

COMMITTEE ON NATURAL RESOURCES
Subcommittee on Indian and Alaska Native Affairs
113th Congress Disclosure Form
As required by and provided for in House Rule XI, clause 2(g) and
the Rules of the Committee on Natural Resources

Update from tribal leaders and tribal telecommunications providers
on the implementation of the Federal Communications Commission's rule on the
Universal Service Fund

For Individuals:

1. Name:
2. Address:
3. Email Address:
4. Phone Number:

* * * * *

For Witnesses Representing Organizations:

1. Name: Albert S.N. Hee
2. Name of Organization(s) You are Representing at the Hearing: Sandwich Isles Communications, Inc.
3. Business Address: [REDACTED]
4. Business Email Address: [REDACTED]
5. Business Phone Number: [REDACTED]

Name/Organization: Albert S.N. Hee – Sandwich Isles Communications, Inc.

Title/Date of Hearing: Update from tribal leaders and tribal telecommunications providers on the implementation of the Federal Communications Commission's rule on the Universal Service Fund/June 18, 2013

a. Any training or educational certificates, diplomas or degrees or other educational experiences that are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing.

Since 1982, Mr. Albert S.N. Hee has been in the private utility business, leading to the founding of Waimana Enterprises in 1988. Waimana Enterprises is a holding company for several subsidiaries which are primarily engaged in developing investor owned utilities in Hawaii. Each subsidiary develops and/or owns and/or operates a utility system. Mr. Hee's primary role is to create the business opportunity for each of the subsidiaries.

Investor owned utilities have existed in Hawaii since well before the 1900's. They are an alternative to municipal owned utilities, which are funded through taxes. In a small state like Hawaii, competition for Mr. Hee's projects come from the well established monopoly utilities. Creation of utilities is capital intensive. Mr. Hee's success has been attributed to his creative solutions to financing projects each requiring hundreds of millions of dollars.

Waimana Enterprises (through its subsidiaries) developed the largest hydroelectric power plant in Hawaii and has several more power facilities in various stages of development. Currently, another Waimana subsidiary, Sandwich Isles Communications, is developing a state-wide telecommunications network. The state-wide telecommunications network will make it possible for native Hawaiians living on Hawaiian Home Lands to access the latest social, medical, educational, and commercial telecommunications services.

Prior to beginning his entrepreneurial career, Mr. Hee served in the U.S. Navy, after which he returned to Hawaii and worked for Theo H. Davies.

Mr. Hee, a native Hawaiian and Hawaiian Home Lands beneficiary, is a graduate of the Kamehameha Schools and the U.S. Naval Academy.

b. Any professional licenses, certifications, or affiliations held that are relevant to your qualifications to testify on or knowledge of the subject matter of the hearing.

See response to a. above

c. Any employment, occupation, ownership in a firm or business, or work-related experiences that relate to your qualifications to testify on or knowledge of the subject matter of the hearing.

See response to a. above

d. Any federal grants or contracts (including subgrants or subcontracts) from the *Department of the Interior (and/or other agencies invited)* that you have received in the current year and previous four years, including the source and the amount of each grant or contract.

None.

Name/Organization: Albert S.N. Hee – Sandwich Isles Communications, Inc.

Title/Date of Hearing: Update from tribal leaders and tribal telecommunications providers on the implementation of the Federal Communications Commission's rule on the Universal Service Fund/June 18, 2013

e. A list of all lawsuits or petitions filed by you against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuits or petitions were filed.

None.

f. A list of all federal lawsuits filed against you by the federal government in the current year and the previous four years, giving the name of the lawsuit, the subject matter of the lawsuit, and the federal statutes under which the lawsuits were filed.

None.

g. Any other information you wish to convey that might aid the Members of the Committee to better understand the context of your testimony.

None.

h. Any offices, elected positions, or representational capacity held in the organization(s) on whose behalf you are testifying.

President.

i. Any federal grants or contracts (including subgrants or subcontracts) from the *Department of the Interior (and /or other agencies invited)* that were received in the current year and previous four years by the organization(s) you represent at this hearing, including the source and amount of each grant or contract for each of the organization(s).

None.

j. A list of all lawsuits or petitions filed by the organization(s) you represent at the hearing against the federal government in the current year and the previous four years, giving the name of the lawsuit or petition, the subject matter of the lawsuit or petition, and the federal statutes under which the lawsuits or petitions were filed for each of the organization(s).

1. Petition for Declaratory Ruling of Sandwich Isles Communications, WC Docket No. 09-133 (Federal Communications Commission), filed June 26, 2009, requests issuance of a Declaratory Ruling that certain circuit lease expenses incurred by Sandwich Isles Communications are "used and useful" and direct the National Exchange Carrier Association to accept such costs for inclusion in, and settlement from, its traffic sensitive pool; and Sandwich Isles Communications, Inc. Petition for Reconsideration, WC

Name/Organization: Albert S.N. Hee – Sandwich Isles Communications, Inc.

Title/Date of Hearing: Update from tribal leaders and tribal telecommunications providers on the implementation of the Federal Communications Commission's rule on the Universal Service Fund/June 18, 2013

Docket No. 09-133, filed October 29, 2010, for reconsideration of Wireline Competition Bureau's Declaratory Ruling, WC Docket No. 09-133 (September 29, 2010).

2. Sandwich Isles Communications, Inc., Gold Ivory LLC, Healii Heine and Harry Johnston v National Exchange Carrier Association, Civil Action No. 10-2341 (ABJ) (United States District Court for the District of Columbia) filed December 30, 2010, breach of contract, breach of the implied covenant of good faith and fair dealing, equal protection under Fourteenth Amendment of the United States Constitution, and tortious interference with prospective business advantage.
3. Sandwich Isles Communications, Inc. Petition for Waiver of 47 C.F.R. 54.302, WC Docket No. 10-90, WT Docket No. 10-208 (Federal Communications Commission) filed December 30, 2011, waiver of universal service and intercarrier compensation reform rules, including Section 54.302 adopted by the Federal Communications Commission in its Report and Order released November 18, 2011 (In the Matter of Connect America Fund, WC Docket No. 10-90, et al, Report and Order FCC 11-161).

k. A list of all federal lawsuits filed against the organization(s) you represent at the hearing by the federal government in the current year and the previous four years, giving the name of the lawsuit, the subject matter of the lawsuit, and the federal statutes under which the lawsuits were filed.

None.

l. For tax-exempt organizations and non-profit organizations, copies of the three most recent public IRS Form 990s (including Form 990-PF, Form 990-N, and Form 990-EZ) for each of the organization(s) you represent at the hearing (not including any contributor names and addresses or any information withheld from public inspection by the Secretary of the Treasury under 26 U.S.C. 6104)).

Not applicable.