

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )  
 )  
TELIGENT SERVICES, INC. and )  
TAC LICENSE CORP. )  
 )  
For Grant of the Authority )  
Necessary to Consummate a )  
Chapter 11 "Re-Emergence" Plan. )  
\_\_\_\_\_ )

DOCKET NO. 01-0392

ORDER NO. 19471

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

2002 JUL 16 P 4:05

RECEIVED

Filed July 16, 2002  
At 2:00 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.  
K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of)	)	
TELIGENT SERVICES, INC. and	)	Docket No. 01-0392
TAC LICENSE CORP.	)	
	)	Order No. 19471
For Grant of the Authority	)	
Necessary to Consummate a	)	
Chapter 11 "Re-Emergence" Plan.)	)	
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ORDER

I.

By Decision and Order No. 19100, filed on December 10, 2001, the commission approved the proposed transaction described in the petition filed by TELIGENT SERVICES, INC. (TSI)<sup>1</sup> and TAC LICENSE CORP. (New TSI). The petition was filed on September 12, 2001, requesting commission approval to enable TSI to consummate a transaction arising out of its Chapter 11 status,<sup>2</sup> enabling it to continue its current Hawaii operations without further disruptions through a new "Teligent" corporate entity. In that decision and order, the commission also granted New TSI a

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<sup>1</sup>By Decision and Order No. 17577, filed on March 2, 2000, as amended by Order No. 17840, filed on July 18, 2000, in Docket No. 99-0173, the commission granted TSI a certificate of authority (COA) to operate as a facilities-based provider and reseller of intrastate telecommunications services.

<sup>2</sup>On May 21, 2001, Teligent, Inc. (Teligent) and its subsidiaries, including TSI, filed for bankruptcy in the U.S. Bankruptcy Court for the Southern District of New York (Bankruptcy Court). They currently operate under the protection of Chapter 11 of the United States Bankruptcy Code (Chapter 11 protection).

COA to operate as a provider of facilities-based and resold intrastate telecommunications services in the State of Hawaii.

Subsequently, by two letters dated June 5, 2002, and filed on June 6, 2002, TSI informed us that its plan to emerge from bankruptcy, as approved in Decision and Order No. 19100, was not confirmed by the Bankruptcy Court, and that it now expects to emerge from Chapter 11 protection in the same form that TSI entered it (new plan of reorganization). Among other things, TSI represents that there will be no change in: (1) its stock; (2) its management; or (3) the provision of telecommunications services that it intends to provide. Thus, TSI requests that: (1) Decision and Order No. 19100 be vacated or nullified; and (2) its new plan of reorganization be approved, if necessary.

Based on the above, we find good cause to rescind Decision and Order No. 19100. The proposed transaction approved in the decision and order will not be consummated, and TSI will not be providing telecommunications services through the new corporate entity, New TSI, upon its emergence from bankruptcy.

Additionally, based on TSI's representations, we find that commission approval of its new plan of reorganization is unnecessary. In essence, TSI plans to emerge from bankruptcy in the same form as it entered it, with no expected material changes to the telecommunications services it intends to provide its Hawaii customers. Thus, the commission will not further address this matter.

Accordingly, we conclude that Decision and Order No. 19100, filed on December 10, 2001, should be rescinded, and that this docket should be closed.

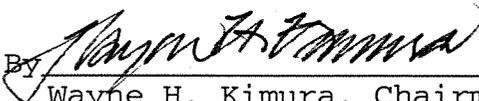
II.

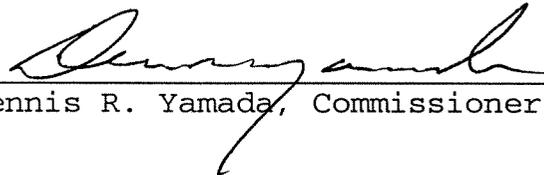
THE COMMISSION ORDERS:

1. Decision and Order No. 19100, filed on December 10, 2001, is rescinded.
2. This docket is closed.

DONE at Honolulu, Hawaii this 16th day of July, 2002.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Dennis R. Yamada, Commissioner

By (EXCUSED)  
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Ji Sook Kim  
Commission Counsel

01-0392.eh

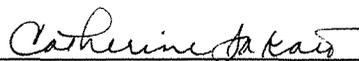
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19471 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
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Catherine Sakato

DATED: July 16, 2002