

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
MCI NETWORK SERVICES, INC.)
To Voluntarily Surrender its)
Certificate of Public Convenience)
and Necessity.)
_____)

DOCKET NO. 94-0231

ORDER NO. 22485

Filed May 24, 2006
At 11 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED
2006 MAY 25 A 9:10
PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

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)	
)	
MCI NETWORK SERVICES, INC.)	Docket No. 94-0231
)	
To Voluntarily Surrender its)	Order No. 22485
Certificate of Public Convenience)	
and Necessity.)	
_____)	

ORDER

By this Order, the commission approves the voluntary surrender of MCI NETWORK SERVICES, INC.'s ("Petitioner") certificate of public convenience and necessity ("CPCN").¹

Petitioner holds a CPCN to provide intrastate telecommunications services.²

¹As explained by the commission in In re MCI, Inc., Docket No. 05-0246:

MCI Network, [Inc.] formerly known as, MCI WorldCom Network Services, Inc. (formerly known as, MCI Telecommunications Corporation), received its certificate to provide telecommunications services in the State [of Hawaii] in Decision and Order No. 12780, filed on February 22, 1995, in Docket No. 94-0231. . . .

Decision and Order No. 22202, filed on December 29, 2005, at 2 (footnotes, text and citations therein omitted). See also In re MCI Telecomm. Corp., Docket No. 94-0231, Decision and Order No. 13780, filed on February 22, 1995 (CPCN issued to MCI Telecommunications Corporation); and In re MCI Telecomm. Corp., Docket No. 97-0412, Decision and Order No. 16147, filed on January 5, 1998 (amended CPCN issued).

²See footnote 1, above. See also Hawaii Administrative Rules ("HAR") § 6-80-17(a) (all CPCNs issued for telecommunications services remain in full force and effect, notwithstanding the commission's implementation of the certificate of authority procedures for telecommunications carriers pursuant to HAR chapter 6-80).

Petitioner requests the commission's approval to voluntarily surrender its CPCN, by letter dated February 21, 2006.³ Petitioner represents that: (1) it has no customers and provides no telecommunications services; and (2) its "assets and customer contracts . . . were transferred to MCI Communications Services, Inc. d/b/a Verizon Business Services effective December 31, 2005 in accordance with state law and Commission rules."⁴ On May 11, 2006, Petitioner submitted its annual financial reports and paid its public utility fees, in compliance with the commission's directive.⁵

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

³On February 24, 2006, the commission forwarded a copy of Petitioner's request to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"), consistent with the intent of HAR § 6-80-123(a). See commission's letter, dated February 24, 2006.

⁴Petitioner's letter, dated February 21, 2006, at 1. See also id. at 1 n.1; and Decision and Order No. 22202, filed on December 29, 2005.

⁵See commission's letter, dated February 24, 2006; and Final Notice, dated April 27, 2006.

that it deems are in the public interest[.]

The commission: (1) approves the voluntary surrender of Petitioner's CPCN, consistent with 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 customers to notify of its discontinuance of telecommunications services.

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its CPCN authorizing it to provide 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 MAY 24 2006 .

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:

By *Janet E. Kawelo*
Janet E. Kawelo, Commissioner

Michael Azama
Michael Azama
Commission Counsel

94-0231.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22485 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

LEIGH ANN COX
VERIZON BUSINESS SERVICES
500 Clinton Center Drive
Building 3, 3rd Floor
Clinton, MS 39056



Karen Higashi

DATED: MAY 24 2006