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**EX PARTE OR LATE FILED**

JOEL BERNSTEIN  
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April 23, 1997

EX PARTE

Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

**RECEIVED**

**APR 23 1997**

Federal Communications Commission  
Office of Secretary

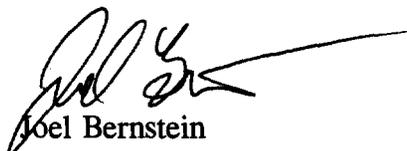
Re: GN Docket No. 96-115

In the matter of Implementation of the  
Telecommunications Act of 1996  
Telecommunications Carriers' Use of  
Customer Proprietary Network Information and  
Other Customer Information

Dear Mr. Caton:

In the Yellow Pages Publishers Association (YPPA) ex parte filing of April 22, 1997,  
the attached document was inadvertently omitted.

Sincerely,

  
Joel Bernstein  
Attorney for YPPA

Attachment

cc: Dorothy Atwood  
Jeannie Su  
Raelynn Tibayan  
David Konuch

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# AN OPEN LETTER TO THE INDIAN RIVER COUNTY BUSINESS COMMUNITY

During the past several months we've received numerous reports from local business people that representatives of the BellSouth yellow pages have made inaccurate statements about our company and our Indian River County telephone book. Most of these statements attempt to understate our Directory's circulation numbers, question our secondary distribution procedure, misrepresent our billing options, and create doubt about our company's credibility. If these reports are true, it would appear that they may be part of a deliberate campaign to damage our reputation and limit competition in the local yellow page industry. We would like to make the following response:

As BellSouth very well knows, our company is one of the largest and most respected independent publishers in the yellow page industry. We are a 29-year-old family-owned business which currently publishes telephone directories in fourteen cities, four states and two countries. Our company has won more yellow page industry awards than any other publisher in North America, including the "Publisher of the Year" award in 1989 and 1991. We are known for our innovative spirit and customer service orientation.

We print 85,000 copies of our Indian River County Talking Phone Book and we distribute our directory free of charge to every home and business in Indian River County, Micco, Barefoot Bay and Grant.

We deliver our book to all new businesses and residents who move into the area throughout the year.

We offer billing plans which do not require payment prior to publication.

We purchase our listing information from BellSouth under a tariff and we list every single non-confidential residential and business listing in Indian River County in our directory.

If anyone from BellSouth has ever said anything contrary to this to you, they have not told you the truth. The use of disparagement tactics is a typical response of telephone companies when confronted with yellow page competition. Apparently BellSouth is trying to substitute a campaign of innuendoes against our company in place of what they should be doing - lowering their rates and improving their products. Obviously, our entry into the market has caused BellSouth to become very concerned and prompted this reaction.

The reason that BellSouth has resorted to such desperate tactics seems self-evident. The Talking Phone Book is a much better product than their telephone book.

\* We've updated our listing base more recently than BellSouth. We have over 3,000 updated listings that they don't have. We have many features that they don't have, including larger print, midi directories, process color, a Talking section, and more.

For these reasons our directory is used much more than theirs.

In fact, a recent survey done by Directory Distributing Associates (D.D.A.) confirms that Indian River residents prefer The Talking Phone Book over BellSouth 44% to 23%.

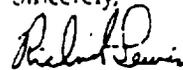
Ironically, Directory Distributing Associates (D.D.A.) is the same company that BellSouth contracts with to distribute their Vero Beach directory. So even a survey conducted by their distribution company says that The Talking Phone Book has greater usage.

We would like everyone in Indian River County to know that no matter how intense the competition between our company and BellSouth gets, we will never resort to disparagement tactics. In our opinion, these tactics are desperate and unethical and reflect poorly on the company which employs them. We prefer to tell you about the good points of our product rather than to cast innuendoes on our competition.

If you have any questions about our company's background or our directory, please contact our local Sebastian office at 358-1255. We would be very happy to provide additional documentation on the points we've raised here.

**THE  TALKING  
PHONE BOOK.**

Sincerely,



Richard D. Lewis  
President  
The Talking Phone Book