

On August 4, 2005, Hawaiian Telcom filed the Transmittal to change the company's name to Hawaiian Telcom and incorporate typographical corrections. Hawaiian Telcom filed the Transmittal pursuant to Hawaii Revised Statutes ("HRS") § 269-16, as amended, and Hawaii Administrative Rules ("HAR") § 6-61-111. Hawaiian Telcom proposes an effective date of September 6, 2005.

Hawaiian Telcom served the Consumer Advocate with copies of the Transmittal.

II.

Transmittal

Hawaiian Telcom seeks to systematically change throughout P.U.C. Access Tariff No. 1 ("Tariff") all references under which it provided services prior to the close of the merger transaction from its predecessor entities to Hawaiian Telcom. Moreover, it seeks to incorporate typographical corrections made to the Tariff.³

other Federal Executive Agencies; (3) Pacific Lightnet, Inc.; (4) Time Warner Telecom of Hawaii, L.P., dba Oceanic Communications; (5) Jeremiah C. Genovia; (6) Charles K. Hekekoa, Jr.; and (7) the International Brotherhood of Electrical Workers, Local 1357.

³To ease review of the proposed changes, Hawaiian Telcom marked: (1) name changes with a "C"; and (2) typographical corrections with a "T". Hawaiian Telcom represents that its proposed tariff revisions do not include any changes to its rates or regulations for service.

III.

Discussion

Under HAR § 6-61-111, at least thirty (30) days notice must be provided before any changes or additions to a public utility's tariff (aside from those that result in an increase in rates, fares, or charges) become or can be effective. See also HRS §§ 269-12(b) and 269-16(a) and (b). This thirty (30)-day timetable begins upon the utility's filing of the transmittal and proposed tariff changes with the commission. Under HAR § 6-61-61, any person may file a protest or opposition to the proposed tariff changes filed under HAR § 6-61-111 through written notification to the commission and serving its protest upon the utility or its agent within fifteen (15) days of the effective date of the proposed tariff changes.

Hawaiian Telcom's request to systematically amend its Tariff to reflect its new name upon close of the merger transaction and incorporate known typographical corrections appears reasonable. We note that no protest or opposition to Hawaiian Telcom's Transmittal was filed within the time permitted under HAR § 6-61-61.⁴ However, we make clear that our determination with regards to this matter is based on Hawaiian Telcom's representation that the tariff revisions proposed in the Transmittal do not change or affect its current commission-approved rates, charges, and regulations.

⁴The deadline to file a protest objecting to Hawaiian Telcom's proposed tariff changes was August 22, 2005.

Accordingly, the commission will allow the Transmittal to take effect on September 6, 2005, under HAR § 6-61-111 and HRS § 269-16(b); provided that if there are any changes incorporated in the Tariff that are not expressly and specifically referenced and approved in this Decision and Order, such changes are null, void, and of no force and effect. Moreover, during our review of the Tariff the commission discovered certain additional non-substantive changes that Hawaiian Telcom should incorporate. Accordingly, we will require Hawaiian Telcom to re-review and incorporate, as necessary, the following corrections into its Tariff:

1. **Access Tariff No. 1; Section 4; 3rd Revised Sheet 246** -- Delete the notation "(M) Material previously appeared on Sheet 247" (on the bottom of the sheet) since with the revised sheet there are no longer any "M" designated materials; and
2. **Access Tariff No. 1; Section 4; 3rd Revised Sheet 247** -- Delete the notation "(M) Material previously appeared on Sheet 246" (on the bottom of the sheet) since with the revised sheet there are no longer any "M" designated materials.

IV.

Orders

THE COMMISSION ORDERS:

1. Transmittal No. 05-28, filed on August 4, 2005, regarding Hawaiian Telcom's proposed tariff changes as set forth

in Exhibit 1 of the Transmittal, shall be allowed to take effect, effective from September 6, 2005; provided that any changes incorporated in the revised Tariff that are not expressly and specifically referenced and approved in this Decision and Order, are null, void, and of no force and effect.


2. Hawaiian Telcom shall re-review and incorporate, into the revised Tariff, as necessary, the corrections noted in Section III, above.

3. Hawaiian Telcom shall promptly file its revised Tariff, under the conditions and requirements set forth in this Decision and Order, with appropriate issued and effective dates. Hawaiian Telcom's submission must comply with all applicable filing requirements of HAR Chapters 6-61 and 6-80.

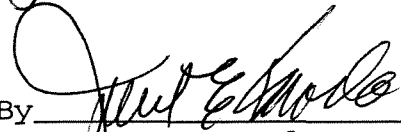
DONE at Honolulu, Hawaii SEP - 2 2005.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By 
Janet E. Kawelo, Commissioner


Ji Sook Kim
Commission Counsel

Hawaiian Telcom,eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22006 upon the following Petitioners, 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
HAWAIIAN TELCOM, INC.
P. O. Box 2200
Honolulu, HI 96841



Karen Higashi

DATED: September 2, 2005