

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 TON SERVICES, INC.)
)
 Notice of Failure to Comply)
 With Hawaii Revised Statutes)
 and Commission's Regulations)
 Order to Show Cause Why)
 Respondent's Operating)
 Authority Should Not Be)
 Suspended or Revoked.)
 _____)

DOCKET NO. 02-0331

ORDER NO. 19642

RECEIVED
2002 SEP 30 A 9:05
DIV. OF CONSUMER AFFAIRS
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed Sept. 30, 2002
At 8:00 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
CATHERINE SAKATO
Clerk
Public Utilities Commission
State of Hawaii
C. Sakato

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)	
TON SERVICES, INC.)	Docket No. 02-0331
Notice of Failure to Comply)	Order No. 19642
With Hawaii Revised Statutes)	
and Commission's Regulations)	
Order to Show Cause Why)	
Respondent's Operating)	
Authority Should Not Be)	
Suspended or Revoked.)	
_____)	

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

TON SERVICES, INC. (Respondent), is the holder of a certificate of authority (COA), issued pursuant to Hawaii Administrative Rules (HAR) § 6-80-18. Under its COA, Respondent is authorized to operate as a reseller of intrastate telecommunications services in the State of Hawaii (State).

As the holder of a COA, Respondent is required to file an annual financial report (AFR) by March 31 of each year, pursuant to HAR § 6-80-91, and pay a public utility fee (Fee) in July and December of each year, pursuant to Hawaii Revised Statutes (HRS) § 269-30. Respondent failed to file its 2000 AFR and pay the Fee that was due on July 31, 2001.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in part or in whole, if the holder is found to be in violation of any applicable State laws or commission rules. Accordingly, the commission may

suspend or revoke Respondent's COA for failure to comply with the legal requirements set forth above, unless Respondent is able to show why such suspension or revocation should not occur.

THE COMMISSION ORDERS:


1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 29, 2002 to show cause why Respondent's COA should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.


2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

3. If Respondent fails to appear at the scheduled hearing, Respondent's COA shall be revoked.

DONE at Honolulu, Hawaii this 30th day of September,
2002.

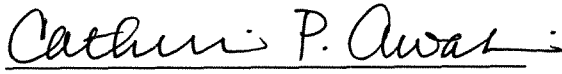
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

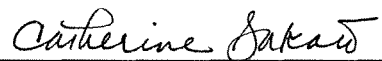

Catherine P. Awakuni
Commission Counsel
02-0331.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19642 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
P. O. Box 541
Honolulu, HI 96809

TON SERVICES, INC.
4185 Harrison Boulevard, Suite 301
Ogden, UT 84403
(CM #7099 3220 0003 3738 9119)



Catherine Sakato

DATED: September 30, 2002