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LAWRENCE M. REIFURTH  
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December 5, 2007

Mr. Nate Smith  
President  
Time Warner Entertainment Company, L.P.  
200 Akamainui Street  
Mililani, HI 96789-3999

Dear Mr. Smith:

Re: Letter Order – 6<sup>th</sup> Access Channel for Oahu Cable Franchise Area

In a Letter Order dated July 27, 2007, the Department of Commerce and Consumer Affairs (“**Department**”) directed Time Warner Entertainment Company, L.P. (“**TWE**”) to continue the designation and activation of the 6<sup>th</sup> Access Channel for the Oahu franchise area until December 31, 2007. The Department deferred making a final decision on the 6<sup>th</sup> Channel until it had an opportunity to consider relevant information on access channels arising out of the competitive procurement process for PEG access services.

Since the July 27, 2007 Letter Order, the State Procurement Office (“**SPO**”), on behalf of the Department, issued on July 31, 2007, a Request for Proposals (“**RFP**”) for PEG access services. Access organizations filed protests on the RFP, and the RFP is presently on hold pending resolution of the protests. In addition, Akaku: Maui Community Television (“**Akaku**”) filed three lawsuits against the Department in Maui County regarding the RFP. In an order dated November 15, 2007, the Honorable Joel E. August denied Akaku’s Motion for Preliminary Injunction against the Department. However, he strongly suggested that the Department promulgate an administrative rule that specifies the method the Department will use to designate and select a PEG access organization and the factors or criteria the Department will use to designate and select a PEG access organization. The Department is complying with Judge August’s suggestions and is in the process of promulgating a proposed rule.

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Since the RFP process is still pending, the Department defers its final decision on the 6<sup>th</sup> Channel at this time. The Department therefore directs TWE to continue the designation and activation of the 6<sup>th</sup> Access Channel for the Oahu franchise until **June 30, 2008**. Except as otherwise provided in this Letter Order, the remaining provisions of Decision and Order No. 154 (including but not limited to section 5.2), as amended by Decisions and Orders Nos. 156, 158, 243, 261, 320 and 326, shall continue to remain in full force and effect.

If you have any questions on the above, please contact Mr. Clyde Sonobe, the Cable Administrator, at (808) 586-2620. Thank you for your cooperation and assistance in this matter.

Very truly yours,

Lawrence M. Reifurth  
Director of Commerce and  
Consumer Affairs

c: Kealii Lopez, Olelo  
Clyde S. Sonobe, CATV