

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
 EQUALNET CORPORATION )  
 )  
 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. 02-0312

DECISION AND ORDER NO. 19899

Filed Dec. 17, 2002  
At 8:00 o'clock A.M.

Karen Higashi.  
Chief Clerk of the Commission

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

2002 DEC 17 P 4:09

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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 -----) )  
EQUALNET CORPORATION ) Docket No. 02-0312  
Notice of Failure to Comply ) Decision and Order No. 19899  
With Hawaii Revised Statutes )  
and Commission's Regulations )  
Order to Show Cause Why )  
Respondent's Operating )  
Authority Should Not Be )  
Suspended or Revoked. )  
\_\_\_\_\_ )

DECISION AND ORDER

By Order No. 19623, filed on September 30, 2002, the commission ordered EQUALNET CORPORATION (Respondent) to 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 certificate of authority (COA) should not be suspended or revoked for failure to pay a public utility fee that was due on December 31, 2001, pursuant to Hawaii Revised Statutes § 269-30.<sup>1</sup> The commission notified Respondent that its COA would be revoked if it failed to appear at the scheduled hearing.

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<sup>1</sup>The commission notified Respondent of the October 29, 2002 hearing by serving Order No. 19623 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to Hawaii Administrative Rules (HAR) § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to Respondent's last known address, or to Respondent's attorney. Additionally, pursuant to HRS § 91-9.5, the commission provided Respondent with notice of the hearing via statewide publication in newspapers of general circulation on October 7 and October 14, 2002.

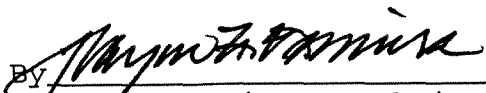
On October 29, 2002, Respondent failed to appear before the commission's hearings officer. As a result, the hearings officer recommended that: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's COA be revoked.

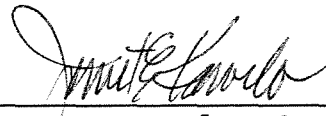
Based on the above, the commission finds that Respondent has not complied with Order No. 19623, the applicable laws, rules, and regulations, and concludes that Respondent's COA should be revoked.

THE COMMISSION ORDERS that Respondent's COA is revoked.

DONE at Honolulu, Hawaii this 17th day of December, 2002.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

By \_\_\_\_\_ (RECUSED)  
Gregg J. Kinkley, Commissioner

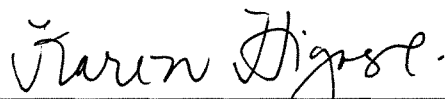
  
Catherine P. Awakuni  
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19899 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

EQUALNET CORPORATION  
Equalnet Plaza  
P. O. Box 441085  
Houston, TX 77244-1085  
(CM #7099 3220 0001 6484 8261)

  
\_\_\_\_\_  
Karen Higashi

DATED: December 17, 2002