

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
SANDWICH ISLES)
COMMUNICATIONS, INC.)
)
For an Order Overturning the)
North American Numbering Plan)
Administrator's Denial of an)
Application for Growth Numbering)
Resources.)
_____)

DOCKET NO. 02-0085

ORDER NO. 19754

Filed Oct. 30, 2002
At 8:00 o'clock A .M.

Karen Higashi

Chief Clerk of the Commission

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 2002 OCT 30 P 3:54
 PUBLIC UTILITIES COMMISSION
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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 Petition of))	
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SANDWICH ISLES)	Docket No. 02-0085
COMMUNICATIONS, INC.)	
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)	Order No. 19754
For an Order Overturning the)	
North American Numbering Plan)	
Administrator's Denial of an)	
Application for Growth Numbering)	
Resources.)	
_____)	

ORDER

I.

By a petition filed on April 12, 2002, SANDWICH ISLES COMMUNICATIONS, INC. (Sandwich Isles) requests that the commission overturn the North American Numbering Plan Administrator's (NANPA) denial of its application for a new central office code to serve its existing and future customers on the leeward side of the island of Oahu. Sandwich Isles appears to have filed its request under a Federal Communications Commission (FCC) order granting the commission authority to affirm or overturn NANPA's denial of a carrier's numbering resource request. In re Numbering Resource Optimization, Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 99-200, Adopted March 17, 2000 and Released March 31, 2000, FCC 00-104.

Copies of the petition were served on the DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (Consumer Advocate). On April 29, 2002, the

Consumer Advocate served Sandwich Isles with information requests (IRs). On May 24, 2002, Sandwich Isles filed responses to the IRs. The only parties to this docket are Sandwich Isles and the Consumer Advocate.¹

On October 24, 2002, an Amended Stipulation for an Order to Temporarily Suspend Proceedings was filed (Amended Stipulation).² In the Amended Stipulation, the parties acknowledge that: (1) the FCC has required Hawaii to be in compliance with the national thousands-block pooling rollout schedule (number pooling requirement), and (2) Hawaii is required to complete the number pooling requirement by December 20, 2002. The parties also informed the commission that they met on September 6, 2002, to discuss the possibility of Sandwich Isles' needs being met without commission action. On that date, the Consumer Advocate agreed to withhold the filing of its prepared Statement of Position (SOP) until Sandwich Isles determines whether or not its needs can be satisfied under the number pooling requirement. Sandwich Isles believes that it should be able to obtain its desired central office code number through the

¹On May 10, 2002, the parties filed a proposed stipulation for a protective order for the commission's review and consideration. On May 22, 2002, Protective Order No. 19356 was issued.

²The Amended Stipulation corrects a typographical error contained in a prior stipulation filed on October 17, 2002 (prior stipulation). The prior stipulation references a date of February 20, 2002, rather than February 20, 2003. In all other respects, the representations and terms of the Amended Stipulation appears to mirror those of the prior stipulation. Thus, we will treat the Amended Stipulation as a replacement of the prior stipulation, and only address the Amended Stipulation in this order.

number pooling requirement, however, it is unwilling to withdraw the petition in this docket at this time. Thus, the parties stipulate to the following:

1. The parties agree to take no further action regarding Sandwich Isles' petition in this docket until February 20, 2003 (two months after completion of the number pooling requirement in Hawaii).
2. On or before February 20, 2003, Sandwich Isles will inform the commission and the Consumer Advocate, in writing, whether or not it intends to withdraw the petition in this docket.
3. The Consumer Advocate will proceed with the filing of its SOP, upon notification that Sandwich Isles intends to pursue its petition in this docket, and thereafter, the petition will proceed through the "normal course" before this commission.

II.

Upon review, the commission finds good cause to approve the parties' Amended Stipulation in its entirety to, among other things, suspend Sandwich Isles' petition in this docket until on or about February 20, 2003. Based on the parties' representations, Sandwich Isles should be given the necessary time to determine whether or not its numbering resource needs can be satisfied under current federal requirements. The deadline of February 20, 2003, for Sandwich Isles to make its determination

does not appear to be unreasonable, under the circumstances of this case. In light of the above, however, if Sandwich Isles elects to pursue the petition in this docket, the commission also finds it reasonable to require the Consumer Advocate to file its SOP within five days of the filing date of Sandwich Isles' written notification of its intent to pursue the petition.

Based on the above, the commission concludes that the Amended Stipulation filed on October 24, 2002, should be approved in its entirety. Additionally, the commission concludes that if Sandwich Isle elects to pursue the petition in this docket, the Consumer Advocate shall file its SOP within five days of the filing date of Sandwich Isles' written notification of its intent to pursue the petition.

III.


THE COMMISSION ORDERS:

1. The Amended Stipulation filed on October 24, 2002, is approved in its entirety.

2. If Sandwich Isles elects to pursue the petition in this docket, the Consumer Advocate shall file its SOP within five days of the filing date of Sandwich Isles' written notification of its intent to pursue the petition.

DONE at Honolulu, Hawaii this 30th day of October,
2002.

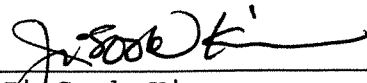
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By _____ (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:


Ji Sook Kim
Commission Counsel

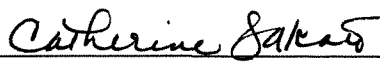
02-0085.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19754 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

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Catherine Sakato

DATED: October 30, 2002