

LINDA LINGLE

JAMES R. AIONA, JR. LT. GOVERNOR OFFICE OF THE DIRECTOR DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

STATE OF HAWAII

335 MERCHANT STREET, ROOM 310 P.O. Box 541 HONOLULU, HAWAII 96809 Phone Number: 586-2850 Fax Number: 586-2856 www.hawaii.gov/dcca MARK E. RECKTENWALD DIRECTOR

LAWRENCE M. REIFURTH DEPUTY DIRECTOR

January 9, 2007

Mr. Nate Smith President Time Warner Entertainment Company, L.P. 200 Akamainui Street Mililani, HI 96789-3999

Re: Letter Order -- 6TH Access Channel for Oahu Cable Franchise Area

Dear Mr. Smith:

On December 28, 2005, in Decision and Order No. 326 ("**D&O 326**"), the Director of Department of Commerce and Consumer Affairs ("**DCCA**") amended Decision and Order No. 320 ("**D&O 320**") and directed Time Warner Entertainment Company, L.P. ("**TWE**") to designate and provide for activation to the Director or the Director's designee an additional analog channel ("6th Access Channel") for a one-year period, commencing within forty-five days from the date of the Order. On February 10, 2006, the 6th Access Channel became available for programming to Olelo Community Television ("**Olelo**"), the designated PEG access entity on Oahu.

D&O 326 also directed the designated access entity to submit a report to the Director which was to include detailed statistics and data reflecting access channel utilization and viewership nine (9) months after the activation of the 6th Access Channel, or by November 9, 2006. On November 9, 2006, Olelo requested additional time to submit its report, which was granted by the Department. On November 17, 2006, Olelo submitted a report, "FOCUS 49 in the Community: The Impact of 'Olelo's Sixth Channel" to the Department.

D&O 326 required Olelo to gather viewership statistics on its six (6) access channels and report this data to the Department along with its nine month report. Olelo did not submit this information, but on November 17, 2006, Olelo indicated that it would subsequently be providing final statistics in early 2007.

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Since the record is not complete, the Department defers making a final decision on whether to make permanent the 6th Access Channel for the Oahu franchise area and directs TWE to continue the designation and activation of the 6th Access Channel for an additional **180** days.

Except as other provided in this letter Order, the remaining provisions of Decision and Order No. 154 (including but not limited to section 5.2) as amended by Decisions and Orders Nos. 156, 158, 243, 261, 320 and 326, shall continue to remain in full force and effect.

If you have any questions on the above, please do not hesitate to contact Mr. Clyde Sonobe, the Cable Television Administrator, at (808) 586-2620. Thank you for your cooperation.

Sincerely,

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Mark E. Recktenwald Director of Commerce and Consumer Affairs

c: Kealii Lopez, Olelo Clyde Sonobe, CATV