

2023 Oct 9 4:16 pm

e-Filed



October 9, 2023

VIA HAND AND ELECTRONIC DELIVERY

Nadine Y. Ando, Director
Department of Commerce and Consumer Affairs
335 Merchant Street, 1st Floor
Honolulu, Hawaii 96813

Attn: Randy M. Leong, Cable Television Administrator

Re: Application of Hawaiian Telcom Services Company, Inc. for issuance of a Cable Franchise for the Island of Kaua`i

Dear Mr. Leong:

Enclosed please find an original and three (3) copies of Hawaiian Telcom Services Company, Inc.'s ("HTSC" or "Applicant") application for a cable television franchise for the island of Kaua`i.

As the enclosures contain certain information Applicant considers to be confidential, proprietary, and/or competitively sensitive, Applicant respectfully requests that the contents of the "Confidential" enclosures not be disclosed to third parties without Applicant's prior written consent.

A complete listing of the confidential enclosures is below. Unauthorized disclosure of this information would infringe on the privacy rights of Applicant and/or its parent companies and cause competitive and other harm.

1. Confidential Exhibit III.E contains the master services agreement between Hawaiian Telcom Services Company, Inc. ("Applicant") and Hawaiian Telcom, Inc.
2. Confidential Exhibit III.F contains Applicant's confidential timing for the launch of its video service and strategy for preparing for such launch. Disclosure of such information would be harmful to Applicant by allowing competitors to tailor their marketing campaign accordingly.
3. Confidential Exhibit V.C contains confidential disclosures of the identities of the holdings (franchisee/license and systems) in which Applicant, its affiliates, or any principal owns one percent or more of stock or other equity interest.

4. Confidential Exhibits V.D.2, VI.D.1.a and confidential forms B-1, B-2, B-3, B-4, B-4(Cont), B-5 (Cont), B-6, B-7, B-8, B-10, and B-11(Cont) contain confidential financial information that reflects Applicant's business plan, intentions and strategies. Disclosure of such information to Applicant's competitors and potential competitors would result in substantial financial harm to Applicant.
5. Confidential Exhibits VI.C.1, VI.C.3, and V.D.3 and V.D.6.b contain competitively-sensitive financial information that reveal sources of funding and terms of financing of Applicant and its parent companies. Disclosure of such information would result in a competitor or potential competitor gaining a competitive advantage.
6. Confidential Exhibit VII contains confidential, proprietary and competitively-sensitive training curriculum for Applicant's new video platform service and disclosure of this information would reveal Applicant's business strategy and put Applicant at a competitive disadvantage.
7. Confidential Exhibits IX.A.1, IX.A.2, IX.A.3, IX.C.1, IX.C.1 (CONT), IX.E, IX.J2, IX.J.3, IX.K.1, IX.N.2, IX.N.3, IX.V, and IX.Y.1 contain competitively-sensitive information relating to the location and details of the central facility, headend and network equipment used by Applicant to deliver its video service. These confidential exhibits also contain confidential, and proprietary information to Applicant's network system design. The disclosure of which could compromise the security of the communications network.
8. Confidential Exhibit X.G. contains Applicant's agreements with content aggregators that Applicant will be using to obtain most of its programming. These agreements are confidential, proprietary with competitively-sensitive terms that are subject to contractual confidentiality obligations.
9. Confidential Exhibit XI.C contains confidential, proprietary and competitively-sensitive information on Applicant's expected churn rate.

Thank you for your consideration of this application. If you have any questions, please contact me at steven.golden@hawaiiantel.com or 808-546-3877.

Sincerely,

rc/ Steven P. Golden

Steven P. Golden

Vice President, External Affairs

SPG:rc

Enclosures