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March 31, 2010

**LATE TESTIMONY**

Honorable Donna Mercado Kim  
Chair, Senate Committee on Ways and Means

**Re: HB 2698, HD2 SD1 - Relating to Technology - Concerns**  
**WAM Hearing, Wednesday, March 31, 2010, 9:30 a.m., Room 211**

Aloha Chair Kim, Vice Chair Tsutsui and Committee members:

I am Nate Smith, President of Oceanic Time Warner Cable ("Oceanic"). On behalf of Oceanic, which provides a diverse selection of entertainment, information, and communication services, and currently employs more than 1,000 highly-trained individuals, we appreciate the opportunity to submit written testimony today. We do support the intent of this bill, but do have concerns about some of the bill provisions.

Oceanic supports the concept of establishing an advisory council, as well as a work group to develop procedures for streamlined permitting functions applicable to development of broadband services or technology. However, we do not support the addition of "digital cable" language to this bill because it is a type of cable distribution and is not synonymous to broadband. Adding digital cable does not help to achieve the goal of promoting broadband services and detracts from the original purpose of the bill.

Finally, the Federal Communication Commission is in the midst of rolling out a national broadband policy, and there will be further discussions among all affected stakeholders on the most efficient and cost-effective ways to accomplish the goals articulated in the bill. Accordingly, detailed regulatory proposals in HB984 and SB1680 are premature, and while Oceanic supports this bill's approach to establish a in order to establish a forum and process to fully and carefully consider various policy and operational issues that will arise in connection with fulfilling the objectives of the bill, we also believe the implementation of this initiative may also be premature at this time.

For the foregoing reasons, Oceanic supports the intent of HB 2698, HD2 SD1, but feels it is premature to move forward on this bill at the current time. As always, I appreciate the opportunity to share our views with you.

Sincerely,

Nate Smith  
President



## LATE TESTIMONY

March 31, 2010

Honorable Donna Mercado Kim  
Chair, Senate Committee on Ways and Means  
Hawaii State Capitol Room 211

Re: **HB 2698, HD2 SD1, Relating to Technology - Support**  
**WAM Hearing March 31, 2010, 9:30 am**

Aloha Chair Kim, Vice Chair Tsutsui and Committee members:

On behalf of tw telecom ("TWTC"), which has operated in Hawaii since 1994, providing voice, Internet and data networking, and managing nearly 25,000 access lines to state and local governments, military, and businesses in the State, we appreciate the opportunity to offer testimony in support of this bill.

We do prefer language contained in this bill because we support the approach to bring decision makers together with service providers to create policies and to develop best practices that increase growth opportunities for communication service providers throughout Hawaii over last year's bill that would migrate telecommunications away from the PUC and place regulatory authority in the DCCA.

While DCCA has supported moving HB984 ahead with a new conference draft, we believe this bill is premature at this time. We also do not support SB1680, which is also currently in conference committee, for the same reasons. Instead we support a more robust examination of the issues affecting broadband before we move to establish a Hawaii Broadband Commission to bring telecommunications, cable and broadband issues under one entity.

As a service provider to business customers in the state, we are ready to take part in this discussion and would welcome participation in whatever council or working group is established by this legislation.

Thank you for the opportunity to share our views with you.

Sincerely,

/s/

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