

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
SPRINTCOM, INC. AND NPCR, INC. )  
To Amend NPCR, Inc.'s Designation )  
as an Eligible Telecommunications )  
Carrier in the State of Hawaii to )  
Include Sprintcom, Inc. in Areas )  
Served by a Non-Rural Telephone )  
Company. )

DOCKET NO. 2007-0402

ORDER NO. 23958

Filed Jan. 7, 2008  
At 11 o'clock A .M.

Karen Higashi  
Chief Clerk of the Commission

DIVISION OF PUBLIC UTILITIES  
REGULATION AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

2008 JAN -9 A 9:29

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ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Karen Higashi



I.

Background

A.

Docket No. 03-0104

On April 25, 2003, NPCR, in In re NPCR, Inc., dba Nextel Partners, Docket No. 03-0104, filed an application requesting that the commission designate it as an eligible telecommunications carrier ("ETC") under federal law; and that it designate certain rural and non-rural service areas referred to in Exhibit E of its application as its service area. NPCR, a provider of commercial mobile radio services within the State of Hawaii, requested the ETC designation as a prerequisite to being eligible to receive federal universal service support.

By Decision and Order No. 21089, filed on June 25, 2004, the commission approved NPCR's request, subject to certain conditions.

On February 7, 2006, the commission, on its own motion, amended the annual reporting requirements set forth in Decision and Order No. 21089, by replacing said requirements with the annual certification requirements adopted by the commission in In re Public Util. Comm'n, Docket No. 05-0243, Decision and Order No. 22228, filed on January 17, 2006.<sup>2</sup>

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<sup>2</sup>Order No. 22274, filed on February 7, 2006. In Docket No. 05-0243; the commission opened an investigation that culminated in the adoption of annual certification requirements that apply to telecommunications providers that have been designated as ETCs by the commission.

B.

Docket No. 2007-0402

By its Application filed on December 4, 2007, Applicants request that the commission "amend the ETC designation granted to NPCR to include Sprintcom for non-rural telephone company areas where NPCR was designated."<sup>3</sup>

In support of their Application, Applicants state:

1. Following NPCR's designation as an ETC, Sprint Nextel Corporation ("Sprint") acquired NPCR. The Federal Communications Commission and the commission approved the transfer of control of the licenses associated with NPCR's service.<sup>4</sup>

2. NPCR and Sprintcom are subsidiaries of Sprint. In Hawaii, NPCR and Sprintcom "are the operating entities that together provide Sprint service."<sup>5</sup> "NPCR, as well as other operating entities providing NEXTEL brand service, have been integrated into Sprint and provide service in conjunction with other Sprint operating entities."<sup>6</sup>

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<sup>3</sup>Application; Verification; Exhibits A - H; and Certificate of Service, filed on December 4, 2007 (collectively, "Application"), at 2.

<sup>4</sup>See In re Sprint Comm. Co. L.P., Docket No. 2006-0052, Decision and Order No. 22466, filed on May 15, 2006; see also In re Sprint Comm. Co., L.P., Docket No. 05-0045, Decision and Order No. 21715, filed on April 4, 2005.

<sup>5</sup>Application, at 2.

<sup>6</sup>Application, at 1-2.

3. Sprintcom meets all of the requirements for ETC designation and will comply with all ETC reporting requirements applicable to NPCR.

4. The granting of the Application "will conform the NPCR designation to subsequent corporate changes, will allow Sprint to provide universal service through both of its Hawaii operating entities, and will allow Sprint to utilize federal universal service funding for the benefit of Hawaii's consumers."<sup>7</sup>

## II.

### Procedural Schedule

Here, the commission finds it prudent and feasible to instruct the Parties to submit a stipulated procedural order for the commission's review and consideration.<sup>8</sup> Alternatively, in the absence of a formal procedural order, the Parties shall, at a minimum, identify their agreed-upon deadlines for the Consumer Advocate and Applicants to file their position and rebuttal statements, respectively, and notify the commission accordingly.

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<sup>7</sup>Application, at 2.

<sup>8</sup>Cf. Docket No. 03-0104, Order No. 20887, filed on April 7, 2004 (directing the Consumer Advocate to file its position statement by a certain date).

III.

Orders

THE COMMISSION ORDERS:

1. Within forty-five days from the date of this Order, the Parties shall submit to the commission a stipulated procedural order, incorporating their agreed-upon schedule with respect to this proceeding.

2. If the Parties are unable to stipulate to such a schedule, each party shall submit a proposed procedural schedule for the commission's consideration by the same date. Alternatively, in the absence of a formal procedural order, the Parties shall, at a minimum, identify their agreed-upon deadlines for the Consumer Advocate and Applicants to file their position and rebuttal statements, respectively, and notify the commission accordingly.

DONE at Honolulu, Hawaii JAN - 7 2008.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By John E. Cole  
John E. Cole, Commissioner

APPROVED AS TO FORM:

Michael Azama  
Michael Azama  
Commission Counsel

By Leslie H. Kondo  
Leslie H. Kondo, Commissioner

2007-0402.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23958 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

JOHN E. MITUS  
MANAGER OFFICE OF ETC  
SPRINT NEXTEL  
6300 Sprint Parkway  
Mailstop KSOPHB0410 - 4B508  
Overland Park, KS 66251

J. DOUGLAS ING, ESQ.  
PAMELA J. LARSON, ESQ.  
LISA S. HIRAHARA, ESQ.  
WATANABE ING & KOMEIJI  
First Hawaiian Center  
999 Bishop Street, 23<sup>rd</sup> Floor  
Honolulu, HI 96813

Counsel for SPRINTCOM, INC. and NPCR, INC.

  
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Karen Higashi

DATED: JAN - 7 2008