

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)  
                                          )  
    COMM SOUTH COMPANIES, INC.    )  
                                          )  
To Voluntarily Surrender its    )  
Certificate of Authority.          )  
\_\_\_\_\_

DOCKET NO. 98-0100

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

ORDER NO. 22100

Filed Nov. 4, 2005  
At 8 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 the Request of)	
COMM SOUTH COMPANIES, INC. )	Docket No. 98-0100
To Voluntarily Surrender its )	Order No. 22100
Certificate of Authority. )	
<hr/>	

ORDER

The commission approves the voluntary surrender of COMM SOUTH COMPANIES, INC.'s ("Petitioner") certificate of authority ("COA") to operate as a reseller of intrastate telecommunications services.

Petitioner holds a COA to operate as a reseller of intrastate telecommunications services.<sup>1</sup>

Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated August 1, 2005, filed on August 15, 2005.<sup>2</sup> Petitioner represents that it has never conducted business in the State of Hawaii ("State") and has no plans to enter the local market anytime soon.<sup>3</sup> Petitioner also confirms that it "is presently in Chapter 7 bankruptcy and is in the process of liquidating its business and assets."<sup>4</sup>

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<sup>1</sup>See Decision and Order No. 16289, filed on April 17, 1998.

<sup>2</sup>See also Petitioner's letter, dated September 20, 2005, filed on September 26, 2005.

<sup>3</sup>Petitioner's letter, dated August 1, 2005, filed on August 15, 2005.

<sup>4</sup>Petitioner's letter, dated September 20, 2005, filed on September 26, 2005.

Given its non-provision of telecommunications services in the State and its Chapter 7 bankruptcy, the commission: (1) approves the voluntary surrender of Petitioner's COA; and (2) waives the customer notification requirement set forth in Hawaii Administrative Rules ("HAR") § 6-80-123(a).

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COA to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this Order.

2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.

3. This docket is closed, unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii November 4, 2005.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By (Excused)  
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Michael Azama  
Michael Azama  
Commission Counsel

By Janet E. Kawelo  
Janet E. Kawelo, Commissioner

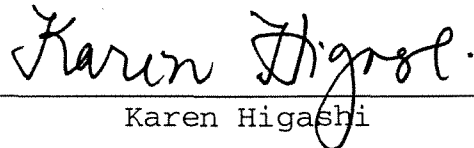
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22100 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

SHERI PRINGLE  
DIRECTOR, REGULATORY AFFAIRS  
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Dallas, TX 75228

MARLA C. REYNOLDS  
CHAPTER 11 TRUSTEE  
COMM SOUTH COMPANIES, INC.  
8035 E.R.L. Thornton, Suite 410  
Dallas, TX 75228

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

DATED: November 4, 2005