

LATE TESTIMONY

HB 2526

RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS

KEN HIRAKI
VICE PRESIDENT-GOVERNMENT AFFAIRS

HAWAIIAN TELCOM

January 30, 2012

Chair Herkes and members of the House Consumer Protection and Commerce Committee:

I am Ken Hiraki, testifying on behalf of Hawaiian Telcom on HB 2526, Relating to Reporting Requirements for Telecommunications and Cable Television Providers. Hawaiian Telcom is strongly opposed to this measure.

While we support the stated intent of creating effective policies to support the broadband industry, HB 2526 may be considered one of the most counterproductive measures introduced this session. Passage of this bill will have the unintended consequence of hurting and not helping Hawaii's consumers as intended. Subjecting broadband providers to unnecessary, unreasonable, and costly new regulatory requirements will discourage local providers from improving existing broadband infrastructure and will make it more difficult to attract any potential new domestic or foreign entrant to Hawaii's broadband market. If this measure is adopted, Hawaii will overnight earn the distinction of the state having the most hostile and restrictive broadband law in the country as opposed to the state having one of the least restrictive as is the case today.

Our belief is that promoting fair and level competition with minimal governmental regulations is what is needed to help ensure that Hawaii's broadband consumers receive what they demand most: more innovation, quality service, competitive prices, and a greater selection of new products and offerings. Adopting unnecessary regulatory requirements will serve to only reinforce the perception that Hawaii has a negative regulatory environment.

Based on the aforementioned, Hawaiian Telcom respectfully requests that this measure be held. Thank you for the opportunity to testify.



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EXECUTIVE CHAMBERS

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HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Representative Robert Herkes, Chair
Representative Ryan Yamane, Vice Chair

January 30, 2012
2:00 pm Room 325

Testimony in SUPPORT on HB 2526 Relating to Reporting Requirements for Telecommunications and Cable Television Providers

Chair Herkes, Vice-Chair Yamane, members of the Consumer Protection and Commerce Committee:

The Office of the Governor is in strong support of House Bill 2526, Relating to Reporting Requirements for Telecommunications and Cable Television Providers. This measure will assist government in providing the infrastructure necessary for Hawaii to thrive in the 21st century.

While citizens may willfully participate in a "speed test" at www.hibroadbandmap.org, the information required as a result of this measure will be more useful and accurate.

We also recognize the need for businesses to protect their proprietary information and feel that this bill adequately addresses those concerns.

The Department of Commerce and Consumer Affairs is the lead agency for this initiative and will be able to address any technical questions you may have.

Thank you for this opportunity to testify.

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Testimony for HB2526 on 1/30/2012 2:00:00 PM

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, January 30, 2012 11:44 AM
To: CPCtestimony
Cc: blambrix@hotmail.com
Attachments: HB_2526_Testimony_BLambrix.docx (11 KB)

Testimony for CPC 1/30/2012 2:00:00 PM HB2526

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Bobby Lambrix
Organization: Individual
E-mail: blambrix@hotmail.com
Submitted on: 1/30/2012

Comments:

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As a member of one the oldest volunteer media councils in the United States, Media Council Hawaii, I offer this testimony in support of House Bill 2526. I agree with the authors of this bill "that advanced broadband capability is essential infrastructure required to drive innovation, the economy, and job creation in the twenty-first century." This bill also holds elements to help make broadband advancement a transparent and honest process.

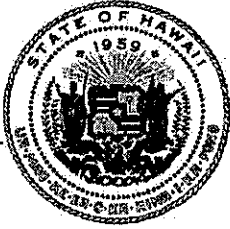
As an economic driver for the health and welfare of all people in the State of Hawaii, supporting development and investment in broadband infrastructure is essential. To improve our web infrastructure however, policy makers and planners need sound information on the current state of services. In particular, the informational reports stipulated in section four of this bill hold internet providers accountable for clean data on subscribers, traffic and networks.

I believe that that the language in section five, which shares provider information with the public, is also valuable to the transparency of this process. The bill reads, "In addition to the reports to be filed under section -4, each provider shall file with the director, in a form and on the time schedule prescribed by the director, reports of the provider's ownership and its financial, technical, and operational conditions that shall be kept on file open to the public."

Internet access is a utility that uses public thoroughfares and airwaves to reach consumers. The transparency expectations that we uphold for other utilities such as electric and water, should also be visible in the telecommunications industry. These regulations are in place so that a fair market price is established for the services, and so that consumers are protected from unwarranted price inflation of a utility they greatly depend on.

I support House Bill 2526 for its effort to improve broadband internet infrastructure in the State of Hawaii in a transparent manner.

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DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

NEIL ABERCROMBIE
GOVERNOR

RICHARD C. LIM
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

LATE TESTIMONY

Statement of
RICHARD C. LIM
Director

Department of Business, Economic Development, and Tourism
before the

HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Monday, January 30, 2012

2:00 PM

State Capitol, Conference Room 325

In consideration of

HB 2526 RELATING TO REPORTING REQUIREMENTS FOR TELECOMMUNICATIONS AND CABLE TELEVISION PROVIDERS.

Chair Herkes, Vice Chair Yamane, and members of the House Committee on Consumer Protection & Commerce. Thank you for this opportunity to submit testimony on H.B. 2526 Relating To Reporting Requirements For Telecommunications and Cable Television Providers.

My name is Richard Lim, Director of the Department of Business, Economic Development and Tourism ("DBEDT"). DBEDT supports HB 2526. In leading the Hawaii Broadband Initiative ("HBI"), DBEDT requires statistical data to make accurate and timely analysis, assessments and evaluations on the status of broadband infrastructure and services that are provided and available in the State. Such analyses will also aid DBEDT greatly in its development of initiatives related to the future expansion and enhancement of broadband infrastructure and services.

Hawaii's current broadband mapping activities, as required under federal grant guidelines, compile broadband data at the census block level. With the passage of HB 2526, broadband data collected from and provided by telecommunications and cable television providers can be compiled at a more granular level. Broadband data, including but not limited to availability and pricing, could be aggregated on an address or tax map key ("TMK") basis, rather than currently done at the census block level. Such broadband data will provide much greater detail of broadband penetration and availability, and will more accurately depict the status of broadband access in Hawaii.

The Departments will work with industry stakeholders on any concerns with this bill as introduced.

Thank you again for this opportunity to provide comments on HB 2526.