

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

HAWAIIAN TELCOM, INC.)

DOCKET NO. 2007-0233

For Approval of Changes to its)
Tariff. Transmittal No. 07-16.)
_____)

PROCEDURAL ORDER NO. 23895

Filed Dec. 18, 2007

At 1 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.

Karen Higashi.

In the Matter of the Application of)
HAWAIIAN TELCOM, INC.)
For Approval of Changes to its)
Tariff. Transmittal No. 07-16.)

Procedural Order No. 23895

The commission issues this Procedural Order to govern the issues, procedural schedule, and procedures for this proceeding.¹

Hawaiian Telcom is the incumbent provider of telecommunications services within the State of Hawaii ("State"). TWTC is a facilities-based, competitive provider of interstate and intrastate telecommunications services, including dedicated access (private line) and local exchange services. TWTC purchases unbundled network elements, including DS1 loop elements, from Hawaiian Telcom as part of its provisioning of competitive telecommunications services within the State.

¹The Parties are HAWAIIAN TELCOM, INC. ("Hawaiian Telcom" or "HT"), TIME WARNER TELECOM OF HAWAII, L.P. ("TWTC"), and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate" or "CA"), an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62(a).

TWTC currently provides telecommunications services to the State Judiciary ("Judiciary"). As asserted by TWTC: (1) Hawaiian Telcom, TWTC, and Pacific LightNet, Inc., all submitted bids for the Judiciary contract; and (2) at the bid opening, the rates submitted by each telecommunications carrier were revealed, and the rates submitted by Hawaiian Telcom, as reflected in Transmittal No. 07-16, were substantially below the rates submitted by Pacific LightNet, Inc. and TWTC.

On September 12, 2007, Hawaiian Telcom filed its partial responses to the Consumer Advocate's informal information requests, explaining that certain of its responses "contain confidential information which will be filed upon the issuance of a protective order in this proceeding."²

By Order No. 23693, filed on October 3, 2007, the commission granted intervention to TWTC, subject to certain conditions:

TWTC is expressly cautioned that its participation as an intervenor in this docket will be limited to the issues raised in this proceeding. The commission will preclude any effort by TWTC to unreasonably broaden the issues, or unduly delay the proceeding, and will reconsider its participation in this docket if, at any time during the course of this proceeding, the commission determines that TWTC is unreasonably broadening the pertinent issues raised or unduly delaying the proceeding.

Order No. 23693, at 14.

²Hawaiian Telcom's letter, dated September 12, 2007, at 1.

In addition, by Order No. 23693, the commission instructed the Parties to submit, by October 31, 2007, a stipulated procedural order, or separate proposals by the same date, in the event that they were unable to agree on a joint procedural order.³

On November 8, 2007, the commission issued Protective Order No. 23816, following the competitors' inability to reach agreement on a stipulated protective order.

Hawaiian Telcom and the Consumer Advocate (collectively, the "Stipulating Parties") reached agreement on a proposed procedural order, but were unable to reach an agreement with TWTC. Thus, on November 19, 2007: (1) the Stipulating Parties' Proposed Procedural Order was filed by Hawaiian Telcom;⁴ and (2) TWTC filed its Proposed Procedural Order.

³The commission subsequently granted the Parties' request for an extension of time, from October 31, 2007 to November 19, 2007, to submit their stipulated procedural order, or separate proposals. See Parties' joint letter, dated October 31, 2007; and Commission letter, dated November 15, 2007.

⁴See Hawaiian Telcom's letter, dated November 19, 2007; and Hawaiian Telcom's letter, dated November 20, 2007, transmitting an executed copy of the Stipulating Parties' Proposed Procedural Order.

II.

Issues

The commission, in Order No. 23693, identified the issues as follows:

. . . in the commission's view, the underlying issues at this juncture are whether Hawaiian Telcom's proposal complies with HAR §§ 6-80-33 and 6-80-37, which state:

§6-80-33 Pricing - noncompetitive services.
Pricing for noncompetitive services:

- (1) Is subject to rate of return regulation or to such other form of pricing, as authorized by the commission;
- (2) Must be cost-based and just and reasonable;
- (3) Must conform to the applicable requirements of §§269-12 and 269-16, HRS; and
- (4) Must not cross-subsidize any competitive service as proscribed in §6-80-35.

.

§6-80-37 Nondiscrimination in the provision of telecommunications services.
A telecommunications carrier shall not unreasonably discriminate among its customers in offering or providing any competitive or noncompetitive telecommunications services. It shall offer or provide its service under the same rates, terms, and conditions to all customers similarly situated or within a reasonably constituted class.

HAR §§ 6-80-33 and 6-80-37. See also
HAR § 6-80-42 (cost studies).

Order No. 23693, at 13.

In general, the Stipulating Parties propose one issue with three sub-issues, while TWTC proposes two issues with three sub-issues per issue. The Parties agree on the following issue and three sub-issues:

1. Whether the rates in Hawaiian Telcom's proposed tariff are just and reasonable. Within this issue are the following sub-issues:
 - a. Whether the rates comply with HAR § 6-80-33.
 - b. What form of pricing regulation governs the proposed rates.
 - c. Are the proposed rates cost-based.

In addition, TWTC proposes the following issue and three sub-issues:

2. Whether the rates in Hawaiian Telcom's proposed tariff are unreasonably discriminatory.
 - a. What is the appropriate contract term on which to analyze the proposed rates.
 - b. What rates have Hawaiian Telcom charged to other customers for ISDN-PRI DS1 service during the last two years.
 - c. If the rate under the proposed tariff differs from the rates charged by Hawaiian Telcom to other customers for ISDN-PRI DS1 service during the last two years, what differences in the customer's circumstance, if any, justify the difference in rates.

The Parties' Issue No. 1 and related sub-issues appear consistent with the initial issue identified by the commission in Order No. 23693, relating to HAR § 6-80-33. Hence, the commission adopts the Parties' stipulated Issue No. 1 and related sub-issues.

TWTC's Issue No. 2 is also consistent with the second issue identified by the commission in Order No. 23693, relating to HAR § 6-80-37. The commission, thus, will adopt TWTC's Issue No. 2, modified to specifically refer to HAR § 6-80-37. The scope of Issue No. 2, as modified by the commission, is broad. Accordingly, the commission declines to adopt as unnecessary the sub-issues to Issue No. 2 proposed by TWTC.⁵

Lastly, Transmittal No. 07-16 lists the proposed monthly recurring charges as \$4,800 to \$14,400, "[d]ependent on [u]nits." TWTC, in a subsequent Hawaiian Telcom transmittal, Transmittal No. 07-22, filed on October 24, 2007, contended that this type of information is insufficient for TWTC to determine the reasonableness of the price for the service because

⁵In addition, the sub-issues proposed by TWTC to Issue No. 2 appear inconsistent with the commission's pertinent ruling in Protective Order No. 23816, which provides:

As an additional safeguard, the commission will limit the disclosure of confidential information sought by TWTC to the cost and pricing information directly related to the ISDN custom arrangement for Customer ID #2007-500220. Thus, at this juncture, the commission denies access to Hawaiian Telcom's confidential information on its other primary rate interface contracts.

Protective Order No. 23816, at 17.

Hawaiian Telcom specifies only a range for the monthly recurring charge, and not the price per PRI for the service, i.e., the monthly recurring charges per line for the service.⁶ The commission intends to address this issue raised by TWTC, as it applies to Hawaiian Telcom's Transmittal No. 07-16.

Based on the foregoing discussion, the issues for this proceeding are identified by the commission as follows:

1. Whether the rates in Hawaiian Telcom's proposed tariff are just and reasonable. Within this issue are the following sub-issues:
 - a. Whether the rates comply with HAR § 6-80-33.
 - b. What form of pricing regulation governs the proposed rates.
 - c. Are the proposed rates cost-based.
2. Whether the rates in Hawaiian Telcom's proposed tariff comply with HAR § 6-80-37.
3. Whether Hawaiian Telcom's proposed tariff, which presently specifies the range for the monthly recurring charge, should specify the price per PRI for the service, i.e., the monthly recurring charges per line for the service, under HRS §§ 269-12(b), 269-16(b), and HAR § 6-80-39(c)(3).

III.

Schedule of Proceedings

The Stipulating Parties and TWTC do not agree on the procedural schedule to govern this proceeding, following the issuance of this Procedural Order.

⁶See Order No. 23854, filed on November 28, 2007 (Public Utilities Tariff Order).

The Stipulating Parties propose that:

(1) Hawaiian Telcom submit its confidential responses to the Consumer Advocate's informal information requests; (2) TWTC and the Consumer Advocate serve one round of information requests to Hawaiian Telcom; (3) TWTC and the Consumer Advocate file their position statements; (4) Hawaiian Telcom serves one round of information requests to TWTC and the Consumer Advocate; and (5) Hawaiian Telcom files its reply position statement.

In addition, the Stipulating Parties propose that:

. The Parties waive a right to hearing. However, the Parties recognize that the [commission], in its discretion, may order a hearing on all or some of the issues. If the [commission] determines that a hearing might be called for, the Parties request the opportunity to address the [commission] on whether a hearing is necessary at that time.

Stipulating Parties' Proposed Procedural Order, Exhibit B, at 1-2.

Conversely, TWTC proposes that: (1) Hawaiian Telcom submit its confidential information filed so far with the commission to TWTC; (2) TWTC and the Consumer Advocate serve two rounds of information requests to Hawaiian Telcom; (3) TWTC and the Consumer Advocate file their position statements; (4) the Parties serve information requests to TWTC and the Consumer Advocate; (5) the Parties file their reply position statements; and (6) the Parties serve information requests in response to the reply position statements. Thereafter, TWTC proposes the scheduling of a prehearing conference and evidentiary hearing, followed by the simultaneous filing of post-hearing opening and reply briefs. TWTC states

that while it may eventually agree to waive a hearing on the issues, depending on the information that is submitted in this proceeding, it is not consenting to such a waiver at this time. Thus, it requests that the Procedural Order include the possibility of an evidentiary hearing.

The primary purpose of the procedural schedule is to aid the commission in the efficient disposition of this proceeding,⁷ and to preclude TWTC from unreasonably broadening the issues, or unduly delaying this proceeding. Applying these underlying principles herein, the commission adopts the following procedural schedule to govern this proceeding:

<u>Procedural Steps</u>	<u>Date</u>
1. Procedural Order issued	
2. HT submits confidential responses to CA's informal information requests ("IRs") to the CA and TWTC; subject to Protective Order No. 23816	by December 21, 2007
HT submits confidential information filed thus far, to TWTC; subject to Protective Order No. 23816	by December 21, 2007
3. Parties' issuance of IRs, 1 st set	by January 2, 2008
4. Parties' responses to IRs, 1 st set	by January 16, 2008
5. Parties issuance of clarifying IRs, 2 nd set	by January 23, 2008
6. Parties' responses to clarifying IRs, 2 nd set	by February 6, 2008
7. TWTC and CA's position statements*	by February 22, 2008
8. Parties' issuance of IRs, 3 rd set, in response to position statements	by February 29, 2008

⁷See HAR § 6-61-1; cf. HAR § 6-61-36(7).

<u>Procedural Steps</u>	<u>Date</u>
9. Parties' responses to IRs, 3 rd set	by March 14, 2008
10. HT's reply position statement*	by March 24, 2008
*To the extent applicable, the position statements and reply position statement shall identify the witness or witnesses who are sponsoring the subject-matter contained in each section of the respective position statements, consistent with Section IV.C, Witnesses, below.	
11. TWTC to notify the commission and other parties on whether it waives the evidentiary hearing**	by March 31, 2008
**In the event that TWTC does not waive the evidentiary hearing, the commission may, on its own motion, amend this Procedural Order by requiring the Parties to file written testimonies prior to the evidentiary hearing.	
12. Prehearing conference (if necessary)	To be scheduled by the commission
13. Evidentiary hearing (if necessary)	To be scheduled by the commission
14. Parties' post-hearing briefs (if necessary)	Three weeks following the filing of the official transcripts

In general, the procedural schedule reflects: (1) the Stipulating Parties' proposal for TWTC and the Consumer Advocate to file their position statements, with Hawaiian Telcom filing a reply position statement; (2) TWTC's proposal for the issuance of two rounds of information requests, prior to the filing of TWTC and the Consumer Advocate's position statements (i.e., the 1st and 2nd sets); (3) the Parties' proposal to issue one round of information requests following the filing of TWTC and the Consumer Advocate's position statements (i.e., the 3rd set); and (4) the Stipulating Parties' proposal of no further information requests following the filing of the reply position

statement by Hawaiian Telcom. In addition, because TWTC does not presently waive an evidentiary hearing, TWTC must, following the filing of Hawaiian Telcom's reply position statement, notify the commission, Hawaiian Telcom, and the Consumer Advocate as to whether it waives the evidentiary hearing. Concomitantly, the commission reiterates its intention to reconsider TWTC's participation as an intervenor in this proceeding, "if, at any time during the course of this proceeding, the commission determines that TWTC is unreasonably broadening the pertinent issues raised or unduly delaying the proceeding."⁸

IV.

Miscellaneous Matters to Facilitate and Expedite the Orderly Conduct of these Proceedings

Section IV consists of five sub-sections, four of which the Parties agree-upon, governing Matters of Public Record (sub-section B); Copies of Filings and Information Requests (sub-section E); Communications (sub-section F); and General (sub-section G). For sub-section A, governing Requests for Information, the Parties agree on most of the language, except that TWTC proposes the following additional sentence, which the Stipulating Parties object to:

Notwithstanding the foregoing or the provisions of [sub-section B, Matters of Public Record,] below, if data that is already on file with the commission has been filed by Hawaiian Telcom on a confidential basis such that the requesting

⁸Order No. 23693, at 14.

party does not have access to the document, Hawaiian Telcom shall be required to reproduce the document in this proceeding, subject to the terms of the protective order governing this docket.

TWTC's Proposed Procedural Order, at 3.

Lastly, consistent with its request for a hearing, TWTC proposes two additional sub-sections, governing Witnesses (sub-section C) and Hearing; Order of Examination (sub-section D), respectively, which are objected to by the Stipulating Parties as unnecessary.

Upon review, the commission adopts: (1) the four sub-sections (B, E, F, and G) agreed-upon by the Parties; (2) sub-section A, as proposed by the Stipulating Parties;⁹ and (3) the two additional sub-sections (C and D) proposed by TWTC, provided that TWTC must notify the commission and other parties as to whether it waives the evidentiary hearing, consistent with Section III, Procedural Step No. 11, above.¹⁰

Based on the foregoing reasons, the commission adopts the procedures set forth below to govern this proceeding.

⁹For sub-section A, the commission specifies that the issuance of any additional information requests "[a]fter the scheduled date for submitting information requests has passed," and the submission of any belated responses to information requests, are subject to the commission's approval or upon its own motion, consistent with Section IV.G, General, below. In addition, the commission finds that the adoption of the disputed language proposed by TWTC for sub-section A is unnecessary, given that this subject-matter is already covered by: (1) Section III, Procedural Step No. 2, of this Procedural Order; and (2) Protective Order No. 23816.

¹⁰If TWTC does not waive the evidentiary hearing, the commission intends to hold a prehearing conference and issue a prehearing conference order, pursuant to HAR §§ 6-61-36 and 6-61-37.

A.

Requests for Information

Subject to the limitations set forth in this sub-section, a Party may submit information requests as set forth in the Section III, Schedule of Proceedings. After the scheduled date for submitting information requests has passed, no additional information requests shall be allowed except upon the commission's approval or upon its own motion, consistent with Section IV.G, General, below.

If a Party is unable to provide the information requested within the prescribed time period in the Schedule of Proceedings, it should so indicate to the inquiring Party as soon as possible. The Parties shall then endeavor to agree upon a later date for submission of the requested information. If the Parties are unable to agree, the responding Party may seek approval from the commission for the later submission of responses consistent with Section IV.G, General, below.

Notwithstanding anything herein to the contrary, including Section IV.E, Copies of Filings and Information Requests, in lieu of responses to information requests that would require the reproduction of voluminous documents or materials (documents over 100 pages), the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the Party responding to the information request shall make the diskette or such electronic

medium available to the other Parties and the commission. Subject to objections that may be raised and to the extent practicable, the electronic files for spreadsheet will contain all formulae intact, and will not be entirely converted to values prior to submittal. A Party shall not be required, in a response to an information request, to provide data that is already on file with the commission or otherwise part of the public record, or that may be stipulated to pursuant to Section III.B, Matters of Public Record, below. The responding Party shall, in lieu of production of a document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the requesting Party to locate and copy the document. In addition, a Party shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

A Party may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a Party claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the Party shall: (1) provide information reasonably sufficient to identify the confidential information withheld from the response, without disclosing privileged or protected information;

(2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the Party if the information were disclosed); and (3) state whether the Party is willing to provide the confidential information pursuant to the protective order governing this docket.

A Party seeking production of documents notwithstanding a Party's claim of confidentiality may file a motion to compel production with the commission. The Parties acknowledge that Hawaiian Telcom may produce or disclose certain information during the course of this proceeding containing proprietary, competitively sensitive, or confidential business, financial, and marketing information that are subject to non-disclosure agreements with third-party vendors, which shall be handled as provided for in the protective order governing this docket.

The responses of each Party to information requests shall adhere to a uniform system of numbering agreed upon by the Parties. For example, the first information request submitted by the Consumer Advocate in this docket shall be referred to and designated as "CA-IR-1," and a response to this information request shall be referred to and designated as "Response to CA-IR-1."

Each response shall be provided on a separate page and shall recite the entire question asked and set forth the response and/or reference the attached responsive document, indicating the name of the respondent for each response.

B.

Matters of Public Record

In order to provide a means to reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that Hawaiian Telcom has filed with the commission, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to utility matters, and specified parts of the record in previous commission dockets may be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the commission and the parties; and further provided that any Party has the right to explain, qualify or conduct examination with respect to the identified document.

C.

Witnesses

Each party shall designate witnesses to sponsor the subject matter contained in each section of the party's Statement(s) of Position and responses to information requests. Such witnesses shall be made available for cross-examination at the evidentiary hearing. The Parties shall

cooperate to accommodate the scheduling of any out-of-state witnesses and will inform the commission in advance of any scheduling difficulties with respect to such witnesses.

D.

Hearing; Order of Examination

An evidentiary hearing will be held unless waived in writing by all Parties. In addition, the Parties recognize that the commission, in its discretion, may order a hearing on all or some of the issues even if the Parties have waived a hearing. If the Parties waive a hearing and the commission determines that a hearing might be called for, the Parties request the opportunity to address the commission regarding whether a hearing is necessary at that time.

If an evidentiary hearing is held, the order of examination for witnesses shall be determined at the prehearing conference to be held pursuant to Section III, Schedule of Proceedings, above. The examination of any witness shall be limited to one attorney or representative for a Party. The Parties shall avoid duplicative or repetitious cross-examination. Friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the Party desiring to cross-examine. Recross-examination shall be limited to the extent of material covered in redirect examination unless otherwise permitted by the commission.

E.

Copies of Filings and Information Requests

The following persons shall receive by electronic mail ("e-mail") and attachments, copies of all document exchanges and filings in accordance with this Procedural Order. In addition, printed versions of said documents and filings shall be served only on the parties with and to the extent of the numbers following the names below¹¹, unless as such may be limited by Section III, Requests for Information Requests, above, or the protective order in this docket:

Public Utilities Commission 465 South King Street, Room 103 Honolulu, HI 96813	Original plus 8 copies
--	---------------------------

Division of Consumer Advocacy 335 Merchant Street Room 326 Honolulu, HI 96813 Facsimile: (808) 586-2780	3 copies
---	----------

Hawaiian Telcom, Inc. Leslie Alan Ueoka, Esq. P.O. Box 2200 Honolulu, HI 96841 Facsimile: (808) 546-7621	1 copy
--	--------

Time Warner Telecom of Hawaii L.P. c/o J. Douglas Ing, Esq. Pamela J. Larson, Esq. Lisa S. Hirahara, Esq. Watanabe Ing Kawashima & Komeiji LLP First Hawaiian Center 999 Bishop Street, 23 rd Floor Honolulu, HI 96813 Facsimile Number: (808) 544-8399	1 copy
--	--------

¹¹Any filings or submissions containing information that is covered under the protective order shall not be electronically mailed to the Parties but shall be submitted via diskette to such Parties marked and sealed as provided under the protective order.

All pleadings, position statements, and other documents required to be filed with the commission shall be filed at the office of the commission in Honolulu within the time limit prescribed in HAR § 6-61-15. In addition, any filings made with the commission should also include an electronic version of the filing that is submitted via diskette or e-mail to the commission in a standard electronic format that is readily acceptable by the commission.¹²

Copies of all filings, information requests, and information request responses should be sent to the other parties by hand delivery or mail. In addition, if available, all Parties shall provide copies of their filings, information requests and information request responses to the other Parties' designated counsel or representative on the due day of the filing via diskette or e-mail in a standard electronic format that is readily available by the parties. The Parties agree to use Word as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in Word format or in an electronic format, a Party shall not be required to convert such workpapers, documentation, or exhibits into such format(s).

¹²Any filings containing information that is covered under the protective order in this docket shall not be electronically mailed to the commission but shall be submitted to the commission via diskette, marked and sealed pursuant to said protective order.

Also, existing documents produced in response to requests need not be converted to Word as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a Party via diskette or e-mail, unless otherwise agreed to by such Party, the same number of copies of such filing, information request or information request response must still be delivered to such Party by hand delivery or via facsimile as provided above.

F.

Communications

HAR § 6-61-29 concerning ex parte communications is applicable to any communications between a Party and the commission. However, the Parties may communicate with commission counsel through their own counsel or designated official only as to matters of process and procedure.

Communications between the Parties should either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing Party and counsel, as provided in Section IV.C, above.

G.

General

The foregoing procedures shall be applied in a manner consistent with the orderly conduct of this docket. This Procedural Order shall control the subsequent course of this proceeding, unless modified by the Parties in writing and approved by the commission consistent with HAR § 6-61-23, to the extent applicable, or upon the commission's own motion.

V.

Order

THE COMMISSION ORDERS:

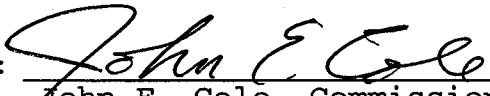
This Procedural Order shall control the course of this proceeding, unless modified by the Parties in writing and approved by the commission, or upon the commission's own motion.


DONE at Honolulu, Hawaii

DEC 18 2007


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

2007-0233.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Procedural Order No. 23895 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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

LESLIE ALAN UEOKA
ASSISTANT GENERAL COUNSEL
HAWAIIAN TELCOM, INC.
P. O. Box 2200
Honolulu, HI 96841

J. DOUGLAS ING, ESQ.
PAMELA J. LARSON, ESQ.
LISA S. HIRAHARA, ESQ.
WATANABE ING & KOMEIJI LLP
First Hawaiian Center, 23rd Floor
999 Bishop Street
Honolulu, HI 96813

Counsel for TIME WARNER TELCOM OF HAWAII, L.P.



Karen Higashi

DATED: DEC 18 2007