

BEFORE THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS
OF THE STATE OF HAWAII

In the Matter of the Application of)
PACSAT, INCORPORATED) DOCKET NO. 00-82-01
For a CATV Permit.) ORDER NO. 93

DECISION AND ORDER

A Motion to Intervene in the above-entitled docket was filed on October 27, 1982 by Honolulu Television and Communications Corporation ("Oceanic"), through its attorney, Kevin Chang of the law firm of Kobayashi, Watanabe, Sugita and Kawashima:

In support of its Motion, Oceanic alleges that: (1) it is a permittee for the service area requested by PacSat, Incorporated ("PacSat"); (2) all of the services proposed to be rendered by the Applicant are already being rendered by Oceanic; and (3) any future customers of PacSat are potential customers of Oceanic.

The Applicant, PacSat, opposes the Motion. PacSat alleges Oceanic has no substantial interest in the outcome of PacSat's Application because (1) Oceanic currently does not and never has rendered any of the services proposed by PacSat to the residents of the Gentry-Waipio development; and (2) PacSat's potential customers are merely "future" potential customers of Oceanic.

Upon due consideration of the pleadings, and the arguments contained therein, it is found that Oceanic, as permittee of areas which include the Gentry-Waipio development, has sufficient interests in the proceeding that its participation as a party will contribute to the full development of the evidentiary record in this proceeding.

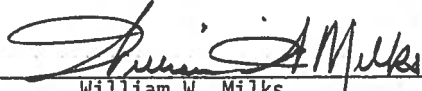
ACCORDINGLY, IT IS ORDERED that:

1. Oceanic's Motion being granted, Oceanic is a party to this proceeding.
2. An evidentiary hearing shall be conducted pursuant to Chapter 91, HRS (Hawaii Administrative Procedure Act) and Chapter 237 (Uniform Rules for Chapter 440G, HRS, Cable Television Systems).
3. Suggested issues, proposed schedules, information requests and any other prehearings submissions by either or both parties to this proceeding shall be submitted to the Hearings Officer on or before January 14, 1983.
4. A prehearing conference will be held to: (1) establish the issues; (2) identify probable witnesses; and (3) attend to any other matters which will facilitate an orderly, productive, and expeditious hearing.

It is proposed that the hearing be held on January 24, 1983 in the Exam-Conference Room of the Department of Commerce and Consumer Affairs, 1010 Richards Street, Honolulu, Hawaii, commencing at 9:00 A.M.

DONE at Honolulu, Hawaii, this 4th day of January, 1983.

CABLE TELEVISION DIVISION
DEPARTMENT OF COMMERCE
AND CONSUMER AFFAIRS



William W. Milks
Hearings Officer

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Order No. 93 was served upon the following by mailing the same, postage prepaid, on this 4th day of January, 1983:

PacSat, Incorporated
94-539 Puahi Street
Waipahu, Hawaii 96797

Mau & White
Attention: Jonathan Chun
1000 Bishop Street, Suite 303
Honolulu, Hawaii 96813

Honolulu Television & Communications Corp.
Attention: Don Carroll, President
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Honolulu, Hawaii 96819

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