



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)	)	
VERIZON HAWAII INC.	)	Docket No. 02-0358
	)	
For Approval of Changes to its	)	Order No. 20469
Tariff. Transmittal No. 02-54.	)	
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ORDER

I.

By Transmittal No. 02-54, filed on September 4, 2002, as amended on September 9, 2002, VERIZON HAWAII INC. ("Verizon Hawaii") seeks commission approval to reduce certain prices for Controlink Digital Channel and FlexGrow Trunk services set forth in P.U.C. Tariff No. 18, Sections 2 and 8 ("Proposed Rates"). In support of its Proposed Rates, Verizon Hawaii filed cost support information on September 4, 2002, which were revised on September 9, 2002, accordingly. Transmittal No. 02-54 specified a proposed effective date of October 7, 2002, and was filed pursuant to Hawaii Revised Statutes ("HRS") § 269-16 and Hawaii Administrative Rules ("HAR") § 6-61-111.

Copies of the transmittal were served on the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"). On September 20, 2002, Time Warner Telecom of Hawaii, L.P., dba Oceanic Communications ("Oceanic") filed a timely protest to Transmittal No. 02-54,

pursuant to HAR §§ 6-61-58, 6-61-61, and 6-80-40 ("Protest").<sup>1</sup> On September 30, 2002, Verizon Hawaii filed its reply to the Protest, pursuant to HAR § 6-61-61.<sup>2</sup>

By Order No. 19688, filed on October 1, 2002, the commission suspended Transmittal No. 02-54, pending further review and order of the commission. With the suspension of the transmittal, the matters of Transmittal No. 02-54 became a matter of this docket. We note that while Oceanic filed a protest to Transmittal No. 02-54, it did not move to intervene in this docket. The record indicates that no person moved to intervene in this matter and that the only parties to this docket are Verizon Hawaii and the Consumer Advocate.<sup>3</sup>

By Statement of Position, filed on March 10, 2003, the Consumer Advocate informed the commission that it does not object to the approval of Transmittal No. 02-54.

On April 10, 2003, the commission served Verizon Hawaii with information requests.

By letter, filed on September 11, 2003, Verizon Hawaii requests commission approval to withdraw Transmittal No. 02-54. Verizon Hawaii informs us that upon reassessment of the matter, it concludes that the need for the rate reductions proposed in

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<sup>1</sup>In its Protest, Oceanic requested that the commission deny Verizon Hawaii's proposed changes to its tariff or suspend the effectiveness of tariff, among other things.

<sup>2</sup>Verizon Hawaii asserted that Oceanic's protest "must be disregarded".

<sup>3</sup>On October 14, 2002, the parties filed a proposed Stipulation for Protective Order. On October 17, 2002, the commission issued Protective Order No. 19707.

the transmittal is not required at this time. It further requests that the commission close this docket.

Upon review, the commission finds good cause to approve Verizon Hawaii's September 11, 2003 withdrawal of the transmittal. Accordingly, we conclude that Verizon Hawaii's request to withdraw Transmittal No. 02-54 should be approved and that this docket should be closed.

II.

THE COMMISSION ORDERS:


1. Verizon Hawaii's September 11, 2003 request to withdraw Transmittal No. 02-54, filed on September 4, 2002, as amended on September 9, 2002, is approved.

2. This docket is closed.

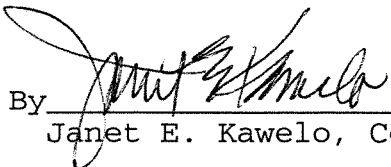
DONE at Honolulu, Hawaii this 26th day of September, 2003.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By \_\_\_\_\_ (EXCUSED)  
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By   
Janet E. Kawelo, Commissioner

  
Ji Sook Kim  
Commission Counsel

02-0358.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20469 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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Karen Higashi

DATED: September 26, 2003