

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting a Proceeding of)
Commercial Mobile Radio)
Service ("CMRS") Providers in)
The State of Hawaii, Including)
An Investigation to Determine)
Whether it is Consistent with)
The Public Interest to Exempt)
CMRS Providers, their)
Services, or Both, from Any)
Provisions of Hawaii)
Revised Statutes Chapter 269)

DOCKET NO. 03-0186

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

2003 NOV -3 A 10:01

RECEIVED

ORDER NO. 20615

Filed Oct. 31, 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

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 _____)

ORDER

I.

Written Request For An Extension of Time

The commission issued Procedural Order No. 20563 on October 7, 2003 establishing, among other things, the issues and schedule of proceeding in this docket.

CELLCO PARTNERSHIP, dba VERIZON WIRELESS ("Verizon Wireless") filed a letter on October 15, 2003 requesting an extension of time to file a motion for reconsideration of Procedural Order No. 20563, particularly regarding the issues established in this docket ("written request for an extension of time"). No other parties objected to Verizon Wireless' written request for an extension of time.

II.

Discussion

Hawaii Administrative Rules ("HAR") § 6-61-137 provides, in relevant part, that a motion for reconsideration "shall be filed within ten days after the decision or order is served upon the party." Furthermore, pursuant to HAR § 6-61-23(a)(1), when by HAR chapter 61 or by notice or by order of the commission, any act is required or allowed to be done at or within a specified time, we may, for good cause shown and in our discretion, order the period of time enlarged, if written request is made before the expiration of the period originally prescribed.

Pursuant to HAR §§ 6-61-21(e) and 6-61-137, Verizon Wireless' motion for reconsideration was due on October 20, 2003. Thus, Verizon Wireless' October 15, 2003 written request for an extension of time was timely filed. In its written request, Verizon Wireless represents that "[p]reparation of the [motion for reconsideration] . . . coupled with the press of other workload burdens, will make it difficult to submit the [motion for reconsideration] prior to October 20, 2003."

We find good cause in this instance to approve Verizon Wireless' written request for an extension of time. However, in light of the parties' stipulated schedule to file its stipulation, if any, with the commission by November 19, 2003, we will only enlarge the time for Verizon Wireless to file its motion for reconsideration until November 10, 2003 rather than its requested November 19, 2003 date. Accordingly, we conclude that

Certificate of Service (Continued)

GARNET GOINS
LAURA HOLLOWAY
NEXTEL WEST CORP.
2001 Edmund Halley Drive
Reston, VA 20191

GREGORY DIAMOND, ESQ.
NPCR, INC.
4500 Carillon Point
Kirkland, WA 98033

DEAN T. YAMAMOTO, ESQ.
ANDREWS & YAMAMOTO, LLLC
900 Fort Street Mall, Suite 1710
Honolulu, HI 96813

Attorney for NEXTEL WEST CORPORATION and NPCR, INC.

STEPHEN H. KUKTA, SENIOR ATTORNEY
JEFFREY M. PFFAFF, ATTORNEY
SPRINTCOM, INC., dba SPRINTPCS
100 Spear Street, Suite 930
San Francisco, CA 94105

LAURA ALTSCHUL
T-MOBILE, USA, INC.
12920 SE 38th St.
Bellevue, WA 98006-7305

R. BRIAN TSUJIMURA, ESQ.
MARIO R. RAMIL, ESQ.
NAOMI U. KUWAYE, ESQ.
JAMIE Y. TANABE, ESQ.
IMANAKA KUDO & FUJIMOTO, LLLC
Topa Financial Center, West Tower
745 Fort Street, 17th Floor
Honolulu, HI 96813

Attorneys for T-MOBILE USA, INC.

Certificate of Service (Continued)

DAVID R. WILLIAMS, GENERAL MANAGER
GENERAL TELCOURIER, INC., dba PAGER ONE
238 Sand Island Access Road, #R3
Honolulu, HI 96819

JOSE DYDASCO
PRESIDENT
ISLAND PAGE, INC.
1095 Dillingham Boulevard, Suite F2
Honolulu, HI 96817

PAUL H. KUZIA, EXECUTIVE VICE PRESIDENT
JOSEPH F. MULLIN, VICE PRESIDENT
ARCH WIRELESS OPERATING COMPANY, INC.
1800 West Park Drive, Suite 250
Westborough, MA 01581

DAVID R. WILLIAMS, GENERAL MANAGER
MOBILE ONE, INC.
231 Sand Island Access Road, Suite M-3
Honolulu, HI 96819

JOEL MATSUNAGA
VICE PRESIDENT - EXTERNAL AFFAIRS
VERIZON HAWAII INC.
P. O. Box 2200
Honolulu, HI 96841

LESLIE ALAN UEOKA, ESQ.
BLAINE T. YOKOTA, ESQ.
VERIZON CORPORATE SERVICES GROUP INC.
1177 Bishop Street
P.O. Box 2200
Honolulu, HI 96841

Attorneys for VERIZON HAWAII INC.

Certificate of Service (Continued)

JULIAN C.L. CHANG, ESQ.
TERESA ONO
AT&T COMMUNICATIONS OF HAWAII, INC.
795 Folsom Street
San Francisco, CA 94107



Karen Higashi

DATED: October 31, 2003