





the IRs. Through a statement of position filed on March 28, 2003, the Consumer Advocate informed the commission that it does not object to the approval of Verizon Hawaii's petition.<sup>2</sup>

## II.

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii (State), and is engaged in the provision of varied telecommunications services to its customers and the general public within its chartered territory in the State. Verizon Hawaii is an incumbent local exchange carrier, as contemplated by Section 252 of the Act. Level 3 is an authorized facilities-based carrier and reseller of telecommunications services in the State.<sup>3</sup>

The commission approved the original interconnection agreement between Level 3 and Verizon Hawaii by Decision and Order No. 19479, filed on July 23, 2002, in Docket No. 02-0104. Amendment No. 1 modifies the original interconnection agreement by, among other things, setting forth certain terms and definitions regarding reciprocal compensation and Internet service provider (ISP)-bound traffic. The terms and conditions

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<sup>2</sup>The commission notes that no person moved to intervene or participate in this docket.

<sup>3</sup>See Decision and Order No. 17053, filed on June 29, 1999, in Docket No. 99-0049.

of Amendment No. 1 were negotiated and arrived at voluntarily, as contemplated by 47 U.S.C. § 252(a).

### III.

In our review of Amendment No. 1, 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
- (2) The implementation of the agreement, or any portion of the agreement, is not consistent with the public interest, convenience, and necessity.

Our review indicates that Amendment No. 1, filed on January 6, 2003, does not discriminate against other telecommunications carriers and that the implementation of Amendment No. 1 is consistent with the public interest, convenience, and necessity. The Consumer Advocate appears to agree with our assessment of Amendment No. 1.

### IV.

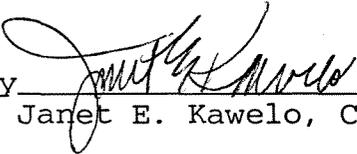
#### THE COMMISSION ORDERS:

1. Amendment No. 1 to the interconnection agreement between Level 3 and Verizon Hawaii, filed on January 6, 2003, is approved.
2. This docket is closed.

DONE at Honolulu, Hawaii this 3rd day of April, 2003.

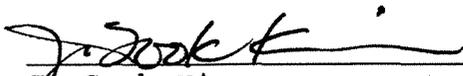
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By \_\_\_\_\_ (EXCUSED)  
Wayne H. Kimura, Chairman

By  \_\_\_\_\_  
Janet E. Kawelo, Commissioner

By  \_\_\_\_\_  
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

 \_\_\_\_\_  
J. Sook Kim  
Commission Counsel

03-0003.ah

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20106 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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DIVISION OF CONSUMER ADVOCACY  
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MICHAEL ROMANO  
LEVEL 3 COMMUNICATIONS, LLC  
8270 Greensboro Drive, Suite 900  
McLean, VA 22102

  
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Karen Higashi

DATED: April 3, 2003