

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application )

of )

) Docket No. 2008-0037

PACIFIC LIGHTNET, INC. )

For Expedited Review and/or Approval of the )  
Transfer of Pacific LightNet's Outstanding )  
Shares to SK Telecom Holdings, L.P. )

STIPULATED PROCEDURAL ORDER NO. 24067

and

CERTIFICATE OF SERVICE

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

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RECEIVED

Filed March 3, 2008

At 10 o'clock A .m.

Karen Higson

Chief Clerk of the Commission

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STIPULATED PROCEDURAL ORDER NO. \_\_\_\_\_

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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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Attorneys for PACIFIC LIGHTNET, INC.

BEFORE THE PUBLIC UTILITIES COMMISSION  
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STIPULATED PROCEDURAL ORDER

PACIFIC LIGHTNET, INC. ("Applicant") and the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (the "Consumer Advocate"), (Applicant and the Consumer Advocate may be referred to collectively as "Parties" and individually as "Party" as the context warrants), by and through their respective attorneys, do hereby stipulate to the following provisions of this Stipulated Procedural Order as mutually acceptable to each.

ACCORDINGLY, IT IS ORDERED that the following Schedule of Proceedings and procedures shall be utilized in this docket:

I.

SCHEDULE OF PROCEEDINGS

The Parties shall adhere to the schedule of proceedings set forth in the Stipulated Regulatory Schedule attached hereto as Exhibit "A." Notwithstanding the above, the Parties shall have the right to amend the Stipulated Regulatory Schedule as may be agreed in writing from time to time. However, the intent of the Parties in agreeing to a schedule at this time is to promote the efficient and cost-effective allocation of resources. Therefore, any changes to the schedule should be proposed

only when there is an urgency or substantial competing need that cannot be reasonably accommodated without a change.

II.

REQUESTS FOR INFORMATION

Subject to the limitations set forth in this Part II, a Party may submit information requests as set forth in the Stipulated Regulatory Schedule attached hereto as Exhibit "A". After the scheduled date for submitting information requests has passed, no additional information requests shall be allowed except upon stipulation by the Parties.

Applicant agrees to endeavor to provide a response to the information requests within five (5) business days from the date the particular request(s) were provided to the Applicant; provided, however, that in the event a response is unable to be provided within said 5-day period, Applicant agrees to inform the Consumer Advocate accordingly and provide said responses as soon as possible thereafter, but in no event later than ten (10) business days after the receipt of the particular information request unless otherwise agreed to by the Consumer Advocate. Applicant and the Consumer Advocate shall then endeavor to agree upon a later date for submission of the requested information. If the Applicant and the Consumer Advocate are unable to agree, Applicant may seek approval for the late submission of responses from the Commission upon a showing of good cause. It is then within the Commission's discretion to allow such filings.

In addition, because it is anticipated that the Consumer Advocate will be submitting information requests to Applicant on a rolling basis within the time period set forth in Exhibit "A" and that Applicant will or may be providing responses to these requests on a piecemeal basis, and vice versa, and to avoid overburdening the

Commission with various multiple filings and partial filings, Applicant and the Consumer Advocate will use reasonable discretion to determine whether to file their respective information requests and responses with the Commission immediately or not until the date set forth in Exhibit "A." The purpose of this is to give sufficient time for all responses to be compiled and submitted as an entire set in order.

Notwithstanding anything herein to the contrary, including Part IV, infra, in lieu of responses to information requests that would require the reproduction of voluminous documents or materials (documents over 100 pages), the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the Applicant shall make the diskette or such electronic medium available to the Consumer Advocate and the Commission. Applicant shall not be required, in a response to an information request, to provide data that is already on file with the Commission or otherwise part of the public record, or that may be stipulated to pursuant to Part III infra. The Applicant shall, in lieu of production of a document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the Consumer Advocate to locate and copy the document. In addition, the Applicant shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

The Applicant may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious.

The responses of the Applicant to information requests shall adhere to a uniform

system of numbering agreed upon by the Parties. For example, the first information request submitted by the Consumer Advocate in this docket shall be referred to and designated as "CA-IR-1," and a response to this information request shall be referred to and designated as "Response to CA-IR-1."

Each response shall be provided on a separate page and shall recite the entire question asked and set forth the response and/or reference the attached responsive document, indicating the name of the respondent for each response.

### III.

#### MATTERS OF PUBLIC RECORD

In order to provide a means to reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that Applicant has filed with the Commission, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to utility matters, and specified parts of the record in previous Commission dockets shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and the parties; and further provided that any Party has the right to explain, qualify or conduct examination with respect to the identified document.

### IV.

#### COPIES OF FILINGS AND INFORMATION REQUESTS

1. Filings: Copies of all filings with the Commission shall be provided to the following Parties, unless as may be limited by Part II above or a protective order issued in connection with this docket states otherwise:

Public Utilities Commission 465 South King Street First Floor Honolulu, HI 96813	Original plus 8 copies
Division of Consumer Advocacy 335 Merchant Street Room 326 Honolulu, HI 96813 Facsimile Number: (808) 586-2780	4 copies
Laura A. Mayhook, Esq. J. Jeffrey Mayhook, Esq. MAYHOOK LAW, PLLC 34808 NE 14 <sup>th</sup> Avenue La Center, WA 98629 Facsimile Number: (360) 263-4343	1 copy
Ed Case, Esq. BAYS, DEEVER, LUNG, ROSE & HOLMA Ali'i Place, Suite 1600 1099 Alakea Street Honolulu, HI 96813 Fax: (808) 533-4184	1 copy
John A. Maraia, Esq. Vice President & Deputy General Counsel TOYOTA TSUSHO AMERICA, INC. 805 Third Avenue New York, New York 10022 Fax: (212) 355-3499	1 copy
Peter A. Rohrbach, Esq. Yaron Dori, Esq. HOGAN & HARTSON L.L.P. 555 13th Street NW Washington, D.C. 20004 Fax: (202) 637-5910	1 copy

2. All pleadings, position statements and other documents required to be filed with the Commission shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Chapter 61, Subchapter 2, Section 6-61-15 of the Commission's Rules of Practice and Procedure.

3. Copies of all filings, including information requests and information request responses should be sent to the other Parties by hand delivery or U.S. mail. In addition, if available, all Parties shall provide copies of their filings, including information requests and information request responses to the other Parties via diskette or e-mail in a standard electronic format that is readily available by the Parties. The Parties agree to use Word as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in Word format or in an electronic format, a Party shall not be required to convert such workpapers, documentation, or exhibits into such format(s). Also, existing documents produced in response to requests need not be converted to Word as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a Party via diskette or e-mail, unless otherwise agreed to by such Party, the number of hard copies of such filing must be delivered to such Party by hand delivery or U. S. mail as provided in Part IV.1above.

V.

COMMUNICATIONS

Chapter 61, Subchapter 3, Section 6-61-29 of the Commission's Rules of Practice and Procedure concerning ex parte communications is applicable to any communications between a Party and the Commission. However, the Parties may communicate with Commission counsel through their own counsel or designated official only as to matters of process and procedure.

Communications between the Parties should either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing Party.

All motions, supporting memoranda, position statement, and the like shall also be served on opposing counsel.

VI.

GENERAL

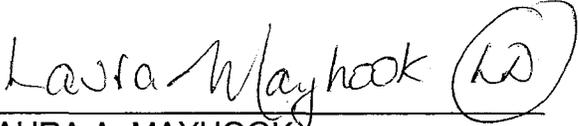
The foregoing procedures shall be applied in a manner consistent with the orderly conduct of this docket.

Pursuant to Chapter 61, Subchapter 3, Section 6-61-37 of the Commission's Rules of Practice and Procedure, this Stipulated Procedural Order shall control the subsequent course of the proceeding, unless modified by the Commission to prevent manifest injustice.

This Stipulated Procedural Order may be executed by the Parties or Participant in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument. The Parties and Participant may execute this Stipulated Procedural Order by facsimile for initial submission to the Commission to be followed by the filing of originals of said facsimile pages.

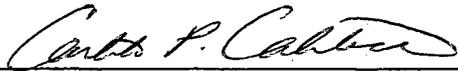
DATED: Honolulu, Hawaii, this 25<sup>th</sup> day of February, 2008.

  
\_\_\_\_\_  
JON S. ITOMURA  
LANE T. TSUCHIYAMA  
Attorneys for the Division of Consumer  
Advocacy Department of Commerce and  
Consumer Affairs

  
\_\_\_\_\_  
LAURA A. MAYHOOK  
J. JEFFREY MAYHOOK.  
Attorneys for Pacific LightNet, Inc.

APPROVED AND SO ORDERED AT HONOLULU, HAWAII THIS 3<sup>rd</sup> DAY  
OF March, 2008.

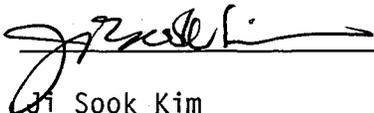
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Ji Sook Kim  
Commission Counsel

**EXHIBIT "A"**

**STIPULATED REGULATORY SCHEDULE**

**Docket No. 2008-0037**

	<b>DATE</b>	<b>DURATION (business days)</b>	<b>PROCEDURAL STEPS</b>
1.	Friday, February 15, 2008	---	Application Filed at PUC; Stipulated Protective Order Filed at PUC
2.	Friday, February 15, 2008 through Friday, March 21, 2008	---	Consumer Advocate's Submission(s) of Information Requests (IRs)
3.	Through Friday, March 28, 2008	5	Applicant's Responses to Consumer Advocate's Submission(s) of IRs
4.	Friday, April 11, 2008	---	Consumer Advocate's Position Statement filed with Commission

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Stipulated  
Procedural Order No. 24067 upon the following Parties and Participant by  
hand delivery or by mail, postage prepaid and properly addressed.

DIVISION OF CONSUMER ADVOCACY 4 copies  
335 Merchant Street  
Room 326  
Honolulu, HI 96813

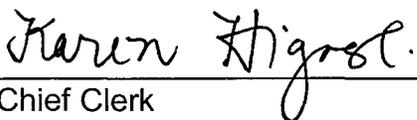
LAURA A. MAYHOOK, ESQ. 1 copy  
J. JEFFREY MAYHOOK, ESQ.  
Mayhook Law, PLLC  
34808 NE 14<sup>th</sup> Avenue  
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Peter A. Rohrbach, Esq. 1 copy  
Yaron Dori, Esq.  
HOGAN & HARTSON L.L.P.  
555 13th Street NW  
Washington, D.C. 20004

Dated: MAR - 3 2008, 2008

  
\_\_\_\_\_  
Chief Clerk