

STAND. COM. REP. NO.

3165

Honolulu, Hawaii

APR 04 2012

RE: H.B. No. 1868

H.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which
was referred H.B. No. 1868, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to specify that any
telecommunications carrier may charge a rate higher than the filed
tariff rate, other than for basic exchange service, without
obtaining approval from the Public Utilities Commission.

Your Committee received testimony in support of this measure
from Hawaiian Telecom. Your Committee received testimony in
opposition to this measure from the Division of Consumer Advocacy
of the Department of Commerce and Consumer Affairs. Your
Committee received comments on this measure from TW Telecom of
Hawaii LP.

Your Committee finds that dramatic technological changes
within the telecommunications industry have resulted in increased
telecommunications options for consumers. This measure allows a
telecommunications carrier to adjust a rate for any retail
telecommunications service, other than basic exchange service, to
a rate that is higher than the current filed tariff rate for that
service without approval from the Public Utilities Commission.
The current Public Utilities Commission approval requirement for
any increase in rates to retail telecommunications basic exchange
service, such as single-line residence and business service and
access to 911 and operator services, remains the same. Your



Committee further finds that this measure will continue the State's effort to level the regulatory playing field in retail telecommunications services and ensure that Hawaii's telecommunications marketplace remains vibrant and strong for Hawaii consumers.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1868, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* HB 1868 HD 1	Committee Referral: EDT, CPN	Date: 3-30-12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between;"> <div> <input checked="" type="checkbox"/> Pass, unamended 2312 </div> <div> <input type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh				✓
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
TOTAL	4	0	0	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between;"> <div> Distribution: Original File with Committee Report </div> <div> Yellow Clerk's Office </div> <div> Pink Drafting Agency </div> <div> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes