

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 NYNEX LONG DISTANCE COMPANY, dba)
 VERIZON ENTERPRISE SOLUTIONS)
)
 Transmittal Filed on April 10, 2002,)
 Business Plan C Bundled Service)
 Option.)
 _____)

DOCKET NO. 02-0103

HIYA OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

2002 JUN 20 P 2:21

RECEIVED

ORDER NO. 19424

Filed June 20, 2002
At 8:00 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 NYNEX LONG DISTANCE COMPANY, dba)
 VERIZON ENTERPRISE SOLUTIONS) Docket No. 02-0103
)
 Transmittal Filed on April 10, 2002,) Order No. 19424
 Business Plan C Bundled Service)
 Option.)
 _____)

ORDER

I.

This order addresses the portion of the transmittal filed by NYNEX LONG DISTANCE COMPANY, dba VERIZON ENTERPRISE SOLUTIONS (NYNEX), on April 10, 2002, and subsequently suspended by Order No. 19327, filed on April 25, 2002. NYNEX's transmittal, among other things, introduced a new service offering known as the Business Plan C Bundled Service Option (Plan C). Order No. 19327 instructed NYNEX as follows: No later than May 17, 2002, NYNEX must, in writing, comply with Hawaii Administrative Rules (HAR) § 6-80-35(e), to the extent applicable, or explain why it believes this rule does not apply to its Plan C offering.

To date, NYNEX has not responded to Order No. 19327.¹ The commission, thus, will complete its review of the subject transmittal in the absence of NYNEX's response.

Upon review, the commission reiterates its findings that Plan C, set forth at pages 30.1 - 30.2, section 3.5.4, of

¹On May 31, 2002, the commission mailed a second copy of Order No. 19327 to NYNEX.

NYNEX's transmittal, appears to bundle certain services with non-competitive services offered to its affiliates. Thus, the commission's rules governing cross-subsidization applies to Plan C, and NYNEX has not met its burden of proof under HAR § 6-80-35. See also Hawaii Revised Statutes (HRS) § 269-39.

Accordingly, the commission will deny this provision of NYNEX's transmittal, relating to its proposed Plan C, in accordance with HRS § 269-16 and HAR § 6-80-40.²

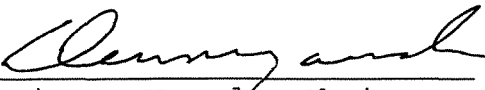
II.

THE COMMISSION ORDERS:

1. The Business Plan C Bundled Service Option, set forth at pages 30.1 - 30.2, section 3.5.4, of NYNEX Long Distance Company's transmittal, filed on April 10, 2002, is denied.
2. This docket is closed.


DONE at Honolulu, Hawaii this 20th day of June, 2002.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Dennis R. Yamada, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

By 
Janet E. Kawelo, Commissioner

02-0103.sl

²The other provisions of NYNEX's transmittal, which took effect on April 20, 2002, were not suspended by the commission.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.19424 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

CONNIE WIGHTMAN
TECHNOLOGIES MANAGEMENT INC.
P. O. Drawer 200
Winter Park, FL 32790-0200

Consultant to NYNEX LONG DISTANCE COMPANY,
dba VERIZON ENTERPRISE SOLUTIONS



Catherine Sakato

DATED: June 20, 2002