

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
PEGASUS COMMUNICATIONS HI, 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. 03-0343

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

2004 JUL 26 A 8:54

RECEIVED

DECISION AND ORDER NO. 21171

Filed July 22, 2004
At 11:00 o'clock A .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 -----))
PEGASUS COMMUNICATIONS HI, INC.) Docket No. 03-0343
Notice of Failure to Comply) Decision and Order No. 21171
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

The commission ordered PEGASUS COMMUNICATIONS HI, INC. ("Respondent") to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 26, 2003 to show cause why Respondent's certificate of registration ("COR") should not be suspended or revoked for failure to file its 2001 annual financial report, pursuant to Hawaii Administrative Rules ("HAR") § 6-80-91, and pay a public utility fee that was due on July 31, 2002 and December 31, 2002, pursuant to Hawaii Revised Statutes ("HRS") § 269-30.¹ The commission notified Respondent

¹The commission notified Respondent of the November 26, 2003 hearing by serving Order No. 20544 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to 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

that its COR would be revoked if it failed to appear at the scheduled hearing.

On November 26, 2003, Respondent failed to appear before the commission's hearings officer. As a result, the hearings officer recommended that the commission render the following findings and conclusions: (1) Respondent be found in default for failure to appear at the hearing and (2) Respondent's COR be revoked.

Based on the above, the commission finds that Respondent has not complied with Order No. 20544, the applicable laws, rules, and regulations, and concludes that Respondent's COR should be revoked.

THE COMMISSION ORDERS that Respondent's COR is revoked.

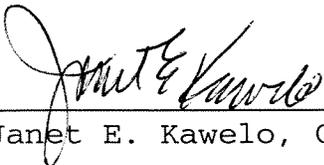
statewide publication in newspapers of general circulation on November 3 and November 10, 2003.

DONE at Honolulu, Hawaii this 22nd day of July, 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:


Catherine P. Awakuni
Commission Counsel

03-0343.cs

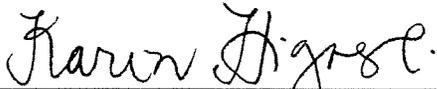
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21171 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

PEGASUS COMMUNICATIONS HI, INC.
3618 Anela Place
Honolulu, HI 96822

(CM #7002 2030 0006 6812 6830)



Karen Higashi

DATED: July 22, 2004