

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
VERIZON HAWAII INC. )  
For Approval of a Negotiated )  
Interconnection Agreement with )  
Excel Telecommunications, Inc. )  
\_\_\_\_\_ )

DOCKET NO. 02-0175

RECEIVED  
2002 SEP 25 P 4:05  
DIV OF CONSUMER AFFAIRS  
DEPT OF PUBLIC UTILITIES  
OSAKI BLDG 10TH FLOOR  
150 S. KING ST. HONOLULU HI 96813

DECISION AND ORDER NO. 19673

Filed Sept. 25, 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



II.

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii (State), and engaged in the provision of varied telecommunications services within its certificated territory in the State. Verizon Hawaii is an "incumbent local exchange carrier" as the term is defined in 47 U.S.C. § 252.

Excel is a certificated facilities based carrier and reseller of telecommunications services in the State.<sup>2</sup>

The scope of the agreement includes interconnection, resale, network elements, collocation, and other services. The agreement is deemed effective as of June 3, 2002, until June 2, 2004.

The interconnection agreement was consummated through voluntary negotiations between the parties, as contemplated by 47 U.S.C. § 252(a), and addresses interconnection services provided pursuant to 47 U.S.C. § 251. In our review of the agreement, we are governed by 47 U.S.C. § 252(e) and HAR § 6-80-54. These sections provide that we may reject a negotiated agreement only if:

- (1) The agreement, or any portion of the agreement, discriminates against a telecommunications carrier not a party to the agreement; or

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<sup>2</sup>See Decision and Order No. 19311, filed on April 19, 2002, in Docket No. 02-0026.

- (2) The implementation of the agreement, or any portion of the agreement, is not consistent with the public interest, convenience, and necessity.

Upon review, we find that the interconnection agreement does not discriminate against other telecommunications carriers, and the implementation of the agreement is consistent with the public interest, convenience, and necessity. Accordingly, we conclude that the negotiated agreement should be approved.

III.

THE COMMISSION ORDERS:

1. The negotiated interconnection agreement between Verizon Hawaii Inc. and Excel Telecommunications, Inc., submitted on July 2, 2002, is approved.
2. This docket is closed.


DONE at Honolulu, Hawaii this 25th day of September, 2002.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

By \_\_\_\_\_ (RECUSED)  
Gregg J. Kinkley, Commissioner

02-0154.eh


CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19673 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  
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MELISSA SMITH  
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Dallas, TX 75235

  
\_\_\_\_\_  
Catherine Sakato

DATED: September 25, 2002