BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of ----- )
) Docket No. 03-0058
)
PUBLIC UTILITIES COMMISSION ) Order No. 20067
)
Instituting an Investigation )
Into the Availability of )
Experienced Providers of )
Quality Telecommunications )
Relay Services, Pursuant to )
Section 16.6, Hawaii Revised )
Statutes.
)

ORDER NO. 20067

Filed March 7, 2003
At 1:30 o’clock P.M.

Chief Clerk of the Commission

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

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ORDER

I.

Pursuant to Act 207, 1988 Session Laws of Hawaii, which required a program to achieve a telephone relay service, and Decision and Order No. 10263, filed on June 29, 1989 in Docket No. 6440, Verizon Hawaii Inc. (fka GTE Hawaiian Telephone Company Inc.) began providing telecommunications relay services (TRS) on July 1, 1989. Two years later, in accordance with Act 295, 1989 Session Laws of Hawaii, the commission issued Order No. 11645, filed on June 1, 1992 in Docket No. 7320, which initiated an investigation into the availability of experienced providers of quality TRS and released a request for proposal entitled Specifications and Instructions for Submission of a Proposal to Provide Telecommunications Relay Services for the State of Hawaii (CRFP). On June 30, 1992, the commission issued Order No. 11698, allowing Verizon to continue providing TRS until July 31, 1992. On July 31, 1992, the commission issued
By letter, dated and filed on February 24, 2003, Verizon Hawaii Inc. (Verizon) gave the commission its formal 90 days prior written notice that it was exercising its option, pursuant to Order No. 11645\(^1\) to terminate its TRS service in Hawaii. Verizon intends to terminate its TRS service in July, 2003.

II.

Hawaii Revised Statutes (HRS) § 269-16.6 requires the commission to investigate the availability of experienced providers of quality TRS and select the best qualified provider of such services. Hawaii Administrative Rules (HAR) § 6-61-71 allows the commission to investigate any matters subject to its jurisdiction. Accordingly, in light of Verizon’s recent notice to terminate its TRS service in Hawaii, and pursuant to HRS § 269-16.6 and HAR § 6-61-71, the commission will institute an investigation into the availability of experienced providers of quality TRS.

Moreover, to assist the commission in among other things, ensuring uninterrupted provision of relay services for the deaf, hearing-impaired, and speech-impaired, the commission

\(^1\)See RFP attached as Exhibit I, Section II, Paragraph C.3 to Order No. 11645.
concludes that the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (Consumer Advocate) and Verizon should be made parties to this proceeding.

To aid in the efficient and expedited disposition of the instant proceeding, we find it also necessary to establish certain procedures immediately such as protective orders. Thus, if the parties desire to protect the confidentiality of information that is protected from disclosure under chapter 92F, HRS, or by law, the parties should meet informally to formulate a stipulated protective order, pursuant to MAR § 6-61-50, that shall be submitted for commission approval within 5 days from the date of this order. In the alternative, if the parties are unable to stipulate to such order, we conclude that each party shall submit a proposed protective order for the commission's consideration within 5 days from the date of this order.

III.

THE COMMISSION ORDERS:

1. A proceeding is instituted to investigate the availability of quality TRS providers.

2. The Consumer Advocate and Verizon shall be parties to this proceeding.

3. If desired, the Consumer Advocate and Verizon shall meet informally to formulate a stipulated protective order, pursuant to HAR § 6-61-50, that shall be submitted for commission approval within 5 days from the date of this order. If the parties to this docket are unable to stipulate to such an order,
each party shall submit a proposed protective order for the commission's consideration by the same date. A "qualified person" as defined in the stipulated protective order or proposed protective order shall include, among other persons, actual and potential bidders interested in providing TRS services in Hawaii in accordance with the new specifications and requirements to be established in this docket.

DONE at Honolulu, Hawaii this 7th day of March, 2003.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By (EXCUSED)
Wayne H. Kimura, Chairman

By Janet E. Kawelo, Commissioner

By Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Kevin M. Katsura
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20067 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
VICE PRESIDENT-EXTERNAL AFFAIRS
VERIZON HAWAII INC.
P. O. Box 2200
Honolulu, HI 96841

DATED: March 7, 2003

Karen Higashi