

es/bw

ORIGINAL

Decision No. 90370 JUN 5 1979

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Mr. Jackie Clark,  
Complainant,

vs.

The Pacific Telephone and  
Telegraph Co.,  
Defendant.

Case No. 10672  
(Filed September 22, 1978)

Jackie Clark, for himself, complainant.  
Margaret deB. Brown, Attorney at Law,  
for defendant.

O P I N I O N

Complainant, Mr. Jackie Clark, seeks an order requiring defendant, The Pacific Telephone and Telegraph Company, to list his telephone number in the Beverly Hills telephone directory (Western Area) in conformance with his residence address rather than in the Los Angeles central telephone directory where it is presently listed in conformance with the telephone exchange boundaries.

A public hearing was held before Administrative Law Judge N. R. Johnson in Los Angeles on February 20, 1979, and the matter was submitted. Testimony was presented on behalf of complainant by himself and on behalf of defendant by one of its administration managers.

Complainant's Position

Testimony presented by complainant indicated that:

1. When complainant ordered his telephone in November of 1978, he was informed that there would be a charge for an unlisted number but no charge for a listed number.

2. Complainant elected to have a listed number and when the new telephone directories were issued, he found that he was listed in the Los Angeles central area directory rather than in the Western Area directory in which most Beverly Hills numbers are listed.

3. Since he lives in Beverly Hills, complainant believes that he should be listed in the Beverly Hills telephone directory and wrote to defendant's president for an explanation.

4. Complainant was informed by one of defendant's personnel that he was properly listed in the Los Angeles telephone directory and that callers could easily obtain his number from Information.

5. People have looked for complainant's number in vain in the Beverly Hills telephone directory and not finding it, assumed he had an unlisted number and did not pursue the matter further.

6. There is a recorded message when you dial for information, stating that if you want defendant to provide better service, you should look up the number in the telephone directory rather than dial Information.

7. Retaining a Beverly Hills address phone number in the Los Angeles exchange telephone directory costs defendant added expense because of the necessity of maintaining a separate alphabetic listing to include those numbers of

Beverly Hills residents served by the Los Angeles exchange and from the resultant additional requests for information. The saving resulting from listing the number in the Beverly Hills exchange should, according to complainant, offset any additional costs incurred in providing such a listing, which would provide greater customer satisfaction.

Defendant's Position

Testimony presented on behalf of defendant indicated:

1. According to its filed tariff Schedule No. 17-T, all residential customers are entitled to a listing without additional charge in the alphabetical section of the directory serving the exchange in which their telephone is located.

2. Complainant's residence is located within the Los Angeles telephone exchange and, consequently, his directory listing in the Los Angeles central directory is proper and in accordance with defendant's tariffs.

3. The directory assistance operator's Western Alphabetical Information Directory contains complainant's telephone number as contrasted with the directories that are distributed to defendant's customers which exclude listings included in other exchanges. (Listings included in the directory assistance operator's directory but not included in the directories distributed to defendant's customers are referred to as "chevron" listings.)

4. Additional listings are available at a rate of 40 cents per month which only partially defers the cost of maintaining such listings.

5. There are 1,776 subscribers with Beverly Hills post office addresses in the Los Angeles exchange and approximately 22,000 subscribers in the Beverly Hills exchange that have Los Angeles post office addresses.

6. To include the 1,776 Los Angeles exchange subscribers with Beverly Hills post office addresses in the Western Area directory would require an additional eight pages.

7. There are approximately 18,000 subscribers in the Culver City exchange that have Los Angeles post office addresses and another 28,000 subscribers with Los Angeles zip codes that are not listed in the Los Angeles central alphabetical directory.

8. To list these 68,000 subscribers in an additional alphabetical directory would add about 138 pages in the directory for a total of 212 million printed pages at an additional annual expense exceeding \$100,000.

9. Political boundaries are not satisfactory as a basis for establishing directories because they are subject to constant change.

10. Continuous studies are made of calling patterns and directory rearrangements are made where studies indicate such rearrangements would be advantageous to defendant's customers.

11. Zip code boundaries are unsatisfactory for directory boundaries because the resulting directories would be too big or too small and generally confusing to the public.

12. For complainant to have his listing in the Beverly Hills directory, it would be necessary for defendant to issue a service order to have the listing removed from the Los Angeles central directory and another to have the name placed in the Western Area directory.

13. The customer is provided a copy of the directory in which he is listed. Any other directory would not provide accurate message unit and emergency call information.

Discussion

A review of the exchange map shows that the city limit boundaries of Beverly Hills are irregular, uneven, and not clearly delineated by natural or man-made markings. Even were the city limit boundaries not subject to change by reason of annexations, such boundary irregularities would pose an obstacle to the use of city limits as exchange boundaries. The gerrymandered, erratic city limit boundaries contrast sharply with the straight, wide thoroughfares generally used by defendant as exchange boundaries. The use of such straight line exchange boundaries in preference to erratic political subdivision boundaries is obviously fully justified, and we will not disturb this practice. It is unavoidable that when exchange boundaries differ from political subdivision boundaries, there will be numerous incidents, such as this case, where the post office address will differ from the exchange. According to this record, there are 1,776 subscribers residing within the city limits of Beverly Hills who are included in the Los Angeles exchange and approximately 22,000 residents of Los Angeles included in the Beverly Hills exchange. We have consistently held that defendant's practice of providing subscribers a free listing in the alphabetical directory serving the exchange in which their telephone is located and charging for additional listings in another directory is justifiable and in accordance with its tariffs. One such similar matter was C.9338 in which complainant's post office address was Los Angeles and whose telephone listing was included in the Western Area directory. In D.80718 dated November 14, 1972 on that matter, we stated:

"We find that complainant's telephone number is listed in the correct directory; that such listing is in conformance with defendant's filed tariff; that complainant may secure additional listings in any of defendant's Los Angeles Extended Area directories for \$.40 each per month; and that complainant is not, at his address, entitled to a free listing in the Los Angeles Central telephone directory." (Mimeo. page 8.)

Complainant's position that people who cannot find his telephone number in the Western Area directory for Beverly Hills assume he has an unlisted number and therefore do not pursue the matter further is not without merit and warrants further attention. Regardless of whether such a user drops the matter or seeks assistance from the directory assistance operator, it is axiomatic that either complainant is deprived of a telephone call or defendant incurs an additional expense in providing directory assistance. On the present directory exchange map (Exhibit 1), shaded areas with the notation "Portions in Adjacent Directory" show those areas where subscribers' post office addresses differ from their exchange designations. A cursory glance at such a notation might conceivably not provide a subscriber with the intended message - if you do not find the number in one directory, try the adjacent directory. To improve this situation we will require the notation be changed to read: "Listings May Be In Either of Two Adjacent Directories".

Defendant has repeatedly stressed the fact that directory assistance costs money and has encouraged subscribers by various methods to curtail their use of directory assistance, e.g., the recording asking customers to look up the numbers rather than utilize directory assistance. The "chevron"

listings utilized by defendant would appear to be somewhat counterproductive to achieving this goal. It would appear that a listing of the prefixes included within an exchange that differs from the post office address might aid in mitigating these additional costs. We will require defendant to explore the feasibility of including such a listing.

Findings of Fact

1. Complainant, who resides within the city limits of Beverly Hills, has his telephone number listed in the Los Angeles central directory.

2. Defendant's tariffs provide that a subscriber is entitled to one free listing in the alphabetical section of the directory serving the exchange in which his telephone is located.

3. Defendant's tariffs provide that a subscriber who wants an additional listing must pay an additional charge of 40 cents a month for each such additional listing.

4. Defendant is providing complainant service in accordance with its tariffs.

5. Defendant's telephone directory exchange maps do not clearly indicate that listings may be in one of two adjacent directories and should be clarified.

6. Defendant should explore the feasibility of listing prefixes where the exchange boundaries can differ from the political subdivision boundaries.

7. The relief requested should be denied.

Conclusions of Law

1. Defendant's telephone directory exchange maps should be modified to clearly indicate listings can be in either of two adjacent directories.

2. Defendant should be ordered to explore the feasibility of listing prefixes where exchange boundaries can differ from political subdivision boundaries.

3. Except as herein provided, the relief requested by complainant should be denied.

O R D E R

IT IS ORDERED that:

1. The notation appearing on defendant's telephone directory exchange maps shall be changed from "Portions In Adjacent Directory" to "Listings May Be In Either of Two Adjacent Directories".

2. Within one hundred eighty days of the effective date of this order, defendant shall submit the results of a study of the feasibility of listing those exchanges where the exchange boundaries can differ from the political subdivision boundaries.

3. Complainant is entitled to no other relief in this proceeding.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 5<sup>th</sup> day of JUNE 4, 1979.

John E. Bay  
President

William L. ...  
Richard D. ...

Alvin T. ...  
James ...  
Commissioners