

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

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

In the Matter of the Application of)  
AT&T COMMUNICATIONS OF HAWAII, INC.)  
Transmittal No. 03-10. )  
\_\_\_\_\_ )

DOCKET NO. 03-0094

ORDER NO. 20127

Filed April 17, 2003  
At 9:00 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)  
AT&T COMMUNICATIONS OF HAWAII, INC.)  
Transmittal No. 03-10. )  
\_\_\_\_\_)

Docket No. 03-0094

Order No. 20127

ORDER

I.

By transmittal number 03-10, filed on March 27, 2003, AT&T COMMUNICATIONS OF HAWAII, INC. proposes certain revisions to section 2.5.3 of its tariff, governing billing disputes. Specifically, it seeks to require that customers notify the carrier of billing disputes in writing within 120 days from the billing date, "otherwise, the charge will be considered correct and binding."<sup>1</sup> AT&T Communications of Hawaii, Inc. proposes an effective date of March 31, 2003.

Upon review, transmittal number 03-10's mandate of written notification appears inconsistent with Hawaii Administrative Rules (HAR) § 6-80-107, governing customer

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<sup>1</sup>The proposed new language reads:

The Customer is responsible for providing written notification to the Company of any charges in dispute within one hundred and twenty (120) days of the bill date, otherwise, the charge will be considered correct and binding. . . .

complaints, including subsection (1).<sup>2</sup> Moreover, the commission's rule governing billing disputes, HAR § 6-80-102, does not require written notification by the consumer.

The commission also notes its long-standing practice of addressing customer complaints, including billing dispute issues, received in-person or by telephone. Simply put, it is convenient and efficient for consumers to resolve disputes through verbal communication.

The commission, thus, will suspend transmittal number 03-10, in accordance with Hawaii Revised Statutes (HRS) § 269-16 and HAR § 6-80-40. Pursuant to the commission's general and investigative powers,<sup>3</sup> AT&T Communications of Hawaii, Inc., no later than May 9, 2003, shall either: (1) withdraw its proposed revisions to section 2.5.3; or (2) explain in writing to the commission, why it believes such provision should not be withdrawn. Further action from the commission will then follow. Two copies of all documents submitted by AT&T Communications of Hawaii, Inc. shall be served upon the Division of Consumer Advocacy.

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<sup>2</sup>HAR § 6-80-107(1) provides that telecommunications carriers shall "[r]eceive trouble reports twenty-four hours a day and all other complaints during normal business hours, without toll or any other charge[.]"

<sup>3</sup>See HRS §§ 269-6, 269-7, 269-8, and HAR § 6-80-40.

II.

THE COMMISSION ORDERS:

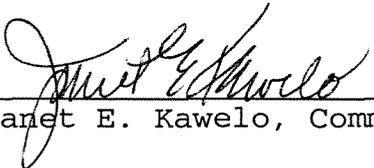
1. AT&T Communications of Hawaii, Inc.'s transmittal number 03-10, filed on March 27, 2003, is suspended.

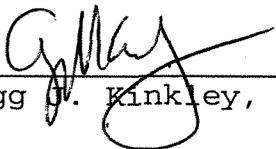
2. AT&T Communications of Hawaii, Inc. shall comply with the terms of the instant order, including the filing of its written response by May 9, 2003.

DONE at Honolulu, Hawaii this 17th day of April, 2003.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By   
Gregg D. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Michael Azama  
Commission Counsel

AT&T03-10.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20127 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

TERESA ONO  
DISTRICT MANAGER  
AT&T COMMUNICATIONS OF HAWAII, INC.  
795 Folsom Street  
Room 2147  
San Francisco, CA 94107

  
\_\_\_\_\_  
Karen Higashi

DATED: April 17, 2003