

Honolulu, Hawaii

APR 24 2009

, 2009

RE: S.B. No. 603  
S.D. 1  
H.D. 1  
C.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 603, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to promote competition in the telecommunications marketplace by requiring the Public Utilities Commission to treat local exchange intrastate services as fully competitive with regard to costs, rates, and pricing and to consider wireless, voice over internet protocol (VOIP), and other telecommunications technology providers when determining competition in the switched access telecommunications market.

Your Committee finds that advances in technology make wireless and VOIP telephone services a reasonable substitute for traditional land line, or switched access, service for many consumers. However, many other consumers, especially low income consumers and those in



remote areas, remain dependent on switched access. It is the intent of your Committee that critical telecommunications services such as Lifeline phone rates remain undisturbed by this measure. Your Committee finds that this measure will update Hawaii's regulatory framework for telecommunications providers and create market parity among all phone service providers by regulating wireless and VOIP providers in the same manner as switched-access providers.

Your Committee has amended this measure by:

- (1) Clarifying that this measure applies notwithstanding section 269-16.9, Hawaii Revised Statutes; and
- (2) Deleting language that would have made the amendments made by this measure effective on July 1, 2009; and
- (3) Specifying that a telecommunications carrier shall not charge a higher rate for any retail telecommunications service than the rate included in the carrier's filed tariff without the approval of the public utilities commission.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 603, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 603, S.D. 1, H.D. 1, C.D. 1.

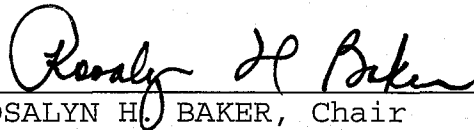
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROBERT N. HERKES, Chair



ROSALYN H. BAKER, Chair



Hawaii State Legislature

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 603, SD 1, HD 1</b>	Date/Time: <i>4-22-09 2:50p</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				HERKES, Robert N., Chr.	✓			
IGE, David Y.				✓	WAKAI, Glenn	✓			
HEMMINGS, Fred	✓				MARUMOTO, Barbara C.	✓			
<b>TOTAL</b>	<i>2</i>	<i>-</i>	<i>-</i>	<i>1</i>	<b>TOTAL</b>	<i>3</i>	<i>-</i>	<i>-</i>	<i>-</i>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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<b>Original</b> <i>File with Conference Committee Report</i>	<b>Yellow</b> <i>House Clerk's Office</i>	<b>Pink</b> <i>Senate Clerk's Office</i>	<b>Goldenrod</b> <i>Drafting Agency</i>
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