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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

----- In the Matter of -----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting a Proceeding of)
Commercial Mobile Radio)
Service ("CMRS") Providers in)
The State of Hawaii, Including)
An Investigation to Determine)
Whether it is Consistent with)
The Public Interest to Exempt)
CMRS Providers, their)
Services, or Both, from Any)
Provisions of Hawaii)
Revised Statutes Chapter 269.)
_____)

DOCKET NO. 03-0186

ORDER NO. 20728

Filed Jan. 5, 2004
At 1:00 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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| PUBLIC UTILITIES COMMISSION) | Docket No. 03-0186 |
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| Commercial Mobile Radio) | |
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| Provisions of Hawaii) | |
| Revised Statutes Chapter 269.) | |
| _____) | |

ORDER

I.

3rd Joint Motions to Amend Stipulated Regulatory Schedule

As of the date of this order, the parties in this docket are as follows: (1) AT&T WIRELESS PCS, LLC ("AT&T Wireless PCS"); (2) AT&T WIRELESS SERVICES OF HAWAII, INC. ("AT&T Wireless Hawaii"); (3) CELLCO PARTNERSHIP, dba VERIZON WIRELESS ("Verizon Wireless"); (4) NEXTEL WEST CORPORATION ("Nextel West"); (5) NPCR, INC. ("NPCR"); (6) SPRINTCOM, INC., dba SPRINTPCS ("SprintPCS"); (7) T-MOBILE USA, INC. ("T-Mobile"); (8) GENERAL TELCOURIER, INC., dba PAGER ONE; (9) ISLAND PAGE, INC.; (10) ARCH WIRELESS OPERATING COMPANY, INC. (fka, MOBILE COMMUNICATIONS CORPORATION OF AMERICA, dba RAM PAGING HAWAII); (11) MOBILE ONE, INC.; (12) VERIZON HAWAII INC.; (13) AT&T COMMUNICATIONS OF HAWAII, INC.; and (14) the

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF
CONSUMER ADVOCACY ("Consumer Advocate") (collectively, "Parties").

On December 4, 2003, the commission issued Order No. 20702 (as amended by Order No. 20709, filed on December 10, 2003) granting AT&T Wireless PCS', AT&T Wireless Hawaii's, Verizon Wireless', Nextel West's, NPCR's, SprintPCS', T-Mobile's, and the Consumer Advocate's (collectively, "Joint Parties") 2nd Joint Motions to Amend Stipulated Regulatory Schedule. Specifically, the Stipulated Regulatory Schedule (Exhibit "A") that was approved, adopted, and made part of Procedural Order No. 20563, filed on October 7, 2003, was amended to, among other things, extend the "Stipulation, if any, submitted to PUC" deadline from "Wednesday, November 19, 2003" to "Friday, December 12, 2003."

On December 11, 2003, AT&T Wireless PCS and AT&T Wireless Hawaii, on behalf of the Joint Parties, filed a written request to further extend the "Stipulation, if any, submitted to PUC" deadline from "Friday, December 12, 2003" to "Friday, December 19, 2003." Because the above-referenced written request is, in substance, similar to the Joint Parties' 1st and 2nd Joint Motions to Amend Stipulated Regulatory Schedule, we deem this written request as the Joint Parties' 3rd Joint Motions to Amend Stipulated Regulatory Schedule.

On December 18, 2003, AT&T Wireless PCS and AT&T Wireless Hawaii, on behalf of the Joint Parties, amended their Joint Parties' 3rd Joint Motions to Amend Stipulated Regulatory Schedule to further extend the "Stipulation, if any, submitted to PUC" deadline to "Wednesday, January 21, 2004" and the "Simultaneous

Final Position Statement of the Parties on Issues not resolved" to "Friday, January 23, 2004."

II.

Discussion

In the Joint Parties' 3rd Joint Motions to Amend Stipulated Regulatory Schedule, as amended, the Joint Parties represent that the extension of time, described above, is necessary "to provide additional time for all parties to review and comment on the form of stipulation to ensure that the positions and recommendations accurately reflect the agreements reached among them."

Upon review, we find the Joint Parties' request to be reasonable, and, thus, conclude that the Joint Parties' 3rd Joint Motions to Amend Stipulated Regulatory Schedule, as amended, should be granted.¹ As such, we conclude that the Stipulated Regulatory Schedule (Exhibit "A") that was approved, adopted, and made part of Procedural Order No. 20563 should be amended as follows:

| <u>Date</u> | <u>Duration</u> | <u>Procedural Steps</u> |
|-----------------------------|-----------------|---|
| Wednesday, January 21, 2004 | 63 | Stipulation, if any, submitted to PUC |
| Friday, January 23, 2004 | 2 | Simultaneous Final Position Statement of the Parties on Issues not resolved |

¹In light of Hawaii Revised Statutes § 269-16.9(b) which charges the commission to, among other things, expedite the regulatory process, where practicable, we must advise the Parties that the commission is not inclined to approve any further requests for extensions or amendments of Procedural Order No. 20563 unless necessary to prevent manifest injustice.

In all other respects, Procedural Order No. 20563 shall remain unchanged.

III.

Orders

THE COMMISSION ORDERS:

1. The Joint Parties' 3rd Joint Motions to Amend Stipulated Regulatory Schedule, as amended, are granted.

2. The Stipulated Regulatory Schedule (Exhibit "A") that was approved, adopted, and made part of Procedural Order No. 20563 shall be amended consistent with the new deadlines and duration time periods established by this order. In all other respects, Procedural Order No. 20563 shall remain unchanged.

DONE at Honolulu, Hawaii this 5th day of January, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By Wayne H. Kimura
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Kris N. Nakagawa
Kris N. Nakagawa
Commission Counsel

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

03-0186.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20728 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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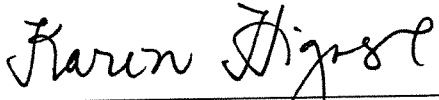
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DATED: January 5, 2004