

- c. For the coming calendar year, identify all anticipated capital, operating, and maintenance expenditures on projects that the carrier plans to seek federal high-cost support for, broken down to the wire center level or census block, as appropriate;
 - d. For the coming calendar year, maps detailing the location of the project and the wire center or census block of the affected locations or customers, an explanation of the project and how it will be used to improve service quality, coverage, or capacity for the intended benefactors, and the data supporting the quantification of the benefactors. Beginning June 1, 2013, separate progress reports shall be provided for voice and broadband service to the extent required by federal law; and
 - e. If in the final year of high-cost support, plans for the following (i.e., future) calendar years are not required.
4. Pursuant to 47 C.F.R. § 54.320, provide a certification that the carrier will retain, for at least ten years, all records required to demonstrate to auditors that the support received was consistent with the universal service high-cost program rules and that these documents will be available upon request to the FCC and any of its bureaus or offices, Universal Service Administrative Company, and their respective auditors.
- C. Requirements for an Incumbent Local Exchange Carrier or a Rural Local Exchange Carrier

To confirm whether the carrier is or will charge a limited monthly access recovery charge on its wireline service, carriers are to provide a list of the monthly access

recovery charge for each of the carrier's class of service.

Order No. 30932 at 9-13 (citation omitted).

In addition, the commission required that ETCs providing service on Hawaiian Home Lands provide redacted, non-confidential copies of their annual ETC certification reports to the Department of Hawaiian Home Lands ("DHHL") and the OHA.⁹ The commission's review of each of the ETC Parties' filings submitted for certification to receive USF high-cost support are discussed in the sections below.

A.

HTI and Mobi

HTI is the State's incumbent local exchange carrier ("LEC"), providing a "comprehensive slate" of local and intraLATA telecommunication services, statewide. In 1997, the commission approved HTI's application for designation as an ETC to receive federal USF support, effective January 1, 1998.¹⁰

Mobi is authorized by the FCC and the commission to provide commercial mobile radio service, or wireless

⁹See Order No. 30932 at 32.

¹⁰See In re GTE Hawaiian Telephone Company, Incorporated, Docket No. 97-0363, Decision and Order No. 16111, filed on December 4, 1997. HTI was formerly known as GTE Hawaiian Telephone Company, Incorporated.

telecommunications service, throughout the State.¹¹ In 2007, the commission designated Mobi as an ETC for the service areas of HTI and SIC.¹²

Both HTI and Mobi individually filed their annual certification reports with the commission on May 1, 2015,¹³ requesting that the commission certify to the FCC and USAC that they are eligible to receive USF support in accordance with the FCC's rules.

¹¹See In re Coral Wireless, LLC dba Mobi PCS, Decision and Order Nos. 21744 and 23234, filed on April 14, 2005, and January 31, 2007, in Docket Nos. 05-0018 and 2006-0457, respectively.

¹²See In re Coral Wireless, LLC dba Mobi PCS, Decision and Order No. 23275, filed on February 23, 2007, in Docket No. 05-0300.

¹³See Hawaiian Telcom, Inc.'s Annual Certification Requirements Report for the Year Ending December 31, 2014; Confidential Attachments A-E; Certification of Steven P. Golden; Verification; and Certificate of Service, filed on May 1, 2015 (collectively, "HTI's Report"). Consistent with the commission's requirement, a copy of HTI's Report was served on the DHHL and the OHA. See HTI's Report, Certificate of Service.

See 2015 Annual Certification Report of Coral Wireless, LLC d/b/a Mobi PCS, Certification Statement Pursuant to FCC Order No. 01-157, and Certificate of Service (collectively, "Mobi's Report"). Consistent with the commission's requirement, a copy of Mobi's Report was served on the DHHL and the OHA. See Mobi's Report, Certificate of Service at 2.

1. HTI

With regard to the applicable certification requirements set forth in Order No. 30932, HTI provided the necessary information, or indicated how the requirements are currently inapplicable. For instance, with respect to Reporting Requirement A(1) regarding the reporting required by 47 C.F.R. § 54.313, HTI states that it will file with the commission a complete copy of its Annual Report for High-Cost Recipients on July 1, 2015, in accordance with the Regulatory Schedule in the Order Initiating Investigation.¹⁴ Further, with respect to Reporting Requirement A(2) regarding the \$250/line/month cap on USF support as specified in 47 C.F.R. § 54.302, HTI states that it is not affected by the cap, and therefore, the reporting requirement is inapplicable.¹⁵

Moreover, in response to Reporting Requirements B(4)(1) through B(4)(3), HTI provides information regarding:

- (1) the number of its locations or customers in each wire center within its service area as Confidential Attachment A;
- (2) the services available to locations or customers

¹⁴On June 18, 2015, HTI filed copies of its FCC Form 481 which was submitted and certified by HTI to USAC, with a copy sent to the FCC on June 17, 2015. On June 23, 2015, HTI filed its Rate Floor Data Collection Form and certification relating to voice services, which was also submitted to the FCC and to the USAC.

¹⁵See HTI's Report at 5.

in each wire center or census block within its service area as Confidential Attachment B; (3) all capital, operating, and maintenance expenditures for which high-cost support was received, by wire center or census block, as Confidential Attachment C; and (4) updates on the status of projects planned for the previous calendar year as Confidential Attachment D.¹⁶ Included among other things in HTI's Report is the Certification of its Vice President, External Affairs, Steven P. Golden, who provides the necessary certifications regarding notification of planned service interruptions and retention of records in response to Reporting Requirements B(3) and B(4)(4).¹⁷ Finally, in response to Reporting Requirement C (applicable to the incumbent LEC or a rural LEC), HTI states that it initiated an access recovery charge ("ARC") on its wireline services, effective July 3, 2012, and provides its current ARC rates.¹⁸

In its SOP, the Consumer Advocate found that HTI provided sufficient information to justify its certification as a state

¹⁶On May 1, 2015, HTI filed confidential attachments A-E; the information is included in the confidential attachments, and thus, shall not be further identified herein.

¹⁷See HTI's Report, Certification of Steven P. Golden at 1-2.

¹⁸See HTI's Report at 9.

designated ETC participating in the high-cost support program of the federal USF for 2015, pursuant to 47 CFR § 54.314(a).¹⁹

HTI did not submit a reply to the Consumer Advocate's SOP.

Based on the foregoing, the commission concludes that HTI has sufficiently complied with the Annual Certification Requirements adopted in Order No. 30932. As noted by the Consumer Advocate, HTI has provided the requisite information and certifications mandated by the commission, as applicable. The commission points out that HTI has not been involved in any federal investigation relating to the propriety of its monetary expenditures, and/or tax fraud, during the course of this docket, and as such, concludes that there is no uncertainty as to whether all federal high-cost support provided to HTI was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a).

HTI, having complied with the annual ETC certification requirements, and there being no uncertainty as to whether all federal high-cost support provided was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended,

¹⁹See Consumer Advocate's SOP at 3.

pursuant to 47 C.F.R. § 54.314(a), the commission concludes that certification by it of HTI should be provided in 2015.

2. Mobi

With respect to the Reporting Requirements, Mobi provided necessary information or indicated how the requirement is inapplicable.²⁰ In response to Reporting Requirements B(1) and B(2), Mobi provided information regarding: (1) the percentage of all out-of service troubles cleared within 24 hours; and (2) the number of customer trouble reports per 100 lines per month as confidential information.²¹ Mobi also submitted information regarding (1) the number of customers and the services it provides in each wire center or census block; (2) information regarding its capital, operating, and maintenance expenditures; and (3) an update of its projects planned for the previous calendar year for which it received USF high-cost support, in response to Reporting Requirements B(4) (1) through B(4) (3).²²

²⁰Certain requirements were provided or elaborated on in Mobi's response to the Consumer Advocate's IRs.

²¹The information is included in Mobi's confidential Attachment filed on May 1, 2015, and as such, shall not be further identified herein.

²²The information is included in Mobi's confidential Attachment filed on May 1, 2015, and as such, shall not be further identified herein.

Finally, Mobi included as part of its report the Certification of its Chief Financial Officer, Mark Woelfel, who certifies, among other things, the following:

All federal universal service support funds received by Mobi PCS during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the period January 1, 2015, through December 31, 2015, to be eligible for federal universal service support.

Mobi's Report, Certification Statement Pursuant to FCC Order No. 01-0157, at 2.

In its SOP, the Consumer Advocate found that Mobi provided sufficient information to justify its certification as a state designated ETC participating in the high-cost support program of the federal USF for 2015, pursuant to 47 CFR § 54.314(a).

On August 20, 2015, Mobi filed a reply to the Consumer Advocate's SOP, wherein it stated its concurrence with the Consumer Advocate's findings.

Based on the foregoing, the commission concludes that Mobi has sufficiently complied with the Annual Certification Requirements adopted in Order No. 30932. As noted by the Consumer Advocate, Mobi has provided the requisite information and certifications mandated by the commission, as applicable. The commission points out that Mobi has not been involved in any

federal investigation relating to the propriety of its monetary expenditures, and/or tax fraud, during the course of this docket, and as such, concludes that there is no uncertainty as to whether all federal high-cost support provided to Mobi was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a).

Mobi, having complied with the annual ETC certification requirements, and there being no uncertainty as to whether all federal high-cost support provided was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a), the commission concludes that certification by it of Mobi should be provided in 2015.

B.

SIC and Pa Makani

SIC, a rural LEC, is authorized by the commission to provide intrastate telecommunications services in the State on lands administered by the DHHL.²³ In 1998, the commission

²³See In re Sandwich Isles Communications, Inc., Decision and Order No. 16078, filed on November 14, 1997, in Docket No. 96-0026.

designated SIC as an ETC for the service areas consisting of lands administered by the DHHL.²⁴

Pa Makani, an affiliate of SIC, is authorized by the commission to provide wireless telecommunications services in the State.²⁵ In 2012, the commission designated Pa Makani as an ETC for SIC's study area.²⁶

Both SIC and Pa Makani individually filed their annual certification reports with the commission on May 1, 2015,²⁷ requesting that the commission certify to the FCC and USAC that

²⁴See In re Sandwich Isles Communications, Inc., Decision and Order No. 16737, filed on December 9, 1998, in Docket No. 98-0317.

²⁵See In re Pa Makani LLC, dba Sandwich Isles Wireless, Decision and Order, filed on August 4, 2011, in Docket No. 2011-0131.

²⁶See In re Pa Makani LLC, dba Sandwich Isles Wireless, Decision and Order No. 30309, filed on April 10, 2012, in Docket No. 2011-0145.

²⁷See SIC's Annual Certification as an Eligible Telecommunications Carrier; Attachments "1" - "8"; and Certificate of Service, filed on May 1, 2015 (collectively, "SIC's Report"). Consistent with the commission's requirement, a copy of SIC's Report was served on the DHHL and the OHA. See SIC's Report, Certificate of Service.

See Pa Makani's Annual as an Eligible Telecommunications Carrier; Attachments "1" - "7"; and Certificate of Service, filed on May 1, 2015 (collectively, "Pa Makani's Report"). Consistent with the commission's requirement, a copy of Pa Makani's Report was served on the DHHL and the OHA. See Pa Makani's Report, Certificate of Service.

they are eligible to receive USF support in accordance with the FCC's rules.

1. Reporting Requirements

With respect to the Reporting Requirements, both SIC and Pa Makani provided necessary information or indicated how the requirement is inapplicable.²⁸ In response to Reporting Requirements B(1) and B(2), both SIC and Pa Makani provided information regarding: (1) the percentage of all out-of service troubles cleared within 24 hours; and (2) the number of customer trouble reports per 100 lines per month.²⁹ SIC and Pa Makani also submitted information regarding (1) the number of customers and the services it provides in each wire center or census block; (2) information regarding its capital, operating, and maintenance expenditures; and (3) an update of its projects planned for the previous calendar year for which it received USF high-cost support, in response to Reporting Requirements B(4)(1) through B(4)(3).³⁰

²⁸Certain requirements were provided or elaborated on in SIC's and Pa Makani's responses to the Consumer Advocate's IRs.

²⁹The information is included in SIC's Report at 6-7, and in Pa Makani's Report at 5.

³⁰The information is included in Pa Makani's Report at 6-8, and SIC's and Pa Makani's confidential Attachments, individually filed on May 1, 2015. The latter shall not be further identified herein.

Finally, the companies included as part of their reports:

a. SIC's Certification of its President, Janeen Ann Olds, who certified, among other things, the following:

All federal universal service support funds received by [SIC] during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the next calendar year in order to be eligible for federal universal service support regardless of the rule under which that support is provided.

SIC's Report, Certification Statement Pursuant to FCC Order No. 01-0157, at 1; and

b. Pa Makani's Certification of its Manager, and the President of Waimana Enterprises, Inc.,³¹ Albert S.N. Hee, who certifies, among other things, the following:

All federal universal service support funds received by Pa Makani LLC dba Sandwich Isles Wireless during the current calendar year will be used in a manner consistent with Section 254(e); that is, for the provision, maintenance, and upgrading of facilities and services for which the support is intended. The company will continue to comply for the next calendar year in order to be eligible for federal universal service support regardless of the rule under which that support is provided.

³¹According to the record, Waimana Enterprises, Inc. is the parent company of SIC.

Pa Makani's Report, Certification Statement Pursuant to FCC Order No. 01-0157, at 1 (footnote omitted).

SIC and Pa Makani contend that they "have met all of the requirements established by the Commission in Docket No. 2011-0052,"³² and add that SIC has "provided support that all high-cost funds are being used properly."³³ Based thereon, SIC and Pa Makani conclude that they should be certified by the commission as USF high-cost ETCs.³⁴

2. Use of Federal High-Cost Support

The commission recognizes that SIC and Pa Makani have proceeded through the Reporting Requirements "checklist" and either provided information to meet each of the requirements, or indicated how the requirements are inapplicable. Nevertheless, the commission emphasizes that the Reporting Requirements do not wholly comprise the criteria used to determine whether certification is to be granted to a USF high-cost support program participant. As enunciated in Order No. 32752, the commission must also determine whether to

³²SIC's and Pa Makani's "Response to the Division of Consumer Advocacy's Statement of Position Dated August 17, 2015," filed on August 20, 2015 ("RSOP"), at 2.

³³RSOP at 8.

³⁴RSOP at 2-3.

provide to the FCC and USAC the certifications required under 47 C.F.R. § 54.314(a).³⁵

While all of the ETC Parties have furnished similar information and certifications to address the two issues in this docket, there is a factor that distinguishes SIC and Pa Makani from HTI and Mobi, namely, the recent conviction of Mr. Hee³⁶ on July 13, 2015, in federal court.³⁷ According to the Consumer Advocate, Mr. Hee was convicted on seven counts of tax fraud.³⁸

The Consumer Advocate provided references reflecting recent reductions in USF funding, and indicated that, pursuant to 47 C.F.R. §54.8(e)(1), the FCC may take action against SIC if there

³⁵Pursuant to 47 C.F.R. § 54.314(a), "States that desire eligible telecommunications carriers to receive support pursuant to the high-cost program must file an annual certification with the Administrator and the Commission stating that all federal high-cost support provided to such carriers within that State was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended."

³⁶In addition to serving as Pa Makani's Manager and Waimana's President, the Consumer Advocate's SOP at 4 states that at one time, Mr. Hee was also the President of SIC.

³⁷Consumer Advocate's SOP at 4.

³⁸Consumer Advocate's SOP at 4; see United States v. Hee, Cr. No. 14-00826 SOM (D. Haw. July 13, 2015), ECF No. 1:14-cr-00826-SOM. The commission observes that there may be an appeal or other post-trial proceedings concerning the conviction.

is evidence that the USF monies received by SIC were not used for their intended purpose.³⁹ According to the Consumer Advocate:

As set forth in 47 C.F.R. §54.8, "[a]ny individual, group of individuals, corporation, partnership, association, unit of government or legal entity, however organized" can be suspended or debarred from participating from universal support as a result of any of the following:

. . . conviction of or civil judgment for attempt or commission of criminal fraud, theft, embezzlement, forgery, bribery, falsification or destruction of records, making false statements, receiving stolen property, making false claims, obstruction of justice and other fraud or criminal offense arising out of activities associated with or related to the schools and libraries support mechanism, the high-cost support mechanism, the rural health care support mechanism, and the low-income support mechanism.⁴⁰

Because of Mr. Hee's conviction, the Consumer Advocate has concerns about whether USF monies received by SIC were used for [their] intended purpose.⁴¹ Due to these concerns, the Consumer Advocate was not able to support certification of SIC and Pa Mākani as high-cost ETCs. The commission agrees with these concerns and determines that they create uncertainty regarding the

³⁹Consumer Advocate's SOP at 5 (footnotes omitted).

⁴⁰Consumer Advocate's SOP at 5-6 (footnotes omitted).

⁴¹Consumer Advocate's SOP at 4.

second issue to be addressed in this docket concerning the use of high-cost support.

The Consumer Advocate recommended that the commission withhold certification to SIC and Pa Makani until both companies provide the commission and the Consumer Advocate with, among other things, a detailed report on certain issues, including whether any of the expenses identified in Mr. Hee's criminal trial that were deemed to be "personal expenses" and, therefore, not properly expensed as business-related expenses, were paid with either USF or Rural Utilities Service monies.⁴² In light of Mr. Hee's conviction, the Consumer Advocate stated that additional information is necessary to adequately support SIC's and Pa Makani's certification,⁴³ and that certification is premature "until the concerns and issues associated with Mr. Hee's conviction and the reduced USF funding are addressed."⁴⁴

SIC and Pa Makani admitted that the recent court decision relating to Mr. Hee's personal actions has resulted in inquiries from organizations such as the

⁴²Consumer Advocate's SOP at 7.

⁴³Consumer Advocate's SOP at 3.

⁴⁴Consumer Advocate's SOP at 5-6, which reflects that SIC did not receive a universal service disbursement through the high-cost mechanism in June 2015, and that further, it was required to remit monies for the Lifeline mechanism in July 2015 (footnotes omitted).

Department of Hawaiian Home Lands (DHHL), the USAC, the FCC, and other organizations that have partnered with SIC since its inception more than 20 years ago.⁴⁵ However, SIC and Pa Makani subsequently asserted that: (1) Mr. Hee's conviction does not alter SIC's ability to provide telecommunications services; (2) SIC will still be able to provide telecommunication services even with reduced disbursements from USAC; and (3) telecommunications services to the homesteaders on Hawaiian Home Lands will not be impaired by the investigation or the temporary reduction in disbursements from USAC.⁴⁶

Despite SIC's and Pa Makani's assertions, the commission observes that "the USAC has been directed by the Federal Communications Commission (FCC or Commission) to suspend Sandwich Isles Communications, Inc. (Sandwich Isles), study area code 623021, High Cost Program support beginning with the disbursements which were due July 2015."⁴⁷ According to

⁴⁵SIC's and Pa Makani's August 18, 2015 "Response to Division of Consumer Advocacy's Second Submission of Information Requests" ("Response to Second IRs"), at 2.

⁴⁶SIC and Pa Makani's August 20, 2015 "Response to the Division of Consumer Advocacy's Statement of Position Dated August 17, 2015" ("RSOP"), at 11-12.

⁴⁷Response to Second IRs, CA-IR-13 Exhibit 1 at 1 (Letter dated August 7, 2015, to SIC Controller, Abby Tawarahara, from USAC High Cost Program Vice President, Karen Majcher ("August 7 Letter")).

Ms. Majcher (USAC High Cost Program Vice President), Mr. Hee's conviction for federal tax fraud is a concern for the FCC and USAC given management fees paid by SIC to its parent, Waimana, that are recovered through the High Cost Program support mechanisms.⁴⁸

Further:

The conviction and the facts surrounding the case have brought into sharper focus questions about the nature of many of [SIC's] expenses as well as whether [SIC's] affiliate transactions are consistent with FCC rules and policies that govern the Universal Service Fund (USF) and High Cost Program as set forth in 47 C.F.R. Part 54, Subpart E and 47 C.F.R. § 32.27. Accordingly, the FCC has directed USAC to initiate this suspension pending completion of a further investigation and possible other ameliorative measures to ensure that any USF support provided is used solely in a manner consistent with Commission rules and policies.⁴⁹

Consistent with the USAC's August 7 Letter, Ms. Tawahara (SIC's Controller) was informed, on August 13, 2015, by USAC's Internal Audit Division, of the following:

The Universal Service Administrative Company (USAC) Internal Audit Division (IAD) will undertake certain factual inquiries of [SIC] for the data years 2002 to 2015. The purpose of this examination is to determine whether [SIC] complied with applicable [FCC] rules, state laws, and related

Response to Second IRs, CA-IR-13 at 2, wherein SIC also acknowledges that the FCC "has directed USAC to suspend high cost support payments to SIC in response to Mr. Hee's conviction pending further investigation by the FCC."

⁴⁸August 7 Letter at 1.

⁴⁹August 7 Letter at 1.

High Cost Program requirements (collectively, the Rules) and to assess the accuracy of the underlying data used for the calculation of High Cost Loop Support (HCLS), Local Switching Support (LSS), Interstate Common Line Support (ICLS), Safety Net Additive (SNA), and Interstate Carrier Compensation (ICC)."⁵⁰

According to the USAC's IAD, the examination is estimated to be completed by December 2015; however, that anticipatory time reference is dependent upon other outside factors.⁵¹

SIC and Pa Makani contended that "the intense scrutiny currently focused on SIC and SIW by USAC and the FCC regarding the past, present, and future use of Universal Service funds leaves no reason for concern regarding SIC's and SIW's future expenditure of Universal Service funds."⁵² The commission notes that the scrutiny was initiated despite the certifications SIC and Pa Makani made to the commission in 2014 ("2014 certifications"), regarding their purported appropriate use of universal service support funds. The certifications made by SIC and Pa Makani to the commission in 2015 ("2015 certifications") are nearly identical to the 2014 certifications. In light of the 2014 certifications,

⁵⁰Response to Second IRs, CA-IR-13 Exhibit 1 at 2-3 (Letter dated August 13, 2015, to Ms. Tawarahara, from USAC IAD Vice President, Wayne M. Scott ("August 13 Letter"), at 1).

⁵¹August 13 Letter at 2.

⁵²RSOP at 11.

the "intense scrutiny" brings into question whether SIC and Pa Makani should be eligible for commission certification in 2015, pursuant to 47 C.F.R. § 54.314(a).

The commission observes that SIC and Pa Makani are inextricably interconnected and interrelated. Thus, given the uncertainty as to whether all federal high-cost support provided to SIC was used in the preceding calendar year and will be used in the coming calendar year only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, and pending completion of the USAC IAD's examination pursuant to 47 C.F.R. § 54.314(a), the commission agrees with the Consumer Advocate, and concludes that certification of SIC and Pa Makani as high-cost ETCs at this time is premature.

The commission adds that because SIC's high-cost disbursements which were due July 2015 have been suspended by the USAC, certification at this time by the commission, if it had been warranted, would be ineffectual.

C.

Summary of Findings and Conclusions

Based on its review of the entire record, the commission finds and concludes that (1) HTI and Mobi have each sufficiently complied with the Annual Certification Requirements adopted by the commission in Decision and Order No. 30932; and (2) there is no

uncertainty as to whether all federal high-cost support provided to HTI and Mobi was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a). As such, the commission concludes that HTI and Mobi should be certified by the commission as USF high-cost ETCs.

The commission further finds and concludes that despite SIC and Pa Makani having complied with the Annual Certification Requirements, there remains uncertainty as to whether all federal high-cost support provided to SIC and Pa Makani was used and will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to 47 C.F.R. § 54.314(a). As such, the commission concludes that certification of SIC and Pa Makani by the commission as USF high-cost ETCs at this time is premature.⁵³

⁵³The commission recognizes that, pursuant to its Order Initiating Investigation at 2-3, it must act on or before October 1, 2015, for ETCs to receive high-cost support in the first, second, third, and fourth quarters of the succeeding year.

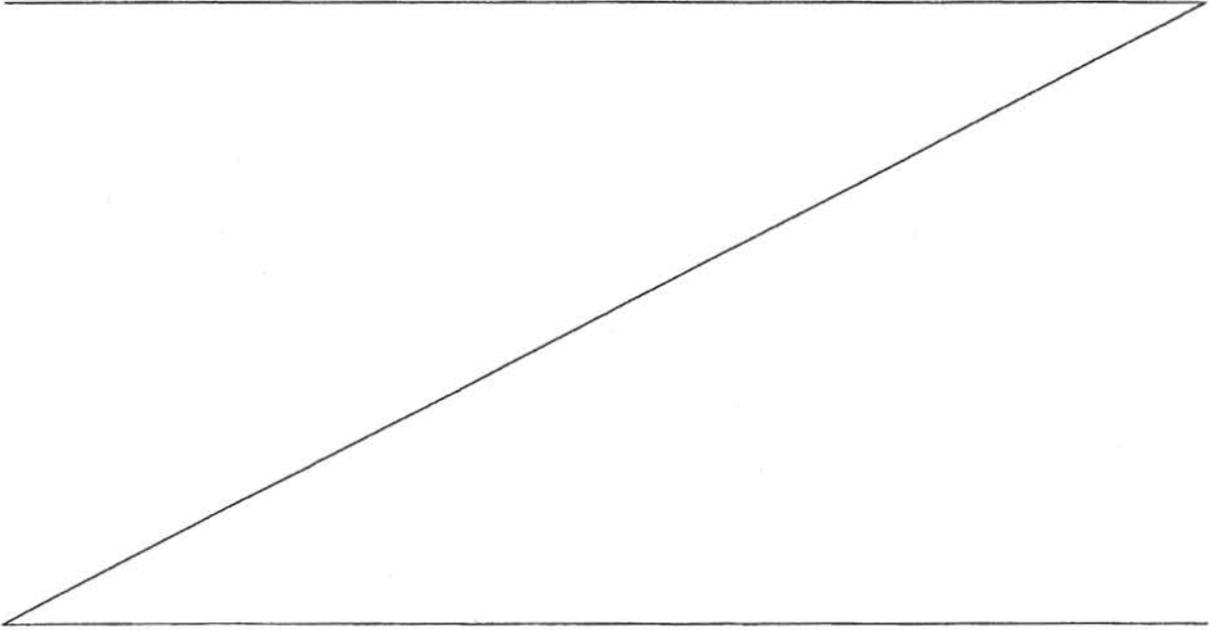
Thus, if the certification is filed after the October 1, 2015 deadline, ETCs will not be eligible to receive USF high-cost support for all quarters in 2016. However, given the circumstances which are germane to this docket and to certain of the ETC Parties herein, namely SIC and Pa Makani, the commission, as warranted, may file § 54.314(a) certifications to the FCC and USAC on a quarterly basis, for the remaining three quarters in 2016, in accordance with 47 C.F.R. § 54.314(d).

III.

Orders

1. Certification pursuant to 47 C.F.R. § 54.314(a), that all federal high-cost USF support provided to HTI and Mobi was used in the preceding calendar year and will be used in the coming calendar year, only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, is hereby provided to the FCC and USAC.

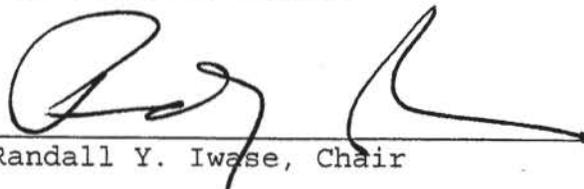
2. Certification to the FCC and USAC pursuant to 47 C.F.R. § 54.314(a), that all federal high-cost USF support provided to SIC and Pa Makani was used in the preceding calendar year and will be used in the coming calendar year, only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, cannot be made at this time.



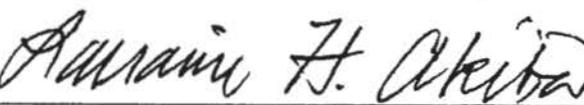
3. This docket is closed unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii SEP 28 2015.

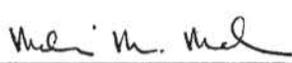
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Randall Y. Iwase, Chair

By 
Michael E. Champley, Commissioner

By 
Lorraine H. Akiba, Commissioner

APPROVED AS TO FORM:


Melissa M. Mash
Commission Counsel

2015-0083.ljk

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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