. And once you make that big push, then you get  
3 rid of most of the unneeded unused phone books that are  
4 out there, then I think this idea relating to the White  
5 Pages will have more merit. But I think, again, I would  
6 not go from one 1.2 million to 15,000. I would rather  
7 have more phone books left over because the public didn't  
8 -- and again, if they have an idea of how they recycle  
9 the ones that are left in AT&T's warehouse that the  
10 public didn't call in for, I would rather let them have  
11 the problem on their premises than to have the problem of  
12 an elderly person, to have the problem of a poor person  
13 or just simply a person who's not really into looking up  
14 every darn number every time they want to look one up on  
15 a computer. I would rather have them have plenty of  
16 access the first year.

17               So my response is give me a number that makes  
18 a lot more sense. You have to add in the expenses of  
19 promoting this to the public, and I would basically  
20 challenge them for that first year. Then have them come  
21 back to you and let them know what the hard stats are;  
22 here's how many we actually gave away, okay? And maybe  
23 on that card when you say opt in, you let them know I  
24 want to opt in until canceled, so you just keep dropping  
25 that book off every year. And that gives them a little

1 bit better figure perhaps of knowing this person always  
2 wants their phone book and it will keep on being  
3 delivered to that address, so the second year they know  
4 they've got that many who definitely already want it, and  
5 then obviously they keep promoting it for new people that  
6 move to the area, people that move in and out of the  
7 area. But the thought is that maybe you get to that --  
8 I'm going to just throw out 150,000 number and save that  
9 many trees and you've saved that many books from being  
10 thrown into the landfill because there isn't recycling  
11 and -- there is really -- it's extremely difficult, even  
12 in the near -- in some of the close communities to the  
13 City of St. Louis just don't have recycling.

14                   They just don't have it, and people aren't  
15 going to drive 25 miles to drop off 30 plastic soda  
16 bottles and three phone books in their house to keep it  
17 out of a landfill. They're just not going to do it, and  
18 it's not economical for -- it's not economical for the  
19 citizens to waste their gas to go make the drive. It's  
20 not economical for citizens to have to share that burden.  
21 But if we're talking economics, who's making money on  
22 this, and that's AT&T. It's making money by providing  
23 this service to the public including the Yellow Pages.  
24 And again, I believe both are valuable to the public,  
25 equally valuable. And so I would say if you want one and

1   you want the other, then you have to find a way to at  
2   least provide the recycling service. And if we're going  
3   to give you the opt-out here on having to produce and  
4   much less distribute 1.2 million, I think it might be  
5   nicer if they wound up distributing maybe the White Pages  
6   and the Yellow Pages at the same time. I don't know the  
7   feasibility of that idea, but obviously that would reduce  
8   the amount of gasoline that, you know, that's being  
9   consumed and polluting the area to have to distribute  
10  phone books to the same locations.

11               If you're distributing the White Pages and  
12  distributing the Yellow Pages, maybe they ask the people  
13  while they're distributing the Yellow Pages, do you want  
14  White Pages also while we're here, and those are loaded  
15  in the same truck. That might be helpful also. And I  
16  think again with the businesses -- I'll just say an easy  
17  thing for businesses, by the way, this would be more  
18  efficient, I think, than -- well, this could be equally  
19  another thing to add in beyond the representative  
20  situation, you know, of having it in the state  
21  legislators materials is maybe you have it in with the  
22  Missouri Department of Revenue. Maybe you have it with  
23  the Missouri Department -- the Secretary of State's  
24  Office and you have something in there and that could go  
25  back and be reported to -- obviously you're going to have



1 a hard address for those, and maybe those could be  
2 reported back to AT&T. Just an idea --

3 CHAIRMAN CLAYTON: I don't have any other  
4 questions.

5 MR. WILLIAMS: -- on how that works. So  
6 thank you for letting me do my thing.

7 JUDGE WOODRUFF: You bet. Do any of the  
8 attorneys have questions?

9 MR. DANDINO: No, but Mr. Williams, thank you  
10 so much for attending and testifying.

11 MR. RITCHIE: No questions.

12 JUDGE WOODRUFF: Those are the only two names  
13 on the list. Is there anyone else here who would like to  
14 testify? Please come forward. Tell us your name.

15 MR. COLEMAN: My name is Jeffrey Coleman.

16 JUDGE WOODRUFF: Spell the last name, please.

17 MR. COLEMAN: C-o-l-e-m-a-n.

18 JUDGE WOODRUFF: And what's your address?

19 MR. COLEMAN: 4643 Robbins Grove Drive,  
20 Florissant, Missouri 63034.

21 JUDGE WOODRUFF: Thank you. Please raise  
22 your right hand and I'll swear you in.

23 (Whereupon, Mr. Jeffrey Coleman was sworn.)

24 JUDGE WOODRUFF: What would you like to tell  
25 us?

1                   MR. COLEMAN: I would like to discuss my  
2 experiences with AT&T's directory distribution division.  
3 I don't have any prepared remarks, so I will be somewhat  
4 rambling, but I'll keep it brief. I've lived in a house  
5 for the past seven years. It's a two-story house, and  
6 during that time I've been an AT&T customer the entire  
7 time. Each year during the past seven years that I've  
8 requested one additional White Pages when my White Pages  
9 has been delivered, because I like to have one on the  
10 ground floor and one upstairs for the convenience of  
11 myself and my family, I've had mixed results with  
12 receiving the directory as requested on the first  
13 attempt. On a minority of the occasions when I've  
14 requested it, I have received my extra directory with one  
15 phone call, but more often than not it's taken two or  
16 three phone calls. Three is most common, as Mr. Haas  
17 reported. It sounds like he's had a similar experience  
18 to mine.

19                   This has obviously been a tremendous  
20 inconvenience and hassle to myself over the years. And  
21 last year, because I do not live in the City, I live in  
22 St. Louis County, last year I did not receive a White  
23 Pages at all. We had the notification that the St. Louis  
24 White Pages would be available upon request only, so I  
25 called the telephone number provided and requested the

1 directory, and actually I requested two directories as I  
2 had always done. And I waited a couple months, hadn't  
3 received them. I called back, waited another month and  
4 then finally the third time, after talking to a  
5 supervisor, I got the requested directories. So the  
6 fulfillment of the request -- the directory request is  
7 not working, I don't believe, as intended. And the  
8 Commission rule that we're having this hearing about to  
9 -- that originally required these directories to be  
10 automatically distributed, obviously that rule was put in  
11 place to convey a benefit to the customers of a monopoly  
12 utility. And in the absence of that rule, if that rule  
13 is going to be waived, I would submit that some  
14 equivalent benefit should be offered in exchange to  
15 customers that, you know, would offset the inconvenience  
16 they will be having to deal with, that I've dealt with  
17 for several years and others have dealt with.

18 I have a few proposals I would like to offer  
19 up. One of them was just touched on, I believe, by Mr.  
20 Williams. I believe if we do go into an opt-in system of  
21 directories provided only upon request, it should be  
22 possible to opt in on a permanent basis such that with  
23 one phone call or one on-line request -- if that's  
24 available, and I'll get to that in a moment -- but with  
25 one request there should be an expectation that that

1 directory will continue to be delivered year after year  
2 as long as you have an account with AT&T at that same  
3 address or unless you, at some future point, decide to  
4 opt out of that delivery. So that would be a very simple  
5 modification. The additional cost to AT&T would be  
6 negligible certainly compared to their overall directory  
7 business and even compared to the savings I think they  
8 would realize if this waiver went into effect.

9           In addition, I would like to -- I would  
10 propose that -- the current system of requesting an  
11 additional directory requires that you call during  
12 business hours and talk to a live person. I don't  
13 understand why that needs to be the case. When you call  
14 after hours and get the automated system, the only  
15 directory you can request is the same directory that's  
16 already being automatically distributed to you.

17           So you can request an additional copy of the  
18 same directory, and in my case that would be the North  
19 St. Louis County directory, but there's no option to  
20 request the White Pages, the St. Louis White Pages that  
21 we're having this hearing about today unless you talk to  
22 a live person during business hours, which means I have  
23 to take time out of my work day, and other customers --  
24 you know, many other customers would have to do the same,  
25 take time out of their work day to make a phone call, and

1 more often than not make two or three phone calls to get  
2 that request fulfilled. So the additional directories --  
3 or the first directory, if we go to an opt-in system,  
4 requesting one or more directories should be automated.  
5 There should be an automated phone system at the minimum,  
6 or even make it an on-line opportunity to request  
7 directories. AT&T has a web site that customers can use.  
8 You can create an account if you're an AT&T customer.  
9 There's no reason why that account page couldn't have an  
10 option to request one or more telephone directories, and  
11 they would be sent to the service address that they have  
12 on file, it would be very easy.

13 In addition to that, I would also propose  
14 that for customers in the greater St. Louis metropolitan  
15 area, there should also be an option of requesting other  
16 directories within the metropolitan area you do not  
17 automatically receive. For example, there are several  
18 directories for West St. Louis County, South County, Mid  
19 County, St. Charles County, the Metro East and several  
20 others. All of these directories should be able  
21 available to customers upon request.

22 I believe the current system is that the  
23 customers would have to pay a fee to receive any of those  
24 directories that they are not already being automatically  
25 distributed. And again, I believe if that were made

1 available and those fees were waived to customers who  
2 requested in exchange for AT&T's ability to waive this  
3 Commission rule requiring automatic distribution of the  
4 St. Louis White Pages, I believe the additional cost to  
5 AT&T would be negligible compared to the savings they  
6 would realize by waiving the automatic distribution, but  
7 the benefits conveyed to the public would be tremendous  
8 to myself and to others in a similar situation.

9                   So those are my proposals to modify the  
10 agreement as it stands. I think any reasonable person  
11 would look favorably upon those modifications, and I  
12 would hope that all parties to this agreement would be  
13 able to find some kind of common ground, and that's all I  
14 have to say.

15                   JUDGE WOODRUFF: Thank you. Any questions?

16                   CHAIRMAN CLAYTON: I understand your  
17 comments. Thank you very much for coming.

18                   JUDGE WOODRUFF: Do the attorneys have  
19 questions?

20                   MR. DANDINO: I have no questions. Thank you  
21 so much for testifying.

22                   MR. RITCHIE: No questions. Thank you.

23                   JUDGE WOODRUFF: Thank you, Mr. Coleman.  
24 Would anyone like to testify? I don't see any other  
25 hands going up. I will say that the -- if you have any

1 additional questions of the parties, members of the  
2 staff, Public Counsel, I'm sure they would be glad to  
3 answer your questions after the hearing is adjourned. At  
4 this point the official hearing is adjourned. Thank you  
5 very much.

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7 (Whereupon, the proceedings were adjourned.)

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## I N D E X

WITNESS NAME	PAGE
Bill Haas. . . . .	7
Aaron Williams . . . . .	12
Jeffrey Coleman. . . . .	33

## E X H I B I T S

## HEARING

EXHIBIT NO.	DESCRIPTION	PAGE
1	Typewritten Statement of Mr. Bill Haas	12



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