

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
PUBLIC UTILITIES COMMISSION)
Instituting an Investigation)
into the Carrier Contribution)
Factor and Telecommunications)
Relay Services Fund Size for)
the period of July 1, 2008)
through June 30, 2009.)
_____)

Docket No. 2008-0089

DECISION AND ORDER

RECEIVED

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DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE & INDUSTRY
HONOLULU, HI 96813

PUBLIC UTILITIES
COMMISSION

2008 JUN 27 A 8:59

FILED

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OF THE STATE OF HAWAII

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PUBLIC UTILITIES COMMISSION)	Docket No. 2008-0089
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Relay Services Fund Size for)	
the period of July 1, 2008)	
through June 30, 2009.)	
_____)	

DECISION AND ORDER

By this Order, the commission establishes the Telecommunications Relay Services ("TRS") carrier contribution factor for the period July 1, 2008 to June 30, 2009 (the "Period") at 0.0008, and establishes the projected TRS fund size for the Period at approximately \$332,103.

I.

Background

On May 23, 2003, the commission issued Order No. 20193 in Docket No. 03-0058 ("Order No. 20193"), which, among other things, ordered: (1) every telecommunications carrier providing intrastate telecommunications service in the State to contract with Sprint¹ for the provision of TRS for the period beginning

¹In Docket No. 03-0058, the commission selected Sprint Communications Co., LP ("Sprint") as the exclusive provider of intrastate TRS within the State of Hawaii ("State") from July 1, 2003 to June 30, 2006. See Decision and Order No. 20163, filed on April 30 2003, in Docket No. 03-0058.

July 1, 2003 to June 30, 2006; (2) carrier contributions to the TRS fund shall be based upon carriers' gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year; (3) contributions to the TRS fund shall be calculated as the product of the carriers' gross operating revenues from the retail provision of intrastate telecommunications services during the preceding calendar year, which is subject to investigation by the commission, and a contribution factor determined annually by the commission; and (4) the annual TRS funding period commences on July 1st and ends June 30th of each year.

II.

Investigation

By Order No. 24226, filed on May 14, 2008 ("Order No. 24226"), the commission initiated the instant proceeding to examine whether to modify the TRS carrier contribution factor and fund size for the Period, established in accordance with Order No. 20193, and updated by Order No. 21049, filed on June 10, 2004, in Docket No. 04-0070, by Order No. 21847, filed on May 31, 2005, in Docket No. 05-0088, by Order No. 22464, filed on May 12, 2006, in Docket No. 2006-0126, and by Order No. 23481, filed on June 7, 2007, in Docket No. 2007-0113. Specifically,

By Order No. 22438, filed on May 1, 2006, in Docket No. 03-0058, the commission extended Sprint's provision of TRS for an additional two years (from July 1, 2006 to June 30, 2008), and approved a price increase for Sprint's services under the extended period. By letter dated March 4, 2008, the commission selected Sprint to be the TRS provider for the period from July 1, 2008 to June 30, 2011.

in Order No. 24226, the commission proposed to continue the existing carrier contribution factor of 0.0008. The commission also proposed a fund size of approximately \$332,103 for the Period, which represents an approximate four-month operating reserve for the fund.

The commission served copies of Order No. 24226 on the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"),² Sprint, and all chartered, certificated, and registered telecommunications carriers in the State, except payphone providers,³ at their mailing addresses on file with the commission to solicit written comments. The deadline for written comments to the proposals was May 30, 2008. As of the date of this Decision and Order, no written comments were filed with the commission on any of the commission's proposals.

Upon review, the commission finds the proposals in Order No. 24226 to be reasonable and in the public interest. Accordingly, the carrier contribution factor for the Period shall be 0.0008 and the projected TRS fund size for the Period shall be established at approximately \$332,103.

²The Consumer Advocate is statutorily mandated to represent, protect, and advance the interests of all consumers of utility service and is an ex officio party to any proceeding before the commission. See Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62.

³In Order No. 20193, the commission specifically excluded payphone providers from contributing to the TRS fund.

III.

Orders

THE COMMISSION ORDERS:

1. The contribution factor for the Period (July 1, 2008 to June 30, 2009) shall be 0.0008. The projected TRS fund size for the Period shall be approximately \$332,103.

2. Each carrier shall complete and submit a TRS Reporting Worksheet, attached to this Order as Exhibit "A".

3. Annual contributions are due July 26th of each year; carriers who owe contributions of \$1,200 or more may pay in twelve equal monthly installments, due on the 26th of each month, provided that they submit their TRS Reporting Worksheet by July 26th of each year.

4. Carriers reporting \$10,000 or less in gross intrastate retail revenues shall contribute at least \$8.00 for the period July 1, 2008 to June 30, 2009.


5. Every carrier, except Commercial Mobile Radio Service ("CMRS") providers, shall comply with the 30-day notice requirement of HRS § 269-16(b) and HAR § 6-80-40(b) for any TRS surcharge imposed on its customers, both residential and business, to recover the amount of its contribution. CMRS providers shall place information on their TRS surcharges on their websites, consistent with Decision and Order No. 20890, filed on April 7, 2004, in Docket No. 03-0186.

6. Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058, is amended consistent with the terms and conditions of this Decision and Order. In all other respects, Order No. 20193 remains unchanged.

DONE at Honolulu, Hawaii JUN 27 2008.

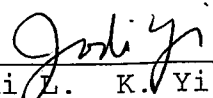
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Jodi L. K. Yi
Commission Counsel

2008-0089.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid and properly addressed to the following parties:

Catherine P. Awakuni
Executive Director
Department Of Commerce And
Consumer Affairs
Division Of Consumer Advocacy
P. O. Box 541
Honolulu, HI 96809

William Braun, VP/Gen Counsel
1-800-Reconex, Inc.
fna Sterling International Funding, Inc.
2500 Industrial Avenue
Hubbard, OR 97032

3U Telecom, Inc.
2654 W. Horizon Ridge Pkwy.
Ste. B5-143
Henderson, NV 89052

Mr. Robert Cleary
Dir. Of Accounting
800 Response Information Services LLC
200 Church St
P.O. Box 1049
Burlington, VT 05402

Amy Lohman, A/P Manager
AAA Rent to Own - Hawaii, Inc.
dba Colortyme
617 Sycamore St.
Clarkston, WA 99403

Mark Klebanoff, CFO
AccessLine Communications Corporation
11201 SE 8th Street, Suite 200
Bellevue, WA 98004

Dan Crowley, VP of Finance
ACN Communications Services, Inc.
32991 Hamilton Court
Farmington Hills, MI 48334

James C. Falvey
ACSI Local Switched Services, Inc.
7125 Columbia Gateway Drive, Suite 200
Columbia, MD 21046

Bob Blair, Sr. VP and General Counsel
Affinity Mobile, LLC
dba Trumpet Mobile
1950 Stemmons Freeway, Ste 5065
Dallas, TX 75207

Joseph T. Koppy
Affinity Network Incorporated
4380 Boulder Highway
Las Vegas, NV 89121

Shige Yamaji, President
Airnex Communications, Inc.
3000 Executive Parkway, Suite 230
San Ramon, CA 94583

Chantrey Lee, Sr. Financial Analyst
Alltel Communications, Inc.
One Allied Drive, B4F04N-D
Little Rock, AR 72202

Rob Heath, Vice President
American Fiber Network, Inc.
9401 Indian Creek Parkway, Suite 140
Overland Park, KS 66210

Bill Stathakaros, President
American Telecommunications Systems, Inc.
107 W. Michigan 4th Fl.
Kalamazoo, MI 49007

Thomas Perez-Ducy, Pres. And CEO
Americatel Corporation
dba Startec Global Operating Company
4045 NW 97th Avenue
Miami, FL 33178

Kelly Franks, Regulatory Mgr
AmeriVision Communications, Inc.
999 Waterside Drive, Suite 1910
Norfolk, VA 23510

Joseph M. Rao, Manager
Andiamo Telecom, LLC
10575 North 114th Street, Suite 103
Scottsdale, AZ 85259

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Page 2

Michael Tu
Asia Talk Telecom, Inc.
dba HelloCom
901 corporate Center Drive, Ste. 518
Monterey Park, CA 91754

Kevin Klepper, President
Association Administrators, Inc.
180 E. Main Street
Suite 203
Smithtown, NY 11787

Cindy Hardy
AT&T Communications of Hawaii, Inc.
c/o Cindy Hardy
One AT&T Way, Room 2B115E
Bedminster, NJ 07921

Atlas Equity, Inc.
dba Performance Telecom
3200 Park Center Drive, Suite 300
Costa Mesa, CA 92626

Dan Dow, CFO
Azteca Mobile, LLC
9300 West 110th Street, Ste. 160
Overland Park, KS 66210

Kade Ross, EVP
Bandwidth.com CLEC, LLC
fka Computer Network
Technology Corporation
4001 Weston Parkway, Ste. 100
Cary, NC 27513

Richard M. Boudria, President
BCN Telecom, Inc.
fka Nui Telecom, Inc.
550 Route 202-206, 2nd Fl
Bedminster, NJ 07921

Cheryl Powers, Mgr. - Regulatory
Bell Atlantic Communications, Inc.
dba Verizon Long Distance
1320 N. Courthouse Road 6th Floor
Arlington, VA 22201

William D. Schneider
Director & Controller
Bellsouth Long Distance, Inc.
2180 Lake Blvd. NE Suite/Floor 5C48
Atlanta, GA 30346

Ed Baumgardner, Tax Manager
Broadwing Communications, LLC
1025 Eldorado Blvd.
Broomfield, CO 80021

Linda Cicco - Regulatory Compliance
BT Communications Sales LLC
fka Concert Communications Sales LLC
11440 Commerce Park Drive
Reston, VA 20191

Amber Tiller
Buehner Fry, Inc.
40 NW Greenwood Ave.
Bend, OR 97701-8237

Andoni Economou, VP
Business Productivity Solutions, Inc.
fka GE Business Productivity
Solutions, Inc.
fka GE Capital Telemanagement Services
44 Wall Street, 6th Floor
New York, NY 10005

Shannon Wagner, Sales & Use Tax Mgr.
Business Telecom, Inc.
7037 Old Madison Pike, Ste. 400
Huntsville, AL 35806

Bill Kuchler, Sr. Analyst
Cellco Partnership
dba Verizon Wireless
180 Washington Valley Rd.
Bedminster, NJ 07921

James Mancuso, Secretary
Clear World Communications Corp.
3501 S. Harbor Blvd., Suite 100
Santa Ana, CA 92704

Albert S.N. Hee, President
Clearcom, Inc.
1003 Bishop Street
Pauahi Tower, Suite 2700
Honolulu, HI 96813

Terri B. Natoli, VP Reg. Affairs & Public
Clearwire Telecommunications Services, LLC
815 Connecticut Avenue, NW Suite 610
Washington, DC 20006

Bettye Gadison
Regulatory Compliance Assistant
Commpartners, LLC
3291 N. Buffalo Drive, Ste. 150
Las Vegas, NV 89129-7437

Certificate of Service

Page 3

Michael Brady, EVP
Comtech 21, LLC
One Barnes Park South
Wallingford, CT 06492

Cindy Heimlich, Mgr. Tax
Comtel Telcom Assets LP
433 E. Las Colinas Blvd., Suite 1300
Irving, TX 75039

Greg Pryor, Director of Operations
Consumer Cellular, Incorporated
7204 SW Druham Road, Ste. 300
Portland, OR 97224

Bill Jarvis, President and CEO
Coral Wireless, LLC
733 Bishop Street, Suite 1200
Pacific Guardian Center-Makai Tower
Honolulu, HI 96813

Joe P. Honey, Secretary
Covista, Inc.
fka Total Tel, Inc.
4803 Highway 58
Chattanooga, TN 37416

David H. Barksdale, CFO
Custom Teleconnect, Inc.
6242 West Desert Inn Road
Las Vegas, NV 89146

Bruce Robin, Secretary
D.D.D. Calling, Inc.
2400 Augusta Drive, Suite 263
Houston, TX 77057

Shannon Wagner, Mgr. of State & Local Tax
DeltaCom, Inc.
fka ITC^DeltaCom Communications, Inc.
Attn: Tax Dept.
7037 Old Madison Pike, Ste 400
Huntsville, AL 35806

Kirk Waldfogel, Chairman/CEO
Deltel, Inc.
dba AuctionFON
3100 Cumberland Blvd., Ste. 900
Atlanta, GA 30339

Sam Tawfik, CEO & President
Dialaround Enterprises, Inc.
30-50 Whitestone Expressway, 4th Floor
Flushing, NY 11354

Jared Grugett, President
Direct Telephone Company, Inc.
dba Hawaii Direct Telephone
3375 Koapaka St. C 320
Honolulu, HI 96819

Schula Hobbs, Sr. Mgr-Regulatory Affairs
DSLnet Communications, LLC
50 Barnes Park North, Suite 104
Wallingford, CT 06492

Mendel Birnbaum, VP
Dynalink Communications, Inc.
221 West 17th Street
New York, NY 10011

Robert Mocas, President
Easton Telecom Services, LLC
fka Weston Telecommunications, LLC
Summit II-Unit A, 3046 Brecksville Road
Richfield, OH 44230

Dale G. Perry
Electric Lightwave LLC
dba Integra Telecom
1201 NE Lloyd Blvd., Suite 500
Portland, OR 97232

Linda K. Gardner, VP Regulatory Analysis
Embarq Communications, Inc.
fka Sprint Long Distance, Inc.
MS: KSOPKJ0502-5042
5454 West 110th Street
Overland Park, KS 66211-1204

Douglas Williams, VP
Encompass Communications, LLC
P.O. Box 3529
Longview, TX 75606

Carl Billek, Senior Regulatory Counsel
Entrix Telecom, Inc.
520 Broad Street
Newark, NJ 07102-3111

Terry Ray, Vice-President and CFO
Extenet Systems, Inc.
1901 S. Meyers Road
Oakbrook Terrace, IL 60181

Steve Stanford, CEO
Faith Communications, Inc.
345 North Maple Drive, Suite 123
Beverly Hills, CA 90210

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Page 4

Ms. Mary Cegelski
First Communications, LLC
15278 Neo Parkway
Garfield Heights, OH 44128

Joseph Topel, Regulatory Mgr.
France Telecom Corporate Solutions, LLC
13775 McLearn Rd.
Mailstop 1100
Oak Hill, VA 20171

Joe DeMasi
Frontier Communications of America, Inc.
3 High Ridge Park
Stamford, CT 06905

Michael J. Shortley, III, VP
Global Crossing North American
Networks, Inc.
fka Frontier Communications
International, Inc.
1080 Pittsford Victor Road
Pittsford, NY 14534

Michael J. Shortley, III, VP
Global Crossing Telecommunications, Inc.
fka Frontier Communications Services
1080 Pittsford Victor Road
Pittsford, NY 14534

Global Tel*Link Corporation
2609 Cameron Street
Montgomery, AL 36607

Gavin McCarty
Globalcom, Inc.
dba GCI Globalcom
200 East Randolph Street, 23rd Floor
Chicago, IL 60601

Dean K. Parsons, General Manager
Go Solo Technologies, Inc.
10701 Danka Way North, Suite 100
Saint Petersburg, FL 33716

Ata Moeini, President
Gold Line Telemanagement, Inc.
180 West Beaver Creek Road
Richmond Hill
Ontario, L4B 1B4 Canada

Timothy J. French, Asst Corp. Counsel
Granite Telecommunications, LLC
100 Newport Avenue Ext.
Quincy, MA 02171

Eric Clemons, President
GTC Telecom Corp.
3151 Airway Avenue, Suite K - 103
Costa Mesa, CA 92626-4626

Joel K. Matsunaga, VP External Affairs
Hawaiian Telcom Services Company, Inc.
P.O. Box 2200
Honolulu, HI 96841

Joel Matsunaga, VP External Affairs
Hawaiian Telcom Services Company, Inc.
P.O. Box 2200
Honolulu, HI 96841

Joel Matsunaga, VP External Affairs
Hawaiian Telcom, Inc.
fka Verizon Hawaii, Inc.
P.O. Box 2200
Honolulu, HI 96841

Neil J. Young
Helio LLC
fka SK-Earthlink LLC
10960 Wilshire Blvd., Ste. 600
Los Angeles, CA 90024

Carl Billek, Senior Regulatory Counsel
IDT America, Corp.
520 Broad Street, 7th Floor
Legal Department
Newark, NJ 07102

Scott DeNardo, Assist Secretary
InfoNXX Carrier New York, Inc.
3864 Courtney Street, Suite 411
Bethlehem, PA 18017

Scott Caddell
Info-Tel, Inc.
303 E. 17th Avenue Ste 500
Denver, CO 80203-1258

Marsha A. Pokorny, Mgr.- Reg. Compliance
Intellicall Operator Services, Inc.
1049 NE Macedonia Church Ave.
Lee, FL 32059

Judith Rieley
International Exchange
Communications, Inc.
IE Com
2912 Lakeside Drive
Oklahoma City, OK 73120

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Page 5

Itina Rojkova, Controller
International Telecom, Ltd.
417 2nd Avenue West
Seattle, WA 98119

Jon Brinton, President
Inter-Tel Netsolutions, Inc.
4310 E. Cotton Center Blvd., A100
Phoenix, AZ 85040

Jose Dydasco, General Manager
Island Page, Inc.
3249 Koapaka Street
Honolulu, HI 96819

Felipe Zialcita, controller
JTL Enterprises, LLC
818 Pine Street
Honolulu, HI 96817

Toshiro Akiyama, Sr. Manager
KDDI America, Inc.
825 Third Avenue, 3rd. Floor
New York, NY 10128

Ned Gershenson, President
Least Cost Routing, Inc.
dba Long Distance Charges
728 Kiel Street
Henderson, NV 89015

Curtis Brown, President
Legacy Long Distance International, Inc.
108333 Valley View Street, Ste 150
Cypress, CA 90630

Ed Baumgardner, Tax Manager
Level 3 Communications, LLC
1025 Eldorado Blvd.
Broomfield, CO 80021

Elaine G. Bush, Treasurer/VP Finance
Lightyear Network Solutions, LLC
fka Lightyear Communications, Inc.
fka Unidial Communications, Inc.
1901 Eastpoint Parkway
Louisville, KY 40223

Jeff Becker, VP Sec.
Maskina Communications, Inc.
fka Transcom Communications, Inc. dba Comm
Port Communications
8445 Freeport Pkwy, Suite 650
Irving, TX 75063

Thomas M. Forte, Attorney-In-Fact
Matrix Telecom, Inc.
7171 Forest Lane, Suite 700
Dallas, TX 75230

Haleh Davary
Regulatory Compliance Analyst
MCI Communications Services, Inc.
fka MCI WorldCom Communications, Inc. fka
WorldCom Technologies, Inc. dba Verizon
201 Spear Street, 9th Floor
San Francisco, CA 94105

Haleh Davary
Regulatory Compliance Analyst
MCI Metro Access Transmission
Services, Inc.
fka MCI WorldCom dba Verizon Access
Transmission Services
201 Spear Street, 9th Floor
San Francisco, CA 94105

David Aronow, President
Metropolitan Telecommunications
of Hawaii, Inc.
44 Wall Street, 6th Floor
New York, NY 10005

Mark Soria, President & COO
Miracle Communications, Inc.
725 Lakefield Road, Ste. G
Westlake Village, CA 91361

Jan Hatfield
NECC Telecom, Inc.
c/o MGM Consulting Group
1230 Liberty Bank Lane, Suite 320
Louisville, KY 40222

Sandra Williams
Net One International, Inc.
fka Charities Network International, Inc.
4037 Metric Drive
Winter Park, FL 32792

Suoha Vora, Acctg. Mgr.
NetLojix Telecom, Inc.
7001 Boulevard 26, #323
N. Richard Holls, TX 76180

Thomas Lera
Net-Tel Corporation
1023 31st Street, NW
Washington, DC 20007

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Page 6

William L. Pope, President
Network Communications International Corp.
606 East Magrill Street
Longview, TX 75601

Kay Kamrava, President
Network Enhanced Technologies, Inc.
700 S. Flower Street, Suite 420
P.O. Box 811306
Los Angeles, CA 90017

Debra Pinn, Billing Analyst
Network Operator Services, Inc.
P.O. Box 3529
Longview, TX 75606

Nancy K. Rossi, CFO
Network PTS, Inc.
379 Diablo Road Suite 212
Danville, CA 94526

Tim Martin, Member
NETWORKIP, LLC
119 W. Tyler Street, Ste.100
Longview, TX 75601

John P. Schultz, Tax Mgr.
New Cingular Wireless PCS, LLC
fka AT&T Wireless PCS, LLC
11760 US Highway 1, Suite 600
North Palm Beach, FL 33408

Kathy McMahon
Nextel Boost West, LLC
MS: KSOPHT0101-Z2400
6391 Sprint Parkway
Overland Park, KS 66251

Anthony Rodriguez, Regulatory
NEXTG Networks of California, Inc.
NEXTG Networks West
2216 O'Toole Avenue
San Jose, CA 95131

Richard L Mahfoz, President
Nobeltel, LLC
5857 Owen Avenue, Suite 202
Carlsbad, CA 92008

Todd Lesser, President
North County Communications Corporation
3802 Rosecrans, Ste. 485
San Diego, CA 92110

Joseph T. Koppy, CEO
NOS Communications, Inc.
4380 Boulder Highway
Las Vegas, NV 89121

Frank Squilla
Nova Telecom, Inc.
842 South Second Street, Suite 355
Philadelphia, PA 19147

Wanda Preuett, Sr. Tax Acct.
NPCR, Inc.
MS: KSOPHT0101-Z2400
6391 Sprint Parkway
Overland Park, KS 66251-2400

Vincent J. Woodbury, VP
NYNEX Long Distance Company
dba Verizon Enterprise Solutions
1320 North Court House Road, 9th Floor
Arlington, VA 22201

Julie Buse, Tax Supervisor
OneStar Long Distance
7100 Eagle Crest Boulevard, Suite B
Evansville, IN 47715

ONSTAR Corporation
300 Renaissance Center
MC: 482-C14-C66
Detroit, MI 48265

Judith A. Riley
Operator Service Company, LLC
fka Operator Service Company
5909 NW Expressway, Suite 101
Oklahoma City, OK 73132

Mark Leafstedt, CEO
Opex Communications, Inc.
707 Wilshire Blvd. 12th Floor
Los Angeles, CA 90017

Tomiyoshi Kataoka, President
Pacific Communication Service, LLC
2270 Kalakaua Ave., Ste. 1502
Honolulu, HI 96815

Tim Sansom, CFO/Treasurer
Pacific Lightnet, Inc.
1132 Bishop Street, Ste. 800
Honolulu, HI 96813

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Page 7

Dilowe Barker, COO
Phonel, Inc.
1170 Kane Concourse, Suite 402
Bay Harbor Island, FL 33154

Stephen Conkling
PNV.net, Inc.
fka Park 'N View, Inc.
11711 NW 39th Street
Coral Springs, FL 33065

Alex Valencia, Regulatory Counselor
Preferred Carrier Services, Inc.
aka Phones for All
14681 Midway Road, Suite 105
Addison, TX 75001-3147

Premiere Network Services, Inc.
1510 N. Hampton Road, Suite 120
DeSoto, TX 75115

Mesfin Demise, Treasurer
Primus Telecommunications, Inc. (COA)
7901 Jones Branch Dr. #900
McLean, VA 22102

Adam Kolodny, CEO
PT-1 Communications, Inc.
30-50 Whitestone Expressway
Flushing, NY 11354

Merri Haskins, Fin/Business Analyst
Qwest Communications Corporation
1801 California Street, Room 650
Denver, CO 80202

Eddie Mishan
QX Telecom LLC
230 fifth Ave, Suite 800
New York, NY 10001

Robert Kihune, CEO
Sandwich Isles Communications, Inc.
1003 Bishop St.
Pauahi Tower, 27th Floor
Honolulu, HI 96813

Bebe Rodriguez
Assoc. Director - Regulatory
SBC Long Distance, LLC
dba SBC Long Distance
fka SBC Long Distance
1010 N. Saint Mary's St., 13-32
San Antonio, TX 78215

Peter Cawa, Jr., CEO
Snip Link, LLC
100-A Twinbridge Drive
Pennsauken, NJ 08110

Todd Clapp
Supervisor - Regulatory Reporting
Sprint Communications Company L.P.
c/o Sprint Reg. Rprting,
Mailstop: KSOPHT0101-
6391 Sprint Parkway
Overland Park, KS 66251-2400

Todd Clapp
Supervisor-Regulatory Reporting
SprintCom, Inc.
dba Sprint PCS
c/o Sprint Regulatory Reporting
Mailstop: KSOPHT0101-Z2400, 6391 Sprint
Overland Park, KS 66251-2400

Chad Johnston
Summit Communications, Inc.
1132 Bishop Street, Ste 1800
Honolulu, HI 96813-2843

David J. Robinson, Manager Public Policy
Syniverse Technologies, Inc.
fka Syniverse Networks, Inc. fka TSI
Telecommunications Network Services, Inc.
8125 Highwoods Palm Way
Tampa, FL 33647-1776

Francie McComb, Sr. VP
Talk America, Inc. fka
Talk.com Holding Corp.
fka Tel-Save, Inc.
2134 W. Laburnum Ave.
Richmond, VA 23227

Telecommunications Systems Corporation
of Maryland
275 West Street
Annapolis, MD 21401

Haley Davery, Reg.Compliance Analyst
Teleconnect Long Distance Services
& Systems Company
dba Telecomm*USA
c/o Verizon Business
201 Spear St., 9th Floor
San Francisco, CA 94105

Tel-West Companies
dba Hassle Free Phone
P.O. Box 1319
Logandale, NV 89021

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Page 8

Dah Pak
Think 12 Corporation
dba Hello Depot
650 E. Devon Ave. Suite 133
Itasen, IL 60143

Kathleen Foster, Tax Mgr.
Time Warner Cable Information Services
(Hawaii), LLC
Attn: Tax Dept
7800 Crescent Executive Dr.
Charlotte, NC 28217

Attn: Vice President, Regulatory Affairs
Time Warner Telecom of Hawaii, L.P.
dba Oceanic Communications
2669 Kilihau Street
Honolulu, HI 96819

David Van Ness
Director, State & Local Tax
T-Mobile West Corporation
dba T-Mobile fka Voicestream Wireless
12920 SE 38th St
Bellevue, WA 98006-7305

Gary Barlow, CFO & Treasurer
TON Services Inc.
4185 Harrison Blvd., Suite 301
Ogden, UT 84403

Mr. Gary Barlow, CFO
Ton Services, Inc.
dba Flying J. Communications
4185 Harrison Blvd., Ste 301
Ogden, UT 84403

Mark Leafstedt
Total Call International, Inc.
707 Wilshire Blvd. 12th Floor
Los Angeles, CA 90017

Danny Ing
Total Call Mobile, Inc.
707 Wilshire Blvd., 12th Floor
Los Angeles, CA 90017

Pamela Hesse, Controller
Trans National
Communications International, Inc.
2 Charlesgate West
Boston, MA 02215

Charles Luca
Sr. VP Operations
Trans National Communications
International, Inc.
2 Charlesgate West
Boston, MA 02215

Ron Ireland, VP and CFO
Tri-M Communications, Inc.
dba TMC Communications
820 State St. 5th floor
Santa Barbara, CA 93101

Andrew L. Graham, Secretary & VP - Legal
Trinsic Communications, Inc.
fka Z-Tel Communications, Inc.
601 South Harbour Island Blvd., Suite 22
Tampa, FL 33602

Haleh Davary, Regulatory Report
TTI National, Inc.
(MCI WorldCom, Inc.)
201 Spear Street, 9th Floor
San Francisco, CA 94105

Kimm Partridge, Corp. Secretary
UCN, Inc. (United Carrier Networks)
dba Buyersonline, fka Buyers United, Inc.
7730 S. Union Park Avenue, Suite 500
Midvale, UT 84047

William C. Stoll, V.P., CFO
US South Communications, Inc.
250 Williams Street, Suite M-100
Atlanta, GA 30303

Shawn E. Endsley, CAO/Controller
USA Mobility Wireless, Inc.
fka Metrocall, Inc.
Tax Department
6910 Richmond Highway, 5th Floor
Alexandria, VA 22306

Kermit D. Heaton
Value-Added Communications, Inc.
3801 E. Plano Pkwy., Ste 100
Plano, TX 75074

Joan Engler
Verizon Hawaii International, Inc.
fka GTE HawaiianTel International Inc.
1 Verizon Way, Mail Code VC22E243
Basking Ridge, NJ 07920

Certificate of Service

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Patrick A. Garzillo, VP
Verizon Select Services, Inc.
fka GTE Communications Corporation
1 Verizon Way, Mail Code VC22E243
Basking Ridge, NJ 07920

Gary Wagner, VP - Tax
Virgin Mobile USA, L.P.
10 Independence Boulevard
Warren, NJ 07059

Voicecom Telecommunications, LLC
5900 Windward Parkway, Ste. 500
Alpharetta, GA 30005

Michael Carey, Dr. Counsel
WDIG Mobile, LLC
5161 Lankershim Boulevard
North Hollywood, CA 91601

Wherify Wireless, Inc.
2000 Bridge Parkway, Ste. 201
Redwood Shores, CA 94065

Diane Arp, Accountant II
Wiki Wiki Telecom, Inc.
5512 NE 109th Court, Suite M
Vancouver, WA 98662

Ed Baumgardner, Tax Manager
WillTel Communications, LLC
fka Williams Communications, Inc.
c/o Level 3 Communications
1025 Eldorado Blvd.
Broomfield, CO 80021

Sandra d. Blade, Sr. Financial Analyst
Windstream Communications, Inc.
fka Alltel Holding Corporate
Services, Inc.
4001 Rodney Parnam Road
Little Rock, AR 72212

Scott Aschenbrenner
Winstar of Hawaii, LLC
dba GVCWinstar
333 W. Fort, Suite 1600
Detroit, MI 48226

Douglas Moore, VP, Finance
Working Assets Funding Service, Inc.
101 Market Street, Suite 700
San Francisco, CA 94105

Mark Pavol
X2Comm, Inc.
dba DC Communications
270 South Main Street
Flemington, NJ 08822

Martin Pfister, Sr. Mgr. - Tax
XO communications Services, Inc.
fka XO Long Distance Services, Inc.
fka Nextlink Long Distance
Services, Inc.
13865 Sunrise Valley Drive
Herndon, VA 20171

Peter Russo, CFO
Ymax Communications Corp.
P.O. Box 6785
West Palm Beach, FL 33405

David Bower, Controller
Zone Telecom, Inc.
3 Executive Campus, Suite 520
Cherry Hill, NJ 08002

**State of Hawaii
Public Utilities Commission
Telecommunications Relay Services
Carrier Remittance Worksheet
For the Period July 1, 2008 - June 30, 2009**

SECTION A		CARRIER IDENTIFICATION	
Date:		Company Code: HW000_____	
Company Name:			
Mailing Address:			
Email Address:			
Phone Number:	()		

SECTION B		REMITTANCE CALCULATION	
1. Gross Revenues (Based on Prior Calendar Year) (e.g., Current year is 2008; Report revenues from 1/1/2007 – 12/31/2007) (Amount should match gross revenues reported for Hawaii PUC Fee purposes, HRS § 269-30)			
2. Less: Revenue Adjustments (describe, see Section E)		<	>
3. Gross Intrastate Retail Revenues			
4. Hawaii TRS Contribution Factor			.0008
5. Gross Hawaii TRS Assessment (line 3 x line 4)			
6. Greater of line 5 or \$8.00 (minimum due)			
<p>If Line 6 is less than \$1,200, this is your annual contribution to the TRS Fund for the period beginning July 1st of the current year to June 30th of the following year. Please pay the amount on line 6, in full, by July 26th of the current year. Send your remittance with a copy of this worksheet to the address listed below.</p> <p>If Line 6 is \$1,200 or more, continue to line 7 below.</p>			

SECTION C		MONTHLY CONTRIBUTION	
7. Divide line 6 by 12			
<p>Line 7 is your first monthly contribution to the TRS Fund, for the period beginning July 1st of the current year to June 30th of the following year. Send your 1st monthly remittance with a copy of this worksheet to the address listed below. Please pay the amount on line 7 by July 26th. Solix Inc. will then send you a bill for the remaining eleven monthly payments.</p>			

SECTION D		CERTIFICATION	
Under penalties as provided by law, I certify that I am duly authorized to verify the foregoing information contained herein and that the information is true and correct to the best of my knowledge and belief.			
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Officer Name	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Officer Signature	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Officer Title
<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Date	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Contact Name	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Contact Phone	<div style="border-bottom: 1px solid black; height: 1.2em; margin-bottom: 5px;"></div> Contact Title

<p>Questions??? Hawaii TRS Administrator Solix Inc. 100 S. Jefferson Road, P.O. Box 902 Whippany, NJ 07981 Phone (973) 581-7693 Fax (973) 599-6504</p>	<p>Make checks payable to “Hawaii TRS” and send with worksheet to: Attn: Hawaii TRS Administrator Solix Inc. 100 S. Jefferson Road, P.O. Box 902 Whippany, NJ 07981</p>
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