BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
VERIZON HAWAII INC. ) DOCKET NO. 02-0138
) (For Approval of Amendment No. 1
) To the Interconnection Agreement
) Between NPCR, INC. dba NEXTEL
) PARTNERS and VERIZON HAWAII INC.)

DECISION AND ORDER NO. 19489

Filed July 26, 2002
At 8:00 o’clock A.M.

Karen Higashl
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
)
VERIZON HAWAII INC. ) Docket No. 02-0138
)
For Approval of Amendment No. 1 ) Decision and Order No. 19489
To the Interconnection Agreement)
Between NPCR, INC. dba NEXTEL )
PARTNERS and VERIZON HAWAII INC.)

DECISION AND ORDER

I.

On May 21, 2002, VERIZON HAWAII INC. (Verizon Hawaii),
aka GTE HAWAIIAN TELEPHONE COMPANY INCORPORATED (GTE Hawaiian
Tel), on behalf of NPCR, INC., dba NEXTEL PARTNERS (NPCR) and
itself (collectively, the parties), submitted for commission
approval Amendment No. 1 to the interconnection agreement between
the parties (Amendment).¹ The Amendment was filed pursuant to
section 252 (e)(1) of the federal Telecommunications Act of 1996
(the Act)² and Hawaii Administrative Rules (HAR) § 6-80-54.

Verizon Hawaii’s petition was served on the DIVISION OF
CONSUMER ADVOCACY of the DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS (Consumer Advocate). On July 18, 2002, the
Consumer Advocate filed its statement of position informing us

¹In its petition, Verizon Hawaii included a letter from NPCR
dated May 9, 2002, joining in Verizon Hawaii’s request and
providing additional information for commission review.

Section references in this decision and order are, thus, to those
in 47 U.S.C., as amended by the Act.
that it does not object to the commission’s approval of the Amendment.

II.

A.

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii (State), and is engaged in the provision of varied telecommunications services to its customers and the general public within its chartered territory in the State. Verizon Hawaii is an incumbent local exchange carrier, as contemplated by § 252 of the Act.

NPCR is a Delaware corporation. By Decision and Order No. 17036, filed on June 15, 1999, in Docket No. 99-0038, the commission granted NPCR a certificate of registration to operate as a commercial mobile radio service (CMRS) provider within the State. In that decision and order, the commission also approved the transfer of assets of Nextel West Corp. (Nextel West) to NPCR, among other things. NPCR is a telecommunications carrier as contemplated by § 252 of the Act.

B.

By Decision and Order No. 16858, filed on February 18, 1999, in Docket No. 98-0387, the commission approved the negotiated interconnection agreement between GTE Hawaiian Tel and Nextel West (Underlying Agreement). The Underlying Agreement was assigned from Nextel West to NPCR as part of the transaction
approved in Decision and Order No. 17036. Thus, due to the
matters of Docket No. 99-0038, the Underlying Agreement became an
agreement between NPCR and Verizon Hawaii.

The Amendment was consummated through voluntary
negotiations between the parties, as contemplated by 47 U.S.C.
§ 252(a). It sets forth new reciprocal compensation rates for
the transport and termination of calls, among other things.

III.

In our review of the Amendment, we are governed by
47 U.S.C. § 252(e) and HAR § 6-80-54. These sections provide
that we may reject a negotiated agreement only if:

(1) The agreement, or any portion of the agreement,
discriminates against a telecommunications carrier
not a party to the agreement; or

(2) The implementation of the agreement, or any
portion of the agreement, is not consistent with
the public interest, convenience, and necessity.

Our review indicates that the parties' Amendment, filed
on May 21, 2002, does not discriminate against other
telecommunications carriers and that the implementation of the
Amendment is consistent with the public interest, convenience,
and necessity. The Consumer Advocate agrees with our assessment
of the Amendment. Furthermore, the Consumer Advocate notes that:
(1) the Amendment appears to be consistent with the
Federal Communications Commission's requirements; and
(2) it believes that the Amendment will allow NPCR to continue
its provision of telecommunications services.

See NPCR's letter dated May 9, 2002.
Based on the above, we conclude that the Amendment, filed on May 21, 2002, should be approved.

IV.

THE COMMISSION ORDERS that the Amendment submitted by Verizon Hawaii on behalf of the parties on May 21, 2002, is approved.

DONE at Honolulu, Hawaii this 26th day of July, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

Wayne H. Kimura, Chairman

Dennis R. Yamada, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Ji Sook Kim
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19489 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
P. O. Box 541
Honolulu, HI 96809

JOEL K. MATSUNAGA
VERIZON HAWAII INC.
P. O. Box 2200
Honolulu, HI 96841

BRENT G. EILEFSON
NPCR, INC.
10120 West 76th Street
Eden Prairie, MN 55344

DATED: July 26, 2002

[Signature]
Catherine Sakato