

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
TIME WARNER TELECOM OF HAWAII, L.P.)
 dba OCEANIC COMMUNICATIONS)
)
For Authority to Implement Tariff)
Changes. Transmittal No. 03-09.)
_____)

DOCKET NO. 03-0363

ORDER NO. 20959

Filed May 4, 2004
At 1:00 o'clock P.M.

Karen Higzel.
Clerk of the Commission

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

2004 MAY -4 P 4: 51

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OF THE STATE OF HAWAII

In the Matter of the Application of)
TIME WARNER TELECOM OF HAWAII, L.P.) Docket No.03-0363
dba OCEANIC COMMUNICATIONS)
For Authority to Implement Tariff) Order No. 20959
Changes. Transmittal No. 03-09)

ORDER

I.

Introduction

On September 11, 2003, TIME WARNER TELECOM OF HAWAII, L.P., dba OCEANIC COMMUNICATIONS ("Oceanic Communications") filed transmittal number 03-09, requesting commission approval to amend its Tariff No. 2 - Local Services to introduce the "Time Warner Telecom 4th Quarter 2003" Promotion. Oceanic Communications served copies of the transmittal on the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"). Oceanic Communications requested that transmittal number 03-09 become effective on October 11, 2003.

By Order No. 20558, filed on October 7, 2003, the commission suspended transmittal number 03-09, pending further commission review, and opened the instant docket.

On January 28, 2004, the Consumer Advocate issued information requests upon Oceanic Communications, to which Oceanic Communications did not respond. On March 19, 2004, the Consumer Advocate wrote to Oceanic Communications requesting

written confirmation that it intended to withdraw transmittal number 03-09 from commission consideration.¹ On April 16, 2004, Oceanic Communications wrote to withdraw transmittal number 03-09, and stated the company "will not be offering [the "4th Quarter 2003 Promotion"] in Hawaii." In light of Oceanic Communications' request, on April 22, 2004, the Consumer Advocate withdrew the information requests submitted to Oceanic Communications on January 28, 2004.

Upon review, the commission will: (1) approve the request to withdraw the application; and (2) close the instant docket.

II.

Orders


THE COMMISSION ORDERS:

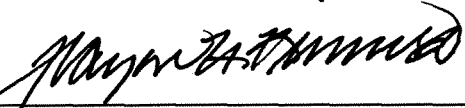
1. Oceanic Communications' April 16, 2004 request to withdraw its application, filed as transmittal number 03-09 on September 11, 2003, is approved.
2. This docket is closed.

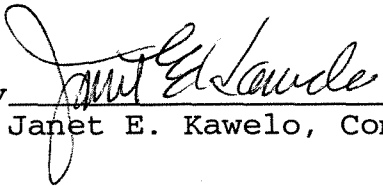
¹The Consumer Advocate notes in its letter that it was informed by Oceanic Communications' Vice President - Regulatory that Oceanic Communications had withdrawn transmittal number 03-09. The Consumer Advocate further states that as of March 19, 2004, it had not received any documentation that Oceanic Communications had withdrawn the instant application.

DONE at Honolulu, Hawaii this 4th day of May, 2004.

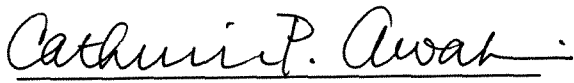
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Catherine P. Awakuni
Commission Counsel

03-0363.eh

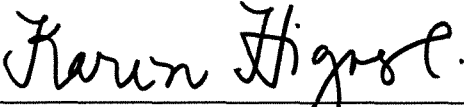
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20959 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

CONNIE WIGHTMAN
TECHNOLOGIES MANAGEMENT INC.
210 Park Avenue North
Winter Park, FL 32789

Consultant to Time Warner Telecom of Hawaii, L.P.,
dba Oceanic Communications



Karen Higashi

DATED: May 4, 2004