

II.

Description of Applicant and its Proposed Services

Applicant is a California corporation with its principal place of business in La Jolla, California.

Applicant intends to provide intrastate pay telephone service throughout the entire State. However, it appears that Applicant proposes to offer and provide pay telephone services initially on the islands of Oahu and Maui.

III.

Discussion

A.

COR

Upon review of the Application, the commission finds that Applicant has fulfilled the requirements of HAR § 6-80-17(d). Accordingly, the commission will grant Applicant a COR to operate as a pay telephone service provider within the State.

B.

Proposed Tariff

In its Statement of Position, the Consumer Advocate notes that Applicant's proposed rules and regulations in its proposed tariff, in general, are reasonable since they are similar to tariffs of other current intrastate pay telephone service providers in the State. We agree. Therefore, the

commission concludes that Applicant's proposed tariff should be approved.

IV.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted a COR to operate as a pay telephone service provider within the State.

2. As the holder of a COR, Applicant shall be subject to all applicable provisions of HRS chapter 269; HAR chapters 6-80, 6-81, and 6-82; any other applicable State laws and commission rules; and any orders that the commission may issue from time to time.

3. Applicant shall file its tariffs in accordance with HAR §§ 6-80-39 and 6-80-40. Applicant's tariffs shall comply with the provisions of HAR chapters 6-80 and 6-82. In the event of a conflict between any tariff provision and State law, State law shall prevail.

4. Applicant shall conform its initial tariff to the applicable provisions of HAR chapters 6-80 and 6-82. An original and eight (8) copies of the initial tariff shall be filed with the commission, and two (2) additional copies shall be served on the Consumer Advocate. Applicant shall ensure that the appropriate issued and effective dates are reflected in its tariffs.


5. Within thirty (30) days from the date of this decision and order, Applicant shall pay a public utility fee of \$60, pursuant to HRS § 269-30. The business check shall be made

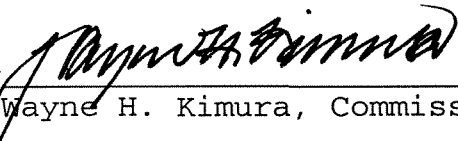
payable to the Hawaii Public Utilities Commission, and sent to the commission's office at 465 S. King Street #103, Honolulu, HI, 96813.

6. Failure to promptly comply with the requirements set forth in paragraphs 3 to 5 may constitute cause to void this decision and order, and may result in further regulatory action, as authorized by law.

DONE at Honolulu, Hawaii NOV 24 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:


Kris N. Nakagawa
Commission Counsel
04-0301.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21473 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
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Honolulu, HI 96809

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Consultant to WATERVILLE COMMUNICATIONS, dba
WATERVILLE COMMUNICATIONS CORPORATION

DATED: NOV 24 2004


for Karen Higashi