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Honorable David Ige, Chair  
Honorable Michelle Kidani, Vice Chair  
Senate Committee on Ways and Means

RE: **HB 2524 HD2 SD1 - Relating to the Regulation of Telecommunications and Cable Television Services - Comments**  
March 29, 2012 – 9:00 am, Hawaii State Capitol Room 211

Aloha Chair Ige, Vice Chair Kidani and members of the committee,

On behalf of Oceanic Time Warner Cable (Oceanic), which provides a diverse selection of entertainment, information, and communication services to over 425,000 Hawaii households, schools and businesses and currently employs more than 1,000 highly-trained individuals, we appreciate the opportunity to offer comments on HB 2524 HD2 SD1.

Oceanic supports the intent of HB2524, HD2 SD1, but respectfully requests that the committee consider incorporating the following proposed revisions to promote regulatory uniformity and fairness for all stakeholders:

Oceanic requests that provision regarding the appointment of the commissioners on P. 8, lines 4-8 be amended to promote fairness with respect to all stakeholders: "...No individual owning any stock or bonds of any telecommunications carrier or cable operator, or having any interest in, or deriving any remuneration from, any telecommunications carrier, cable operator or access organization, within four years of the date of appointment, shall be appointed as a commissioner."

Thank you for the opportunity to review and comment on HB 2524, HD2 SD1.

Sincerely,

Bob Barlow  
President of Oceanic Time Warner Cable

**HB 2524 HD 2 SD1**

**RELATING TO THE REGULATION OF TELECOMMUNICATIONS AND CABLE  
TELEVISION SERVICES**

**KEN HIRAKI  
VICE PRESIDENT-GOVERNMENT AND COMMUNITY AFFAIRS**

**HAWAIIAN TELCOM**

**March 29, 2012**

Chair Ige and members of the Senate Ways and Means Committee.

I am Ken Hiraki, testifying on behalf of Hawaiian Telcom (HT) on HB 2524 HD 2 SD 1, Relating to the Regulation of Telecommunications and Cable Television Services.

While we support the stated intent of streamlining the State's regulatory structure for telecommunications, broadband, and cable services in Hawaii, we believe that HB 2524 HD2 SD1 should be amended to clarify that as part of its duties the communications commission shall recommend legislation next session repealing the legacy rate of return methodology (HRS 269) currently used for regulating telecommunications. Adherence to any form of rate of return regulation is counterproductive to the goal of promoting competition and is no longer relevant or useful in a competitive telecommunications marketplace like the one that exists in Hawaii today.

Based on the aforementioned, Hawaiian Telcom appreciates the opportunity to testify and respectfully requests that your committee look favorably upon our suggested amendment. Thank you for the opportunity to testify.

**Lyndall W. Nipps**  
Vice President, Regulatory-Western Region



**tw telecom inc.**  
9665 Granite Ridge Drive  
Suite 500  
San Diego, CA 92123  
858-805-6050

Honorable David Ige, Chair  
Senate Committee on Ways and Means

**RE: HB2524 HD2 SD1 - Regulation of Telecommunications and Cable Television Services**  
March 29, 2012; Conference Room 211 – 9:00 AM

Aloha Chair Ige, Vice Chair Kidani and Members of the Committee:

I am Lyndall Nipps, Vice President of Regulatory Affairs for **tw telecom of hawaii lp** ("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. Thank you for the opportunity to present testimony on HB2524 HD2 SD1.

The purpose of this bill is to establish the Hawaii Communications Commission ("HCC") and to consolidate the regulation of telecommunications carriers and cable operators into a "one stop shop". While TWTC supports the intent to facilitate the growth of telecommunications and cable television infrastructure and services, we continue to have some concerns about this bill.

We do still have concerns with the current draft of this bill and would like to work with the committee and other stakeholders involved working out differences in this bill.

As always, we appreciate your consideration of our request.

Sincerely,  
/s/  
Lyndall Nipps  
Vice President, Regulatory Affairs-Western Region  
tw telecom of hawaii lp  
Email: Lyndall.Nipps@twtelecom.com



NEIL ABERCROMBIE  
GOVERNOR

EXECUTIVE CHAMBERS  
HONOLULU

Testimony in SUPPORT of HB2524 HD2 SD1  
Relating to the Regulation of Telecommunications and Cable Television Services

Committee on Ways and Means  
Senator David Ige, Chair  
Senator Michelle Kidani, Vice Chair

March 29, 2012  
9:00 am Room 211

Chair Ige, Vice-Chair Kidani, and members of the Ways and Means Committee:

The Office of the Governor stands in SUPPORT of House Bill 2524, House Draft 2, Senate Draft 1, Relating to the Regulation of Telecommunications and Cable Television Services. This measure establishes the telecommunications and cable television services commission within the Department of Commerce and Consumer Affairs (DCCA) to regulate telecommunications and cable television services.

We understand that various members of the industries involved have concerns, and look forward to continuing to work with them to address these issues. Additionally, DCCA has some technical concerns for your consideration.

Thank you for this opportunity to testify.