

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of -----)  
BCGI COMMUNICATIONS CORP. )  
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. 04-0233

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

2004 SEP -9 A 8:28

RECEIVED

ORDER NO. 21274

Filed Sept. 7, 2004  
At 8 o'clock A .M.

Karen Higrot.  
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of -----)		
BCGI COMMUNICATIONS CORP.	)	Docket No. 04-0233
Notice of Failure to Comply	)	
With Hawaii Revised Statutes	)	Order No. 21274
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

BCGI COMMUNICATIONS CORP. ("Respondent") is the holder of a certificate of authority ("COA"), issued pursuant to Hawaii Administrative Rules ("HAR") § 6-80-18. The commission authorized Respondent to operate as a reseller of intrastate telecommunications services in the State of Hawaii ("State") under the COA.

HAR § 6-80-91 requires Respondent to file an annual financial report ("AFR") by March 31 of each year. Hawaii Revised Statutes ("HRS") § 269-30 requires Respondent to pay a public utility fee ("Fee") in July and December of each year. Respondent failed to file its 2003 AFR and pay the Fee that was due on July 31, 2003 and December 31, 2003.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in part or in whole, if the commission finds that the holder violated 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 cause 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 6, 2004 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.

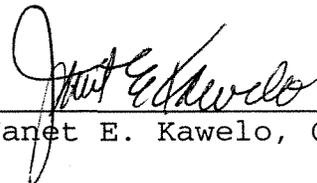
DONE at Honolulu, Hawaii this 7<sup>th</sup> day of September,

2004.

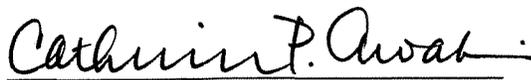
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:



Catherine P. Awakuni  
Commission Counsel

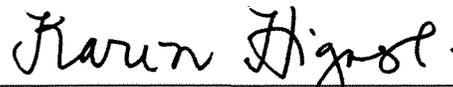
04-0233.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21274 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

JOHANNA REGAN  
BCGI COMMUNICATIONS CORP.  
100 Sylvan Road, Suite 100  
Woburn, MA 01801  
CM #7003 1680 0002 5382 9314

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

DATED: September 7, 2004