

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
 RED RIVER NETWORKS, LLC )  
 )  
 For a Certificate of Public )  
 Convenience and Necessity. )  
 \_\_\_\_\_ )

DOCKET NO. 05-0030

ORDER NO. 21842

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

RECEIVED  
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Filed May 26, 2005  
At 1 o'clock P.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 the Application of )	)	
RED RIVER NETWORKS, LLC )	)	Docket No. 05-0030
For a Certificate of Public )	)	Order No. 21842
Convenience and Necessity. )	)	
_____ )	)	

ORDER

By this Order, the commission dismisses, without prejudice, RED RIVER NETWORKS, LLC's ("Applicant") February 3, 2005 Application for a certificate of authority ("COA")<sup>1</sup> to provide intrastate telecommunications services within the State of Hawaii (the "State") as a reseller.

I.

Procedural History

On February 3, 2005, Applicant filed an Application requesting a COA to provide intrastate telecommunications services within the State on a resold basis.

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<sup>1</sup>Applicant's February 3, 2005 Application requested for a certificate of public convenience and necessity ("CPCN"). However, on June 3, 1996, Hawaii Administrative Rules ("HAR") Chapter 6-80 took effect. HAR Chapter 6-80, among other things, replaces the CPCN with a COA for telecommunications carriers, and establishes procedures for requesting and issuing a COA. Accordingly, the commission will treat the instant Application in this docket as a request for a COA to provide intrastate telecommunications services in the State as a reseller under HAR Chapter 6-80 and review the Application under HAR § 6-80-18.

On May 4, 2005, the commission issued a Notice of Intent to Dismiss Application ("Notice"), informing Applicant of the commission's intent to dismiss its February 3, 2005 Application, without prejudice, due to Applicant's failure to move forward with the prosecution of the Application. Specifically, by letter dated February 14, 2005, the commission requested Applicant to submit updated financial statements, pursuant to HAR § 6-80-17(c)(1)(E) within thirty (30) days from the date of the letter.<sup>2</sup> Applicant was further advised that any objection to the dismissal of the Application must be submitted in writing and filed not later than ten (10) days from the date of the Notice, and that if written objections to the Notice is not received or if a timely written objection is received but is not supported by good cause, the commission would dismiss the Application, without prejudice.

As of the date of this Order, Applicant neither filed written objections to the Notice nor corrected the stated deficiencies. We, thus, find and conclude that there is good cause to dismiss the instant Application, without prejudice, and close this docket.

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<sup>2</sup>By its Statement of Position, filed on February 23, 2005, the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs also commented that Applicant's June 30, 2004 financial statements do not comply with HAR § 6-80-17(c)(1)(E).

II.

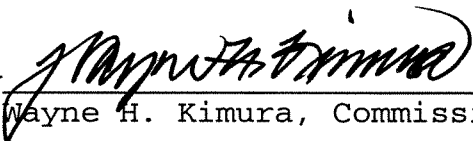
Order

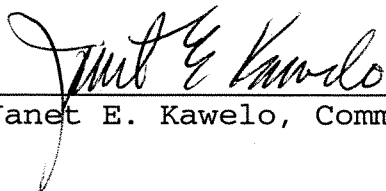
THE COMMISSION ORDERS that the Application, filed on February 3, 2005, is dismissed, without prejudice, and that this docket is closed.

DONE at Honolulu, Hawaii           MAY 26 2005          .

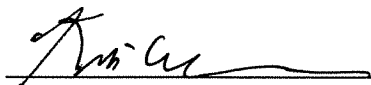
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Kris N. Nakagawa  
Commission Counsel

03-0030.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21842 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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JAMES W. BANNISTER, PRESIDENT  
RED RIVER NETWORK, LLC  
201 Robert S. Kerr, Suite 200  
Oklahoma City, OK 73102

  
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Karen Higashi

DATED: MAY 26 2005