

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
TIME WARNER TELECOM OF HAWAII, L.P.,)
dba OCEANIC COMMUNICATIONS)
)
Transmittal No. 04-18, Filed on)
December 28, 2004, to Introduce)
the VersiPak Packages.)
_____)

DOCKET NO. 05-0012

ORDER NO. 21578

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

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Filed Feb. 2, 2005
At 10:30 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
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Docket No. 05-0012

Order No. **21578**

ORDER

The commission, by this Order, establishes a procedural schedule TIME WARNER TELECOM OF HAWAII, L.P., dba OCEANIC COMMUNICATIONS ("Oceanic"), and the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate" or "CA") (collectively, the "Parties"), must follow in this proceeding.

On January 14, 2005, the commission:

1. Converted Oceanic's Transmittal No. 04-18, filed on December 28, 2004, into an application, consistent with Decision and Order No. 21326, filed on August 31, 2004, in Docket No. 04-0082;

2. Instructed Oceanic to file its: (A) signed certificate of service, evidencing the appropriate service date of its Transmittal No. 04-18 upon the Consumer Advocate; and (B) written verification; and

3. Concluded that, unless ordered otherwise, by January 31, 2005, or twenty (20) days after the appropriate date of service of Oceanic's Transmittal No. 04-18, whichever date is

later, the Consumer Advocate, at its option, may file a position statement on Transmittal No. 04-18.¹

Later that same day, the Consumer Advocate filed its protest, stating its: (A) concerns about Oceanic's transmittal; and (B) intent to participate in this proceeding and issue information requests to Oceanic "shortly."²

On January 21, 2005, Oceanic filed its: (1) amended Transmittal No. 04-18a, to replace its Transmittal No. 04-18;³ (2) signed certificates of service for both transmittals; and (3) written verification. Transmittal No. 04-18a amends the language in the first sentence of Transmittal No. 04-18, and its second certificate of service certifies that it served copies of Transmittal No. 14-18a upon the Consumer Advocate on January 20, 2005.

Now, the Consumer Advocate seeks an extension of time to file its position statement.⁴ With the commission's permission, the Consumer Advocate intends to: (1) issue its information requests; then (2) file its position statement within twenty (20) days following the completion of discovery. The Consumer Advocate makes its request for additional time pursuant to Hawaii Administrative Rules ("HAR") § 6-61-23(a)(1).

¹Order No. 21547, filed on January 14, 2005, at 3:00 p.m.

²Consumer Advocate's Protest, filed on January 14, 2005, at 3:51 p.m.

³Oceanic's Transmittal No. 04-18a, filed on January 21, 2005.

⁴Consumer Advocate's letter, dated January 28, 2005.

The Consumer Advocate reasons that, following Oceanic's service of its amended Transmittal No. 04-18a on January 20, 2005, it has twenty (20) days, until February 9, 2005, to file its position statement. HAR § 6-61-62(d). That said, it seeks an extension of time, from February 9, 2005, to complete its investigation and file its position statement.

Given Oceanic's initial non-compliance with Decision and Order No. 21326 and the commission's procedural rules, and Oceanic's subsequent filing of its amended Transmittal No. 04-18a, the commission finds good cause to approve the Consumer Advocate's request for an extension of time. The commission also finds it prudent, at this juncture, to establish the foregoing procedural schedule:

February 4, 2005	CA's deadline to issue its information requests (IRs) to Oceanic
February 18, 2005	Oceanic's deadline to respond to the CA's IRs
February 28, 2005	CA's deadline to file its position statement.


THE COMMISSION ORDERS:

1. The Consumer Advocate's request for an extension of time, from February 9, 2005 to February 28, 2005, to file its position statement, is approved.

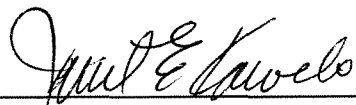
2. Unless ordered otherwise, the Parties shall comply with the procedural schedule established by the commission in this Order.

DONE at Honolulu, Hawaii FEB - 2 2005


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

05-0012.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21578 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
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Counsel for OCEANIC COMMUNICATIONS



Karen Higashi

DATED: FEB - 2 2005