

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 June 4, 2002,)
 Business Plan D Bundled Service)
 Option.)
 _____)

DOCKET NO. 02-0159

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

2002 JUN 24 A 7:24

RECEIVED

ORDER NO. 19427

Filed June 21, 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. 02-0159
)
 Transmittal Filed on June 4, 2002,) Order No. 19427
 Business Plan D Bundled Service)
 Option.)
 _____)

ORDER

I.

The transmittal of NYNEX LONG DISTANCE COMPANY, dba VERIZON ENTERPRISE SOLUTIONS (Verizon or Verizon Enterprise Solutions), dated June 3, 2002 and filed on June 4, 2002, took effect on June 15, 2002.

A section of the subject transmittal introduces a new service offering known as the Business Plan D Bundled Service Option (Business Plan D). In general, interested consumers, in order to qualify for this plan, must "also subscribe to one of the following qualifying services offered by an affiliate of the Company."

Upon review, this section of the transmittal appears inconsistent with the competitive policies set forth in the: (1) Federal Telecommunications Act of 1996, codified at Title 47 of the United States Code; (2) State of Hawaii's Act 225, 1995 Session Laws of Hawaii, codified at Hawaii Revised Statutes (HRS), chapter 269; and (3) Hawaii Administrative Rules (HAR),

chapter 6-80, the commission's rules governing competition in telecommunications services.¹

The commission, thus, will suspend the section of Verizon's transmittal relating to the Business Plan D, specifically, section 3.6.5, at pages 36.1 - 36.3. This section is suspended, in accordance with HRS § 269-16 and HAR § 6-80-40, pending further commission review.

Pursuant to its general and investigative powers,² the commission will instruct Verizon to promptly review this section of its transmittal. No later than July 19, 2002, Verizon must, in writing, respond to the commission's concerns, or explain why it believes its Business Plan D does not violate the anti-competitive provisions of the above-referenced legal authorities. Unless ordered otherwise, Verizon shall immediately cease any further offering of its Business Plan D in the State of Hawaii, pending review of the additional information to be submitted. Two copies of all documents submitted by Verizon shall also be served on the Division of Consumer Advocacy.

II.

THE COMMISSION ORDERS:

1. The Business Plan D Bundled Service Option, set forth in section 3.6.5, at pages 36.1 - 36.3, of Verizon Enterprise Solutions' transmittal, filed on June 4, 2002, is suspended pending further commission review.

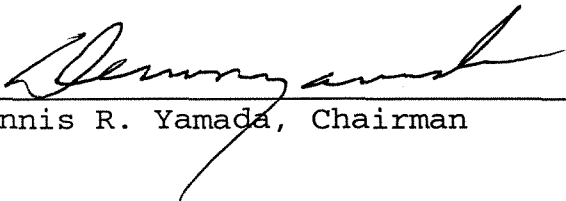
¹Moreover, HAR § 6-80-87(1) requires telecommunications carriers to provide services on a non-discriminatory basis to all customers similarly situated or within a reasonably constituted class. See also HRS § 269-16(b).

²See HRS §§ 269-6, 269-7, 269-8, and HAR § 6-80-40.

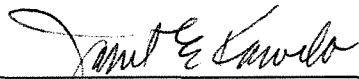
2. Verizon Enterprise Solutions shall comply with the terms of the instant order, including the filing of its written response, no later than July 19, 2002.

DONE at Honolulu, Hawaii this 21st day of June, 2002.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Dennis R. Yamada, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

Nynex.sl


CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.19427 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 21, 2002