

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
CABLE & WIRELESS USA, INC.)
To Voluntarily Surrender its)
Certificate of Authority.)

DOCKET NO. 96-0380

ORDER NO. 20972

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

2004 MAY 13 P 3:31

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Filed May 13, 2004
At 2:00 o'clock P.M.

Karen Digest.
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
CABLE & WIRELESS USA, INC.) Docket No. 96-0380
To Voluntarily Surrender its) Order No. 20972
Certificate of Authority.)

ORDER

CABLE & WIRELESS USA, INC. ("Petitioner" or "C&W USA") holds a certificate of authority ("COA") to operate as a reseller of intrastate telecommunications services.¹ The commission issued COA-0021 to Petitioner.

Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated March 8, 2004. Petitioner represents that:

1. In December 2003, it filed a petition for reorganization under Chapter 11 of the United States Bankruptcy Code.

2. "As a result of this filing, certain of C&W USA's assets were purchased through the bankruptcy auction process. When the process of the transfer of those assets was completed on March 5, 2004, C&W USA was no longer providing telecommunications service in your state."

¹See Decision and Order No. 15162, filed on November 13, 1996 (Cable & Wireless, Inc.)

3. It "has no customers in your state that will be impacted by this relinquishment request and therefore no customers to notify."

Given Petitioner's bankrupt status and its non-provision of telecommunications services in the State of Hawaii, the commission: (1) approves the voluntary surrender of Petitioner's COA; and (2) waives the customer notification requirement set forth in Hawaii Administrative Rules ("HAR") § 6-80-123(a).² Petitioner represents that it does not have any intrastate customers to notify of its discontinuance of telecommunications services.

THE COMMISSION ORDERS:

1. Petitioner's request to voluntarily surrender COA-0021 to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this order. Petitioner shall promptly return COA-0021 to the commission.


2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.


3. This docket is closed.

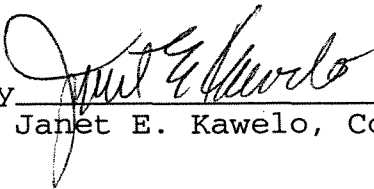
²The commission notified Petitioner of its need to: (1) file its 2002, 2003, and 2004 annual financial reports; and (2) pay the applicable public utility fees based on its 2002, 2003, and 2004 revenues. In the future event Petitioner, its parent, affiliate, or subsidiary, re-applies for a COA, it will be required to comply with these filing and payment requirements.

DONE at Honolulu, Hawaii this 13th day of May, 2004.

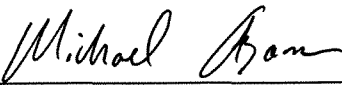
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

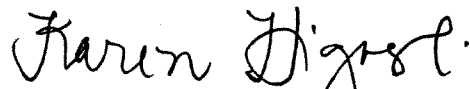
96-0380.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20972 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

CATHY L. SLESINGER
SENIOR VICE PRESIDENT
PUBLIC POLICY - U.S.A.
CABLE & WIRELESS
11700 Plaza America Drive
10th Floor
Reston, VA 20190



Karen Higashi

DATED: May 13, 2004