

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
BUSINESS DISCOUNT PLAN, 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. 04-0235

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

2004 SEP -9 A 8:28

RECEIVED

ORDER NO. 21276

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

Karen Higzel.  
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of -----)	
)	
BUSINESS DISCOUNT PLAN, INC. )	Docket No. 04-0235
)	
Notice of Failure to Comply )	Order No. 21276
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

BUSINESS DISCOUNT PLAN, INC. ("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. Respondent failed to file its 2003 AFR.

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  
04-0235.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21276 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

DAVID JENKINS, PRESIDENT  
BUSINESS DISCOUNT PLAN, INC.  
One World Trade Center, Suite 800  
Long Beach, CA 90831  
CM #7003 1680 0002 5382 9338

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

DATED: September 7, 2004