

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
TELEGLOBE AMERICA INC.,)
To Voluntarily Surrender its)
Certificate of Authority.)
_____)

DOCKET NO. 03-0239

ORDER NO. 22173

RECEIVED

2005 DEC -9 A 8:16

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

Filed Dec. 8, 2005
At 11:05 o'clock A .M.

Karun 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)
TELEGLOBE AMERICA INC.,)
To Voluntarily Surrender its)
Certificate of Authority.)
_____)

Docket No. 03-0239
Order No. 22173

ORDER

By this Order, the commission approves the voluntary surrender of TELEGLOBE AMERICA INC.'s ("Petitioner") certificate of authority ("COA").

Petitioner holds a COA to operate as a reseller of intrastate telecommunications services.¹

Petitioner requests the commission's approval to voluntarily surrender its COA, by Application dated August 26, 2005, filed on September 6, 2005 ("Application"). Petitioner served copies of its Application upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.

In response to the commission's directive,² Petitioner: (1) on October 21, 2005, submitted its 2005 Annual Financial Report and a portion of its public utility fee; and (2) on November 18, 2005, submitted the remaining portion of its public utility fee.

¹See Decision and Order No. 20729, filed on January 5, 2004.

²Commission's letter, dated September 7, 2005.

Petitioner represents that: (1) it does not provide any telecommunications services in the State of Hawaii; hence (2) "any requirement to give prior written notice of [Petitioner's] surrender of its certificate is inapplicable in this instance because [Petitioner] has no customers in Hawaii."³

Hawaii Administrative Rules ("HAR") § 6-80-123, governing the discontinuance of a fully or partially competitive telecommunications service, states in part:

Abandonment or discontinuance of fully or partially competitive service. (a) A telecommunications carrier intending or seeking to abandon or discontinue offering or providing a fully or partially competitive service shall, not later than thirty days before the proposed date of abandonment or discontinuance, provide a written notice of its intent to the commission, the consumer advocate, and its affected customers. . . .

(b) The commission may:

(1) Allow the proposed abandonment or discontinuance of service to take effect on such reasonable terms and conditions that it deems are in the public interest[.]

The commission: (1) approves the voluntary surrender of Petitioner's COA, pursuant to HAR § 6-80-123(b)(1); and (2) waives the customer notification requirement set forth in HAR § 6-80-123(a), as Petitioner represents that it has no Hawaii-based customers to notify of its proposed discontinuance of telecommunications services.

³Application, at 2.

THE COMMISSION ORDERS:

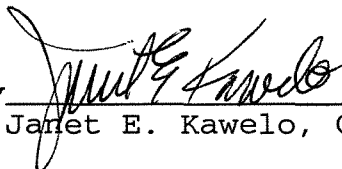
1. Petitioner's request to surrender its COA to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this Order.
2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.
3. This docket is closed, unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii DEC - 8 2005.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (Excused)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

03-0239.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22173 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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Karen Higashi

DATED: DEC - 8 2005