

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
VERIZON HAWAII INC. )  
For approval of Amendment No. 3 to )  
the Interconnection Agreement )  
between AT&T Wireless Services, )  
Inc. and Verizon Hawaii Inc. )

DOCKET NO. 04-0160

DECISION AND ORDER NO. 21353

Filed Sept. 17, 2004  
At 11 o'clock A.M.

*for* Brooke K. Kane  
Chief Clerk of the Commission

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

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ATTEST: A True Copy  
BROOKE K. KANE  
Administrative Director  
Public Utilities Commission  
State of Hawaii

Brooke K. Kane

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In the Matter of the Application of)	)	
VERIZON HAWAII INC.	)	Docket No. 04-0160
For approval of Amendment No. 3 to	)	Decision and Order No. <b>21353</b>
the Interconnection Agreement	)	
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Inc. and Verizon Hawaii Inc.	)	
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DECISION AND ORDER

I.

Introduction

On July 2, 2004, VERIZON HAWAII INC. ("Verizon Hawaii" or "Applicant") requests commission approval of Amendment No. 3 to the interconnection agreement ("Original Agreement"), between AT&T Wireless of Hawaii Inc. ("AWS") and Verizon Hawaii.<sup>1</sup> Applicant makes its request in accordance with 47 United States Code ("U.S.C.") § 252(e) and Hawaii Administrative Rules ("HAR") § 6-80-54.

Copies of the Amendment No. 3 were served on the Department of Commerce and Consumer Affairs, Division of

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<sup>1</sup>Applicant's application, filed on July 2, 2004. Initially, Applicant stated in its application that the Original Agreement was approved by the commission by Decision and Order No. 15699, filed on July 11, 1997, in Docket No. 97-0155. However, Applicant later confirmed, by telephone, that it agreed with the Consumer Advocate's correction to the record, that it the Original agreement was actually approved by the commission by Decision and Order No. 17580, filed on January 14, 2000, in Docket No. 99-0358.

Consumer Advocacy ("Consumer Advocate"). On July 21, 2004, the Consumer Advocate filed a Statement of Position ("SOP") indicating that it does not object to the commission's approval of Amendment No. 3. In accordance with 47 U.S.C. § 252(e), if a State commission does not act to approve or reject a negotiated interconnection agreement within 90 days after the agreement is submitted to the commission, "the agreement shall be deemed approved."<sup>2</sup> The 90<sup>th</sup> day deadline governing the commission's review is on or about September 30, 2004.

## II.

### Background

Verizon Hawaii is a corporation duly organized and existing under and by virtue of the laws of the State of Hawaii, and is engaged in the provision of varied telecommunication services to its customers and the general public within its chartered territory in the State. Verizon Hawaii is an incumbent local exchange carrier as defined by 47 U.S.C. § 252.

AWS is a certified provider of commercial radio mobile services in the State of Hawaii, and a telecommunications carrier as defined by 47 U.S.C. § 252.

Applicant asserts that Amendment No. 3 allows AWS to provide E911 service to its end users and customers using the systems and databases established and maintained by Verizon Hawaii. In its SOP, the Consumer Advocate states that it does not object to the approval of Amendment No. 3 because:

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<sup>2</sup>Accord, HAR § 6-80-42(c).

(1) it is consistent with applicable Federal Communications Commission rulings; (2) it does not appear to discriminate against a carrier not party to the agreement, and (3) implementation of E911 emergency services is in the best interest for the public and necessary for public safety and conveniences for wireless customers.

Upon review, the commission finds that Amendment No. 3 does not discriminate against other telecommunications carriers and the implementation of the amended agreement is consistent with the public interest, convenience, and necessity. Accordingly, the commission will approve Amendment No. 3.

### III.


#### Orders

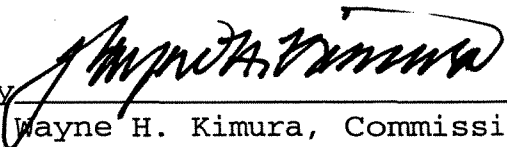
##### THE COMMISSION ORDERS:

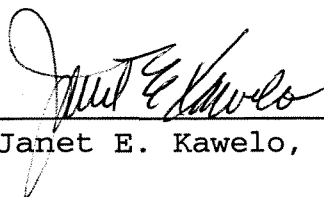
1. Amendment No. 3 to the negotiated interconnection agreement between Verizon Hawaii and AWS, submitted on July 2, 2004, is approved.
2. This docket is closed.

DONE at Honolulu, Hawaii SEP 17 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:

  
Kevin M. Katsura  
Commission Counsel

04-0160.eh


CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21353 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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for \_\_\_\_\_  
Karen Higashi

DATED: SEP 17 2004