

LINDA LINGLE
GOVERNOR



CARLITO P. CALIBOSO
CHAIRMAN

WAYNE H. KIMURA
COMMISSIONER

JANET E. KAWELO
COMMISSIONER

STATE OF HAWAII
PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE
465 S. KING STREET, #103
HONOLULU, HAWAII 96813

Telephone: (808) 586-2020
Facsimile: (808) 586-2066

e-mail: Hawaii.PUC@hawaii.gov

May 12, 2006

To All Telecommunications Carriers:

Please find enclosed Order No. 22464, filed on May 12, 2006, in Docket No. 2006-0126, Instituting an Investigation into the Carrier Contribution Factor and Telecommunications Relay Services Fund Size for the Period of July 1, 2006 through June 30, 2007 ("Order"). By this Order, the Hawaii Public Utilities Commission provides notice to all telecommunications carriers under its jurisdiction that it intends to continue the carrier contribution factor for contributions into the intrastate Telecommunications Relay Services Fund of 0.0010 effective July 1, 2006, and it welcomes written comments on its proposal as described in the Order until June 2, 2006. Please see the enclosed Order for more details.

Should you have any questions, please contact Kaiulani Kidani, commission counsel, at (808) 586-2020.

Sincerely,

Carlito P. Caliboso
Chairman

CPC:KEK:eh

Enclosure

RECEIVED
2006 MAY 15 A 8:55
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF BUDGET AND FINANCE
STATE OF HAWAII

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 PUBLIC UTILITIES COMMISSION)
)
 Instituting an Investigation)
 into the Carrier Contribution)
 Factor and Telecommunications)
 Relay Services Fund Size for)
 the period of July 1, 2006)
 through June 30, 2007.)
 _____)

DOCKET NO. 2006-0126

ORDER NO. 22464

OFFICE OF THE ATTORNEY GENERAL
STATE OF HAWAII
2006 MAY 15 A 8:53

RECEIVED

Filed May 12, 2006
At 9:15 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

The commission proposes to continue the existing carrier contribution factor of 0.0010, established by Order No. 21049, filed on June 10, 2004, in Docket No. 04-0070. In addition, the commission proposes a fund size of approximately \$591,605, which represents an approximate five-month operating reserve for the fund. Written comments concerning these proposals will be accepted until June 2, 2006.

I.

INVESTIGATION

Order No. 20193, among other things, required every telecommunications carrier providing intrastate telecommunications service in Hawaii to contribute to the TRS fund on the basis of gross operating revenue from the retail provision of intrastate telecommunications services during the preceding calendar year.² A carrier's contribution to the TRS fund is a product of its gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year and a contribution factor determined annually by the commission, consistent with the terms of Order No. 20193.

Accordingly, consistent with the terms of Order No. 20193, and pursuant to Hawaii Administrative Rules

²The commission explicitly excluded payphone providers from contributing to the TRS fund.

("HAR") § 6-61-71,³ the commission will institute an investigation of the annual TRS contribution factor and fund size for the Period. For the same reasons stated in Order No. 20067, filed on March 7, 2003, in Docket No. 03-0058, the commission concludes that the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate") and Sprint should be made parties to this proceeding.

II.

PROPOSALS

A.

Proposed Carrier Contribution Factor

Pursuant to Decision and Order No. 20163, filed on April 30, 2003, in Docket No. 03-0058, and Order No. 22438, filed on May 1, 2006, in Docket No. 03-0058, Sprint will provide statewide TRS at a flat rate of \$1.90 per session minute, with a monthly recurring charge of \$34,000, for the two-year period commencing July 1, 2006 and ending on June 30, 2008. Sprint is projecting a monthly average of 42,076 intrastate, speech-to-speech, and CapTel Relay Service ("CapTel")⁴ minutes for the Period, resulting in \$1,367,333⁵ in disbursements to Sprint.

³HAR § 6-61-71 allows the commission to investigate any matters subject to its jurisdiction.

⁴CapTel is a form of TRS that utilizes specialized equipment and voice-to-text technology to provide relay services.

⁵This total includes the monthly recurring charge of \$34,000.

To calculate the proposed contribution factor, the estimated payments to Sprint of \$1,367,333 were reduced by \$700,333, which is part of the surplus from the TRS fund balance,⁶ resulting in an additional fund requirement of \$667,000. The additional fund requirement was divided by the total projected 2005 gross intrastate retail revenues of \$667,000,000 to arrive at a contribution factor of 0.0010.

Based on the above, the commission proposes to continue the existing carrier contribution factor, established by Order No. 21049, filed on June 10, 2004, in Docket No. 04-0070, and by Order No. 21847, filed on May 31, 2005, in Docket No. 05-0088.

B.

Proposed TRS Fund Size

The commission proposes keeping in reserve approximately \$591,605, representing an approximate five-month operating reserve in the fund. The TRS fund is the sole source of funding for this service. Thus, the commission must be able to address any unexpected growth in TRS usage, delinquencies and/or bankruptcies of any telecommunications carrier and any other unexpected event that may occur. In addition, CapTel has experienced steady growth since it was first offered as a part of Sprint's TRS, and it may continue to do so during the Period.

⁶The projected total TRS fund balance, as of June 30, 2006, is \$1,291,937.

C.

Proposed Minimum Payment and Payment Plans

The proposed minimum payment would continue at \$10.00. Carriers reporting \$10,000 or less in gross intrastate retail revenues will pay \$10.00. Carriers reporting \$1,200,000 or more in gross intrastate retail revenues will be allowed to make twelve (12) equal monthly payments. Carriers reporting less than \$1,200,000 in gross intrastate retail revenues will make one annual payment by July 26, 2006.

III.

ORDERS

THE COMMISSION ORDERS:

1. A proceeding is instituted to investigate the TRS carrier contribution factor and fund size for the Period (July 1, 2006 through June 30, 2007). The Consumer Advocate and Sprint shall be parties to this proceeding.
2. Written comments to the proposals described in this order will be accepted until June 2, 2006.

DONE at Honolulu, Hawaii MAY 12 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By *Carlito P. Caliboso*
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By *Janet E. Kawelo*
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Kaiulani E.S. Kidani
Kaiulani E.S. Kidani
Commission Counsel

TRS SURCHARGE.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22464 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MAGGIE SCHOOLAR
GOVERNMENT ACCOUNT EXECUTIVE
SPRINT COMMUNICATIONS
1321 Rutherford Lane, Suite 120
Austin, TX 78753

1-800-RECONEX, INC.
fna STERLING INTERNATIONAL FUNDING, INC.
WILLIAM BRAUN, VP/GEN COUNSEL
2500 Industrial Avenue
Hubbard, OR 97032

3U TELECOM, INC.
1802 N Carson Street, Suite 212-2683
Carson City, NV 89701

AAA RENT TO OWN - HAWAII, INC.
dba COLORTYME
Peter Landretti, Vice President
617 Sycamore St.
Clarkston, WA 99403

ACCERIS COMMUNICATIONS CORP.
fka WORLDXCHANGE CORP. And fka PT-1 COUNSEL, INC.
Scotia Plaza Suite 3200
40 King Street West
Toronto, Ontario, Canada M5H3Y2

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Page 2

ACCERIS MANAGEMENT AND ACQUISITION LLC
60 South Sixth Street, Ste. 2535
Minneapolis, MN 55402

ACCESSLINE COMMUNICATIONS CORPORATION
11201 SE 8th Street, Suite 200
Bellevue, WA 98004

ACN COMMUNICATIONS SERVICES, INC.
DAN CROWLEY, VP OF FINANCE
32991 Hamilton Court
Farmington Hills, MI 48334

ACSI LOCAL SWITCHED SERVICES, INC.
JAMES C. FALVEY
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21046

AFFINITY NETWORK INCORPORATED
3660 Wilshire Boulevard, 4th Floor
Los Angeles, CA 90010

AIRNEX COMMUNICATIONS, INC.
SHIGE YAMAJI, PRESIDENT
3000 Executive Parkway, Suite 230
San Ramon, CA 94583

ALLTEL COMMUNICATIONS, INC.
BOB PRIEBE, STAFF MANAGER
One Allied Drive, B4F04N-D
Little Rock, AR 72202

ALLTEL HOLDING CORPORATE SERVICES, INC.
MICHAEL KOGER
One Allied Drive
Little Rock, AR 72202

AMERICAN FIBER NETWORK, INC.
ROB HEATH, VICE PRESIDENT
9401 Indian Creek Parkway, Suite 140
Overland Park, KS 66210

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Page 3

AMERICAN TELECOMMUNICATIONS SYSTEMS, INC.
BILL STATHAKAROS
4450 Belden Village Street, NW Suite 602
Canton, OH 44718

AMERIVISION COMMUNICATIONS, INC.
KELLY FRANKS, REGULATORY MANAGER
201 NW 63rd Street, Suite 200
Oklahoma City, OK 73116

ANDIAMO TELECOM, LLC
JOSEPH M. RAO, MANAGER
10575 North 114th Street, Suite 103
Scottsdale, AZ 85259

ARCH WIRELESS FKA MMLICENSE
MMCA2 DBA RAM PAGING HAWAII
GERALD CIMMINO, VP - TREASURER
1800 West Park Drive, Suite 250
Westborough, MA 01581

ASC TELECOM, INC. DBA ALTERNA TEL
KARINE HELLWIG, STAFF MANAGER
c/o SPRINT REGULATORY REPORTING
MS: KSOPHT0101-Z2400, 6391 Sprint Parkway
Overland Park, KS 66251-2400

ASIA TALK TELECOM, INC.
dba HELLOCOM
901 Corporate Center Drive, Suite 518
Monterey Park, CA 91754

ASSOCIATION ADMINISTRATORS, INC.
JEAN DOINA, VP
180 E. Main Street
Smithtown, NY 11787

AT&T COMMUNICATIONS OF HAWAII, INC.
CYNTHIA HARDY
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

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Page 4

ATLAS EQUITY, INC.
dba PERFORMANCE TELECOM
3200 Park Center Drive, Suite 300
Costa Mesa, CA 92626

BAK COMMUNICATIONS, LLC
RABIH ARIDI, PRESIDENT
444 South Flower Street, Suite 4188
Los Angeles, CA 90071

BCGI COMMUNICATIONS CORP.
JOHANNA REGAN
100 Sylvan Road, Suite 100
Woburn, MA 01801

BCN TELECOM, INC.
fka NUI TELECOM, INC.
RICHARD M. BOUDRIA, PRESIDENT
550 Route 202-206, 2nd Floor
Bedminster, NJ 07921

BELL ATLANTIC COMMUNICATIONS, INC.
dba VERIZON LONG DISTANCE
JOHN D. BROTEN, PRESIDENT
1320 N. Courthouse Road 9th Floor
Arlington, VA 22201

BELLSOUTH BSE, INC.
ROBIN H. TAYLOR, MANAGER
400 Perimeter Center Terrace, Suite 350
Atlanta, GA 30346

BELLSOUTH LONG DISTANCE, INC.
ROBIN H. TAYLOR, MANAGER
400 Perimeter Center Terrace - Suite 350
Atlanta, GA 30346

BROADWING COMMUNICATIONS, LLC
KAREN T. HANSON - NATIONAL DIRECTOR
1122 Capital of Texas Highway South
Austin, TX 78746

Certificate of Service

Page 5

BT COMMUNICATIONS SALES LLC
fka CONCERT COMMUNICATIONS SALES LLC
LINDA CICCO - REGULATORY COMPLIANCE
11440 Commerce Park Drive
Reston, VA 20191

BUEHNER FRY, INC.
JILL ANDERSON
40 NW Greenwood Ave.
Bend, OR 97701-8237

BUSINESS DISCOUNT PLAN, INC.
DAVID JENKINS, PRESIDENT
One World Trade Center Suite 800
Long Beach, CA 90831

BUSINESS PRODUCTIVITY SOLUTIONS, INC.
fka GE BUSINESS PRODUCTIVITY SOLUTIONS, INC.
fka GE CAPITAL TELEMAGEMENT SERVICES CORPORATION
J. JEFFREY OXLEY
c/o ESCHELON TELECOM, INC.
730 2nd Avenue, South, Suite 900
Minneapolis, MN 55402

BUSINESS TELECOM, INC.
SHANNON WAGNER, SALES & USE TAX MGR.
ATTN: TAX DEPARTMENT
4300 Six Forks Road
Raleigh, NC 27609

BUZZ TELECOM, CORPORATION
WILLIAM BRZYCKI, CORPORATE AFFAIR
8380 Louisiana Street
Merrillville, IN 46410

CELLCO PARTNERSHIP
dba VERIZON WIRELESS
MR. FAWAD ALI, REGULATORY COMPLIANCE
ATTN: MR. FAWAD ALI
180 Washington Valley Road
Bedminster, NJ 07921

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Page 6

CIERA NETWORK SYSTEMS, INC.
ROBERT W. LIVINGSTON, CEO/SEC
1250 Wood Branch Park Drive, Suite 600
Houston, TX 77079-1212

CLEAR WORLD COMMUNICATIONS CORP.
JAMES MANCUSO, SECRETARY
3601 South Harbor Boulevard
Santa Ana, CA 92704

CLEARCOM, INC.
c/o ALBERT S.N. HEE
1001 Bishop Street
Pauahi Tower, Suite 2700
Honolulu, HI 96813

COGNIGEN NETWORKS, INC.
Thomas S. Smith
6405 218th St., Suite 305
Mountlake Terrace, WA 98043

COMMPARTNERS, LLC
DAVID S. CLARK, PRESIDENT
3291 N. Buffalo Drive, Suite 8
Las Vegas, NV 89129-7437

COMPUTER NETWORK TECHNOLOGY CORPORATION
KEVIN MAMMEL
380 Interlocken Crescent
Broomfield, CO 80021

COMTECH 21, LLC
GUY DRAPEAU, CFO
One Barnes Park South
Wallingford, CT 06492

CONSOLIDATED COMMUNICATIONS OPERATOR SERVICES, INC
SUSAN MONTAGUE
121 South 17th Street
Mattoon, IL 61938

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Page 7

CORAL WIRELESS, LLC
BILL JARVIS, PRESIDENT AND CEO
Seven Waterfront Plaza
500 Ala Moana Boulevard, Suite 230
Honolulu, HI 96813

COVISTA, INC.
fka TOTAL TEL, INC.
Frank Pazera, CFO
721 Broad Street, Suite 200
Chattanooga, TN 37402

CUSTOM TELECONNECT, INC.
DAVID H. BARKSDALE, CFO
3111 S. Valley View, Suite E-120
Las Vegas, NV 89102

D.D.D. CALLING, INC.
JIM RAUTIO, TREASURER
2400 Augusta Drive, Suite 263
Houston, TX 77057

DELTACOM, INC.
fka ITC^DELTACOM COMMUNICATIONS, INC.
Jean Houck
7037 Old Madison Pike, Suite 400
Huntsville, AL 35806

DIALAROUND ENTERPRISES, INC.
DOUGLAS BARLEY, ASSIST. SECRETARY
30-50 Whitestone Expressway, 4th Floor
Flushing, NY 11354

DIAL-THRU, INC.
fka RDST, INC.
Allen Sciarillo, CFO
17383 Sunset Boulevard, Suite 350
Los Angeles, CA 90272

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Page 8

DIRECT ONE, LLC
BILL HEBERER
HALL, DICKLER, KENT, GOLDSTEIN AND WOOD
909 Third Avenue
New York, NY 10022-4731

DIRECT TELEPHONE COMPANY, INC.
dba HAWAII DIRECT TELEPHONE
SETH BLOCK, PRESIDENT
1132 Bishop Street, Suite 1800
Honolulu, HI 96813

DPI-TELECONNECT, LLC
DAVID M. PIKOFF, VICE PRESIDENT
2997 LBJ Freeway, Suite 225
Dallas, TX 75234

DSLNET COMMUNICATIONS, LLC
SCHULA HOBBS, SR. MGR-REGULATORY AFFAIRS
545 Long Wharf Drive, Fifth Floor
New Haven, CT 06511

EASTON TELECOM SERVICES, LLC
fka WESTON TELECOMMUNICATIONS, LLC
ROBERT MOCAS, PRESIDENT
Summit II-Unit A, 3046 Brecksville Road
Richfield, OH 44230

ECI COMMUNICATIONS, INC.
dba ITS NETWORK SERVICES, INC.
JACK BURK, DIRECTOR OF OPERATIONS
P.O. Box 27408
Fresno, CA 93729-7408

ELECTRIC LIGHTWAVE LLC
fka ELECTRIC LIGHTWAVE, INC.
KATHY CAMINITI, VP, CORPORATE ACCOUNTING
3 High Ridge Park
Stamford, CT 06905

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ENCOMPASS COMMUNICATIONS, LLC
DOUGLAS WILLIAMS, VP
P.O. Box 3529
Longview, TX 75606

ENTRIX TELECOM
CARL WOLF BILLEK, ASSOCIATE GENERAL COUNSEL
520 Broad Street
Newark, NJ 07102-3111

EXCEL TELECOMMUNICATIONS, INC.
KEVIN ALLEN, MANAGER REGULATORY AFFAIRS
c/o KEVIN ALLEN, MANAGER REGULATORY AFFAIRS
2440 Marsh Lane
Carrollton, TX 75006

EXERGY GROUP, LLC
1550 W. 84th Street, Suite 50
Hialeah, FL 33014

FOXTEL, INC.
ELIZABETH RASCO, BILLING ADMINISTRATOR
333 Holcomb Avenue, Suite 200
Reno, NV 89502

FRANCE TELECOM CORPORATE SOLUTIONS, LLC
BLAIR HOUSLEY
2355 Dulles Corner Boulevard
Bldg 3, 2nd Floor
Herndon, VA 20171

FRONTIER COMMUNICATIONS OF AMERICA, INC.
KATHY CAMINITI, VP, CORPORATE ACCOUNTING
ATTN: TONI DILLIN
3 High Ridge Park
Stamford, CT 06905

GENERAL TELCOURIER, INC.
dba PAGER ONE
DAVID WILLIAMS
POB 25670
Honolulu, HI 96825

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GLOBAL COMMUNICATIONS CONSULTING CORP.
25 Kilmer Drive, Suite 217
Morganville, NJ 07751-1561

GLOBAL CREST COMMUNICATIONS, INC.
SHELIA VICK, PRESIDENT
12595 NE 7th Ave
North Miami, FL 33161-4811

GLOBAL CROSSING NORTH AMERICAN NETWORKS, INC.
fka FRONTIER COMMUNICATIONS INTERNATIONAL, INC.
TERESA S. REFF
1080 Pittsford Victor Road
Pittsford, NY 14534

GLOBAL CROSSING TELECOMMUNICATIONS, INC.
fka FRONTIER COMMUNICATIONS SERVICES
Teresa S. Reff, Senior Finance Officer
1080 Pittsford Victor Road
Pittsford, NY 14534

GLOBALCOM, INC.
dba GCI GLOBALCOM
GAVIN McCARTY
333 West Wacker Drive, 15th Floor
Chicago, IL 60606

GO SOLO TECHNOLOGIES, INC.
THOR R. BENDICKSON, CEO/PRESIDENT
1901 Ulmerton Road, Suite 400
Clearwater, FL 33762

GOLD LINE TELEMAGEMENT, INC.
ATA MOEINI, PRESIDENT
180 West Beaver Creek Road
Richmond Hill, Ontario L4B 1B4

GRANITE TELECOMMUNICATIONS, LLC
100 Newport Avenue Ext.
Quincy, MA 02171

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GTC TELECOM CORP.
GERALD A. DeCiccio
3151 Airway Avenue, Suite P-3
Costa Mesa, CA 92626

HAWAIIAN TELCOM SERVICES COMPANY, INC.
JOHN DUNCAN
1177 Bishop Street
Honolulu, HI 96813

HAWAIIAN TELCOM SERVICES COMPANY, INC.
JON GELMAN
1177 Bishop Street
Honolulu, HI 96813

HAWAIIAN TELCOM, INC.
fka VERIZON HAWAII, INC.
JOEL MATSUNAGA, VP EXTERNAL AFFAIRS
P.O. Box 2200
Honolulu, HI 96841

HELIO LLC
fka SK-EARTHLINK LLC
NEIL J. YOUNG
10960 Wilshire Boulevard, Suite 600
Los Angeles, CA 90024

HIGHSPEED COMMUNICATIONS OF HAWAII, LLC
fka HIGHSPPED.COM OF HAWAII, LLC
CATHY LAROQUE, STAFF ACCOUNTANT
6 West Rose, Suite 500
Walla Walla, WA 99362

IDT AMERICA, CORP.
CARL BILLEK, ASSOC. GEN COUNSEL
520 Broad Street, 7th Floor
Legal Department
Newark, NJ 07102

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I-LINK COMMUNICATIONS, INC.
fna FAMILY TELECOMMUNICATIONS, INC.
STEPHEN WEINTRAUB, SECRETARY
1001 Brinton Road
Pittsburgh, PA 15221

INFONE LLC
fka NORTH BY NORTHEASTCOM, LLC
KAREN L. JOHNSON, SECRETARY
11200 Murray Scholls Place
Beaverton, OR 97007

INFONET TELECOMMUNICATIONS CORPORATION
STEVEN L. MASHAL, ASSISTANT SECRETARY
2160 East Grand Avenue
El Segundo, CA 90245

INFONXX CARRIER NEW YORK, INC.
3864 Courtney Street, Suite 411
Bethlehem, PA 18017

INFO-TEL, INC.
SCOTT CADDELL
303 E. 17th Avenue, Suite 500
Denver, CO 80203-1258

INTERNATIONAL EXCHANGE COMMUNICATIONS, INC.
IE COM
JUDITH RIELEY
2912 Lakeside Drive
Oklahoma City, OK 73120

INTERNATIONAL TELECOM LTD.
KEN HANKS, SENIOR TAX ANALYST
417 2nd Avenue West
Seattle, WA 98119

INTER-TEL NETSOLUTIONS, INC.
KURT R. KNEIP, VICE PRESIDENT
1615 S. 52nd Street
Tempe, AZ 85281-6233

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ISLAND PAGE, INC.
JOSE DYDASCO, GENERAL MANAGER
3249 Koapaka Street
Honolulu, HI 96819

JIREHCOM, INC.
3880 N. Main Street
East Peoria, IL 61611-5555

JTL ENTERPRISES, LLC
TETSUO NAKATANI, VP
818 Pine Street
Honolulu, HI 96817

KIGER TELEPHONE & TELEPHONY, LLC
999 18th Street, Suite 1825
Denver, CO 80202

KMC DATA, LLC
TRICIA BRECKENRIDGE, EXECUTIVE VP
1545 Route 206, Suite 300
Bedminster, NJ 07921

LEAST COST ROUTING, INC.
dba LONG DISTANCE CHARGES
NED GERSHENSON, PRESIDENT
40 Luce Del Sol Villa 1
Henderson, NV 89011

LEGACY LONG DISTANCE INTERNATIONAL, INC.
CURTIS BROWN, PRESIDENT
108333 Valley View Street, Suite 150
Cypress, CA 90630

LEVEL 3 COMMUNICATIONS, LLC
MIKE ARDIA, REG. ACCTG MGR.
1025 Eldorado Boulevard
Broomfield, CO 80021

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LIGHTYEAR NETWORK SOLUTIONS, LLC
fka LIGHTYEAR COMMUNICATIONS, INC.
fka UNIDIAL COMMUNICATIONS, INC.
GREG WILLIAMS, TAX & REG MGR
1901 Eastpoint Parkway
Louisville, KY 40223

LOCAL TELCOM HOLDINGS, LLC
dba TRANSPPOINT COMMUNICATIONS
26565 West Agoura Road, Suite 305
Casabasas, CA 91302

MASKINA COMMUNICATIONS, INC.
fka TRANSCOM COMMUNICATIONS, INC.
dba COMM PORT COMMUNICATIONS
CONNIE KELSEY
8445 Freeport Parkway, Suite 650
Irving, TX 75063

MATRIX TELECOM, INC.
NETA GREEN, REG. AGENT
2912 Lakeside Drive
Oklahoma City, OK 73120

MCI COMMUNICATIONS SERVICES, INC.
fka MCI WORLDCOM COMMUNICATIONS, INC.
fka WORLDCOM TECHNOLOGIES, INC. dba
VERIZON BUSINESS SERVICES
HALEH DAVARY, REGULATORY REPORT
201 Spear Street, 9th Floor
San Francisco, CA 94105

MCI METRO ACCESS TRANSMISSION SERVICES, INC.
fka MCI WORLDCOM dba
VERIZON ACCESS TRANSMISSION SERVICES
HALEH DAVARY, REGULATORY REPORT
201 Spear Street, 9th Floor
San Francisco, CA 94105

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Page 15

MCI NETWORK SERVICES, INC.
fka MCI WORLDCOM NETWORK SERVICES, INC.
fka MCI TELECOMMUNICATIONS CORPORATION
HALEH DAVARY, REGULATORY REPORT
201 Spear Street, 9th Floor
San Francisco, CA 94105

McLeodUSA TELECOMMUNICATIONS SERVICES, INC.
McLeodUSA TECHNOLOGY PARK
JOSEPH H. CERYANEC, CVP-CONTROLLER & TREASURER
6400 C Street SW
P.O. Box 3177
Cedar Rapids, IA 52406-3177

METROCALL, INC.
c/o VENABLE LLP
FREDERICK M. JOYCE, ESQ.
575 7th Street, NW
Washington, DC 20004

METROPOLITAN TELECOMMUNICATIONS OF HAWAII, INC.
DAVID ARONOW, PRESIDENT
44 Wall Street, 14th Floor
New York, NY 10005

MOBILE ESPN, LLC
DWIGHT HAKIM
605 Third Street, 8th Floor
New York, NY 10158

MOBILE ONE, INC.
D. WILLIAMS
POB 25670
Honolulu, HI 96825

NATEL, LLC
P.O. Box 53326
Oklahoma City, OK 73152-3326

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Page 16

NATIONWIDE PROFESSIONAL TELESERVICES, LLC
SHERI LUTICH, PRESIDENT
14001 63rd Way N.
Clearwater, FL 33760

NET ONE INTERNATIONAL, INC.
fka CHARTIES NETWORK INTERNATIONAL, INC.
MICHAEL BAKER
4037 Metric Drive
Winter Park, FL 32792

NetLojix TELECOM, INC.
Janet Mediros-Silveira, Dir.
501 Bath Street
Santa Barbara, CA 93101

NET-TEL CORPORATION
THOMAS LERA
1023 31st Street, NW
Washington, DC 20007

NETWORK COMMUNICATIONS INTERNATIONAL CORP.
MR. WILLIAM L. POPE, PRESIDENT
606 East Magrill Street
Longview, TX 75601

NETWORK ENHANCED TECHNOLOGIES, INC.
KAY KAMRAVA
700 S. Flower Street, Suite 420
P.O. Box 811306
Los Angeles, CA 90017

NETWORK OPERATOR SERVICES, INC.
SUSAN FREEMAN
P.O. Box 3529
Longview, TX 75606

NETWORK PTS, INC.
MICHAEL R. ZUMBO, PRESIDENT
14472 Wicks Boulevard
San Leandro, CA 94577

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NETWORK SERVICE BILLING, INC.
BOYAN JOSIC, PRESIDENT
7251 W. Lake Mead Boulevard, Suite 300
Las Vegas, NV 89128

NETWORKIP, LLC
119 West Tyler Street, Suite 168
Longview, TX 75601

NEW ACCESS COMMUNICATIONS LLC
VIRGINIA BRIOL, CFO
801 Nicollet Mall, Suite 350
Minneapolis, MN 55402

NEW CINGULAR WIRELESS PCS, LLC
fka AT&T WIRELESS PCS, LLC
BETH FUJIMOTO, ESQ.
c/o AT&T Wireless Services, Inc
P.O. Box 97061, RTC1
Redmond, WA 98052

NEW CINGULAR WIRELESS SERVICES OF HAWAII, INC.
fka AT&T WIRELESS SERVICES OF HAWAII, INC. HAWAII,
MAUI, OAHU OPERATIONS
BETH FUJIMOTO, ESQ.
P.O. Box 97061, RTC1
Redmond, WA 98073-9761

NOBELTEL, LLC
RICHARD L MAHFOZ
5759 Fleet Street, Suite 210
Carlsbad, CA 92008

NORSTAR COMMUNICATIONS, INC.
dba BUSINESS SAVINGS PLAN
P.O. Box 50936
Irvine, CA 92619-0936

NORTH COUNTY COMMUNICATIONS CORPORATION
TODD LESSER, PRESIDENT
3802 Rosecrans, Suite 485
San Diego, CA 92110

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NOS COMMUNICATIONS, INC.
4380 Boulder Highway
Las Vegas, NV 89121

NOVA TELECOM, INC.
FRANK SQUILLA
842 South Second Street, Suite 355
Philadelphia, PA 19147

NPCR, INC.
JEANETTE VAN BELLE, ASSISTANT TREASURER
4500 Carillon Point
Kirkland, WA 98033

NYNEX LONG DISTANCE COMPANY
dba VERIZON ENTERPRISE SOLUTIONS
MR. JOHN BROTEN, PRESIDENT
1320 North Court House Road, 9th Floor
Arlington, VA 22201

ONE CALL COMMUNICATIONS, INC.
OPTICOM
LESTER LI
801 Congressional Boulevard
Carmel, IN 46032

ONESTAR LONG DISTANCE
JULIE BUSE, TAX SUPERVISOR
7100 Eagle Crest Boulevard, Suite B
Evansville, IN 47715

OPERATOR SERVICE COMPANY, LLC
fka OPERATOR SERVICE COMPANY
JOCEYLN HARDIN, REG. AGENT
2912 Lakeside Drive
Oklahoma City, OK 73120

OPEX COMMUNICATIONS, INC.
ED HEBERT, CONTROLLER
500 East Higgins Road
Elk Grove Village, IL 60007

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OPTICAL TELEPHONE CORPORATION
885 Woodstock Road, Suite 430
Roswell, GA 30075-2274

PACIFIC COMMUNICATION SERVICE, LLC
TOMIYOSHI KATAOKA, PRESIDENT
2270 Kalakaua Avenue, Suite 1502
Honolulu, HI 96815

PACIFIC LIGHTNET, INC.
TIM SANSOM, CFO/TREASURER
Pacific Guardian Center
737 Bishop Street, Suite 1900
Honolulu, HI 96813

PHONE1, INC.
JOHN LEATH, DIRECTOR
100 North Biscayne Boulevard, 25th Floor
Miami, FL 33132

PHONETECH PCS, LLC
JOHN LOWERY, MANAGING MEMBER
3300 North A Street, Building One, Suite 108
Midland, TX 79705

PNV.NET, INC.
fka PARK 'N VIEW, INC.
STEPHEN CONKLING
11711 NW 39th Street
Coral Springs, FL 33065

PREFERRED CARRIER SERVICES, INC.
aka PHONES FOR ALL
ALEX VALENCIA, REGULATORY COUNCELOR
14681 Midway Road, Suite 105
Addison, TX 75001-3147

PREMIERE NETWORK SERVICES, INC.
1510 N. Hampton Road, Suite 120
DeSoto, TX 75115

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PRIMUS TELECOMMUNICATIONS, INC.
TIMOTHY WATTS
7901 Jones Branch Drive, #900
McLean, VA 22102

PRIMUS TELECOMMUNICATIONS, INC.
7901 Jones Branch Drive, #900
McLean, VA 22102

PT-1 COMMUNICATIONS, INC.
ADAM KOLODNY, COO
30-50 Whitestone Expressway
Flushing, NY 11354

QUANTUMSHIFT COMMUNICATIONS, INC.
fka MVX.COM COMMUNICATIONS, INC.
JENNA BROWN, MGR/REG AFFAIRS
12657 Alcosta Boulevard, #418
San Ramon, CA 94583

QUICK TEL, INC.
SAM BELL, PRESIDENT
324 Trinity Place
Elizabeth, NJ 07201

QWEST COMMUNICATIONS CORPORATION
BECKY KLEIN, SR. FIN/BUSINESS ANALYST
1801 California Street, 47th Floor
Denver, CO 80205

QWEST INTERPRISE AMERICA, INC.
fka U S WEST INTERPRISE AMERICA, INC.
MERRI HASKINS, FIN/BUSINESS ANALYST
1801 California Street, 47th Floor
Denver, CO 80205

QX TELECOM LLC
EDDIE MISHAN
230 Fifth Avenue, Suite 800
New York, NY 10001

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R2C COMMUNICATIONS, INC.
9532 Mission Road, #25
Overland Park, KS 66206

RADIANT TELECOM, INC.
1020 NW 163 Drive
Miami, FL 33169

REACHONE, INC.
KARL MEIER
4550 3rd. Avenue S.E., Suite 104
Lacey, WA 98503

SANDWICH ISLES COMMUNICATIONS, INC.
ROBERT KIHUNE, CEO
1001 Bishop Street
Pauahi Tower, 27th Floor
Honolulu, HI 96813

SBC LONG DISTANCE, LLC
dba SBC LONG DISTANCE
fka SBC LONG DISTANCE, INC.
AMY BERLIN, PROJECT ADMINISTRATOR
5850 W. Las Positas Boulevard
Pleasanton, CA 94588

SNIP LINK, LLC
JOSEPH POLITO, JR.
100-A Twinbridge Drive
Pennsauken, NJ 08110

SPRINT COMMUNICATIONS COMPANY L.P.
KARINE M. HELLWIG, STAFF MANAGER
c/o SPRINT REG. RPRTING, MAILSTOP: KSOPHT0101-Z2400
6391 Sprint Parkway
Overland Park, KS 66251-2400

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SPRINTCOM, INC.
dba SPRINT PCS
KARINE M. HELLWIG, STAFF MANAGER
c/o SPRINT REGULATORY REPORTING
Mailstop: KSOPHT0101-Z2400, 6391 Sprint Parkway
Overland Park, KS 66251-2400

STARTEC GLOBAL LICENSING COMPANY
JIM MORGAN, CORPORATE COUNSEL
1151 Seven Locks Road
Potomac, MD 20854

SUMMIT COMMUNICATIONS, INC.
CHAD JOHNSTON
1132 Bishop Street, Suite 1800
Honolulu, HI 96813-2843

SYNIVERSE TECHNOLOGIES, INC.
fka SYNIVERSE NETWORKS, INC.
fka TSI TELECOMMUNICATIONS NETWORK SERVICES, INC.
DAVID J. ROBINSON
One Tampa City Center, #700
Tampa, FL 33602

TALK AMERICA, INC. fka TALK.COM HOLDING CORP.
fka TEL-SAVE, INC.
FRANCIE McCOMB, VP-REG. AFFAIRS
6805 Route 202
New Hope, PA 18938

TALKNOW, INC.
9775 Business Park Avenue
San Diego, CA 92131

TDI COMMUNICATIONS, INC.
AYANERY REYES, PROJECT MANAGER
805 Third Avenue, 8th Floor
New York, NY 10022

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TELECENTS COMMUNICATIONS, INC.
JEFFREY P. LAUZON, PRESIDENT/TREASURER
8615 Richardson Road, Suite 200
Walled Lake, MI 48390

TELECOMEZ CORPORATION
113 A-3 Coronado Court
Fort Collins, CO 80525

TELECONNECT LONG DISTANCE SERVICES & SYSTEMS COMPANY
dba TELECOMM*USA
HALEY DAVERY, REG.COMPLIANCE ANALYST
c/o MCI, INC.
201 Spear St., 9th Floor
San Francisco, CA 94105

TELEFYNE INCORPORATED
4286 Woodbine Road, Suite B
Pace, FL 32571

TELEGENIUS, INC.
KELLIE S. WEBB, PRESIDENT
2901 Ridgelake Drive, Suite 212
Metairie, LA 70002

TELHAWAII, INC.
BRENDA SHEPARD, VP FINANCE
201 E. 56th Avenue
Anchorage, AK 99518

TELIGENT SERVICES, INC.
JENNIFER MARTIN, MANAGER, REGULATORY
7925 Jones Branch Drive, #3300
Mc Lean, VA 22102-3321

TEL-WEST COMPANIES
dba HASSLE FREE PHONE
P.O. Box 1319
Logandale, NV 89021

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THINK 12 CORPORATION
dba HELLO DEPOT
MICHAEL H KIM
1530 Barclay Boulevard
Buffalo Grove, IL 60086

TIME WARNER CABLE INFORMATION SERVICES (HAWAII), LLC
JULIE Y PATTERSON, ESQ.
290 Harbor Drive
Stamford, CT 06902

TIME WARNER TELECOM OF HAWAII, L.P.
dba OCEANIC COMMUNICATIONS
ROCHELLE D. JONES
10475 Park Meadows Drive, #400
Littleton, CO 80124

T-MOBILE WEST CORPORATION
dba T-MOBILE fka VOICESTREAM WIRELESS
DAVID VAN NESS, DIRECTOR, STATE & LOCAL TAX
12920 SE 38th Street
Bellevue, WA 98006-7305

TON SERVICES INC.
GARY BARLOW, CFO & TREASURER
4185 Harrison Boulevard, Suite 301
Ogden, UT 84403

TOTAL CALL INTERNATIONAL, INC.
MARK LEAFSTEDT
707 Wilshire Boulevard, 12th Floor
Los Angeles, CA 90017

TRANS NATIONAL COMMUNICATIONS INTERNATIONAL, INC.
CAMERON NANCE, REG AFFAIRS DEPT.
2 Charlesgate West
Boston, MA 02215

TRANSCOMMUNICATIONS, INCORPORATED
6125 Preservation Drive
Chattanooga, TN 37416

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TRI-M COMMUNICATIONS, INC.
TMC COMMUNICATIONS
RON IRELAND, VP AND CFO
820 State St. 5th Floor
Santa Barbara, CA 93101

TRINSIC COMMUNICATIONS, INC.
fka Z-TEL COMMUNICATIONS, INC.
ROBERT A. CURTIS, VP BUSINESS
601 South Harbour Island Boulevard, Suite 22
Tampa, FL 33602

TTI NATIONAL, INC.
MCI WORLDCOM, INC.
HALEH DAVARY, REGULATORY REPORT
201 Spear Street, 9th Floor
San Francisco, CA 94105

TWIN CITY CAPITAL, LLC
dba SMALL BUSINESS AMERICA
7300 Hudson Boulevard N #265
Saint Paul, MN 55128-7143

UCN, INC. (UNITED CARRIER NETWORKS)
dba BUYERSONLINE, fka BUYERS UNITED, INC.
KIMM PARTRIDGE, CORP. SECRETARY
14870 South Pony Express Drive
Bluffdale, UT 84065

UNIVERSAL ACCESS, INC.
dba UAI OF HAWAII, INC.
JOE DELPRETO, REV ASSURANCE MANAGER
200 South Wacker Drive, Suite 1200
Chicago, IL 60606

UNIVERSAL BROADBAND COMMUNICATIONS, INC.
dba BUSINESS SAVINGS PLAN
GABRIELLE RUELAS, REG. CONTACT
5440 Trabuco Road
Irvine, CA 92620-5704

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US SOUTH COMMUNICATIONS, INC.
WILLIAM C. STOLL, V.P., CFO
250 Williams Street, Suite M-100
Atlanta, GA 30303

VALUE-ADDED COMMUNICATIONS, INC.
KERMIT D. HEATON
3801 E. Plano Parkway, Suite 100
Plano, TX 75074

VARTEC TELECOM, INC.
KEVIN ALLEN, MGR, REG AFFAIRS
c/o KEVIN ALLEN, MANAGER, REGULATORY AFFAIRS
2440 Marsh Lane
Carrollton, TX 75006

VERIZON HAWAII INTERNATIONAL, INC.
fka GTE HAWAIIANTEL INTERNATIONAL INC.
KATHLEEN TILLOU
c/o PATRICIA DEBARROS-KARI
1717 Bishop Street
Honolulu, HI 96841

VERIZON SELECT SERVICES, INC.
fka GTE COMMUNICATIONS CORPORATION
KATHLEEN HODGES, MGR. REGULATORY
1717 Arch Street Floor 22N
Philadelphia, PA 19103

VIA ONE TECHNOLOGIES, INC.
525 Broadway, 5th Floor
New York, NY 10012

VIRGIN MOBILE USA, LLC
MARIE GILHULEY, CONTROLLER
10 Independence Boulevard
Warren, NJ 07059

VITCOM CORPORATION
111 John Street, Suite 1400
New York, NY 10038

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VOICECOM TELECOMMUNICATIONS, LLC
5900 Windward Parkway, Suite 500
Alpharetta, GA 30005

WEST END COMMUNICATIONS, INC.
3001 W. Hallandale Beach Boulevard
Pembroke Park, FL 33009

WESTERN CLEC CORPORATION fka ECLIPSE COMMUNICATION
WESTERN WIRELESS CORPORATION
GENE DEJORDY, ESQ.
One Allied Drive
Little Rock, AR 72202

WIKI WIKI TELECOM, INC.
KARMEN WILLIAMS
1625 B Street
Washougal, WA 98671

WILTEL COMMUNICATIONS, LLC
FKA WILLIAMS COMMUNICATIONS, INC.
LEIGH RODERICK, REGULATORY AFFAIRS
One Technology Center
Mail Drop: TC-7B
Tulsa, OK 74103

WINSTAR OF HAWAII, LLC
KIMBERLY BRADLEY, SR.
520 Broad Street
Newark, NJ 07102

WORKING ASSETS FUNDING SERVICE, INC.
WALTER MCGEE, REGULATORY MANAGER
101 Market Street, Suite 700
San Francisco, CA 94105

X2COMM, INC.
dba DC COMMUNICATIONS
270 South Main Street
Flemington, NJ 08822

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XO COMMUNICATIONS SERVICES, INC.
fka XO LONG DISTANCE SERVICES, INC.
fka NEXTLINK LONG DISTANCE SERVICES, INC.
MICHAEL O'DAY, CHIEF TAX OFFICER
11111 Sunset Hills Road
Reston, VA 20190

ZONE TELECOM, INC.
JILL PAPENHAUSEN, DIR., LEGAL
3 Executive Campus, Suite 520
Cherry Hill, NJ 08002



Karen Higashi

DATED: MAY 12 2006