

## ACT 74

H.B. NO. 1868

A Bill for an Act Relating to Telecommunications.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 269-1, Hawaii Revised Statutes, is amended by adding four new definitions to be appropriately inserted and to read as follows:

“Basic exchange service” means those services consisting of single-line dial tone, touch-tone dialing, access to operator service, access to enhanced 911, telecommunications relay service, telephone directory, and access to directory-assistance service via 411 dialing.

“Dial tone” means the ability to make or receive telephone calls with or without operator intervention.

“Single-line” means a single-party line or a one-party line.

“Touch-tone dialing” means dual-tone multi-frequency, as opposed to dial-pulse signaling.”

SECTION 2. Section 269-16.85, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Notwithstanding section 269-16.9 or any other law to the contrary, the public utilities commission shall treat retail intrastate telecommunications services, under the commission’s classification of services relating to costs, rates, and pricing, as fully competitive and apply all commission rules in accordance with that designation. In addition, a telecommunications carrier shall not be required to obtain approval or provide any cost support or other information to establish or otherwise modify in any manner its rates, fares, and charges, or to bundle any service offerings into a single or combined price package; provided that a telecommunications carrier, except upon receiving the approval of the commission, shall not charge a higher rate for any retail telecommunications basic exchange service than the rate for the same service included in the telecommunications carrier’s filed tariff. All rates, fares, charges, and bundled service offerings shall be filed with the public utilities commission for information purposes only.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Became law on April 25, 2012, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)