



Association of Directory Publishers



R. Lawrence Angove  
President & CEO

## Sleepless in Seattle

October 4, 2010

To: All U.S. Publisher and Partner Members

Fr: Larry

RE: City of Seattle Ordinance

This is a pre-emptive strike.

For the past two months, the industry has been fighting aggressively in opposition to a proposed City ordinance that would include the establishment of a City-conceived, third-party operated opt-out website and the imposition of both licensure and advance recovery fees.

The ordinance is to come before the full City Council this afternoon and is expected to pass by a rather significant majority.

The ordinance pertains only to delivery of printed books within the Seattle city limits. The opposition effort has received the full support on Yellowbook, DexOne, and SuperMedia, the three major publishers in Seattle, as well as both industry associations. Because the ordinance is Seattle-specific, there has not been the need to mobilize other publishers as the industry did in its successful opposition effort in California.

The purpose of this memorandum is to inform you of what's happening in Seattle so you are prepared for any media coverage that may occur because of the ordinance's passage. The ordinance's sponsor is very likely to seek to maximize the coverage.

As I advised you earlier, the industry has been working for some time toward an enhanced national opt-out clearinghouse site on [www.yellowpagesoptout.com](http://www.yellowpagesoptout.com), which, in the industry's opinion, makes a city site in Seattle unnecessary. It is imperative that all industry stakeholders participate in the industry opt-out site.

Far more troubling is the advance recovery fee included in the ordinance, which the version going before the Council sets at \$.14 per book and \$148 per ton.

The industry believes the fees exceed cost recovery and raises First Amendment issues as a tax on commercial speech. Among the industry's considerations going forward are a challenge to the ordinance as unconstitutional.

The really scary thing about the Seattle situation is that it could conceivably become a template for other cash-strapped municipalities to copy.

The entire Seattle issue illustrates why I have repeatedly spoken at our Conventions and through other documents about the severity of the environmental threat to the well-being of your businesses. It is the most critical issue our industry has faced in my fourteen years as president of the Association.

In the event that you might be contacted by the media regarding passage of the ordinance, I would presume to make the following recommendations.

Attached you find a copy of the relevant facts and figures that the industry has presented to the Council in Seattle but applicable for more general use as well. It is a good summary of the industry's position and can be used to defend the continuing value and usage of print. Decline does not mean obsolete.

If you are contacted by media asking questions such as "what impact will passage of the ordinance in Seattle have on your industry", please refer the questioner to Stephanie Hobbs via e-mail at [stephanie.hobbs@ypassociation.org](mailto:stephanie.hobbs@ypassociation.org).

Please, as always, contact me directly should you have any questions or comments, or require any assistance in regard to this issue.