

CABLE TV DIVISION
DEPT OF COMMERCE AND
CONSUMER AFFAIRS

2018 MAR -6 A 10: 26



DAVID Y. IGE
GOVERNOR

DOUGLAS S. CHIN
LIEUTENANT GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

March 2, 2018

VIA EMAIL & U.S. MAIL

Jodi Shin Yamamoto, Esq.
Yamamoto & Caliboso LLLC
1100 Alakea Street, Suite 3100
Honolulu, Hawaii 96813

Re: **Oceanic Time Warner Cable LLC, Kauai Cable Television Franchise**

Dear Ms. Yamamoto:

On November 18, 2016, the Department of Commerce and Consumer Affairs (“DCCA”) informed Oceanic Time Warner Cable LLC (“OTWC”) that the ascertainment proceeding for the renewal of OTWC’s Kauai franchise was completed. On December 16, 2016, OTWC submitted a written application for renewal of its Kauai County franchise (“Application”). The Application was accepted by DCCA on December 30, 2016.¹

On January 26, 2017, DCCA issued information requests (“IRs”) to OTWC regarding the Application. A public hearing on OTWC’s Application was held on February 2, 2017, at the Kapaa High School Library on the island of Kauai to afford interested persons the opportunity to submit oral or written data, views, or arguments regarding the Application. OTWC submitted its responses to DCCA issued IRs on February 15, 2017. In order to provide time for the DCCA to review and consider the

¹In December 2016, prior to the filing of the Application, DCCA and OTWC had mutually agreed to extend the expiration of the current Kauai franchise from December 31, 2016 to March 18, 2017.

Jodi Shin Yamamoto, Esq.

March 2, 2018

Page 2

comments and information provided, as well as to discuss with OTWC the components of a renewed franchise for Kauai, DCCA and OTWC have mutually agreed at various times to extend the expiration of the current Kauai franchise and the deadline for DCCA to make a decision on OTWC's Application. The latest mutually agreed upon extension is from October 31, 2017 to March 31, 2018.

In view of the continuing discussions on the franchise renewal, DCCA and OTWC hereby mutually agree (as acknowledged below) to further extend the term of OTWC's current Kauai franchise from March 31, 2018 to June 29, 2018. Concurrently, the parties also mutually agree that the time for which DCCA is to make a decision on OTWC's renewal Application is extended from March 31, 2018 to June 29, 2018. Both parties hereby reserve all rights under applicable provisions of the Cable Act, including, without limitation, Sections 546 and 555 of Title 47 of the United States Code. Nothing herein shall be deemed or construed as a waiver, release or surrender of any right that either party may have under the Cable Act or any applicable law or regulation.

Please sign and return the original letter back to DCCA. Thank you for your continuing cooperation in this matter.

Sincerely,



CATHERINE P. AWAKUNI COLÓN
Director

Approved and agreed:



Jodi Shin Yamamoto, Esq.

Attorney for Oceanic Time Warner Cable LLC

Date: 3/5/18

c: Ji Sook "Lisa" Kim, Cable Television Division
Department of the Attorney General
Kiman Wong, OTWC
Myoung Oh, OTWC