

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
UNIVERSAL BROADBAND COMMUNICATIONS)
INC., dba)
BUSINESS SAVINGS PLAN)
)
Notice of Failure to Comply)
With Hawaii Revised Statutes)
and Commission's Regulations;)
Order to Show Cause Why)
Respondent's Operating)
Authority Should Not Be)
Suspended or Revoked.)
_____)

DOCKET NO. 2006-0258

ORDER NO. 22729

Filed August 10, 2006
At 1 o'clock P.M.

Karen Higrot.
Chief Clerk of the Commission

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

2006 AUG 14 A 8:31

RECEIVED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
UNIVERSAL BROADBAND COMMUNICATIONS)
INC., dba)
BUSINESS SAVINGS PLAN)
)
Notice of Failure to Comply)
With Hawaii Revised Statutes)
and Commission's Regulations;)
Order to Show Cause Why)
Respondent's Operating)
Authority Should Not Be)
Suspended or Revoked.)
_____)

Docket No. 2006-0258
Order No. 22729

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

UNIVERSAL BROADBAND COMMUNICATIONS INC., dba
BUSINESS SAVINGS PLAN ("Respondent"), is the holder of
a certificate of authority ("COA"), issued pursuant to
Hawaii Administrative Rules ("HAR") § 6-80-18. The COA
authorizes Respondent to operate as a reseller of intrastate
telecommunications services in the State of Hawaii ("State").

HAR § 6-80-91 requires Respondent to file an
annual financial report ("AFR") by March 31 of each year.
Hawaii Revised Statutes § 269-30 requires Respondent to pay a
public utility fee ("Fee") in July and December of each year.
Respondent failed to file its 2004 AFR and pay the Fee that was
due on December 31, 2004, July 31, 2005, and December 31, 2005.

Order No. 20193, filed on May 23, 2003, in Docket No. 03-0058,¹ requires Respondent to pay an annual contribution to the telecommunications relay services fund by July 26th of each year. Respondent failed to pay the contribution that was due on July 26, 2004, and July 26, 2005.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in whole or in part, if the commission finds that the holder violated any applicable State laws, commission orders or rules. Accordingly, the commission may suspend or revoke Respondent's COA for failure to comply with the legal requirements set forth above, unless Respondent is able to show cause why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on September 28, 2006, to show cause why Respondent's COA should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a

¹As amended by Decision and Order No. 21049, filed on June 10, 2004, in Docket No. 04-0070, Decision and Order No. 21847, filed on May 31, 2005, in Docket No. 05-0088, and Decision and Order No. 22536, filed on June 16, 2006, in Docket No. 2006-0126.

corporation, trust, or association may represent the corporation, trust, or association.

3. If Respondent fails to appear at the scheduled hearing, Respondent's COA shall be revoked.

DONE at Honolulu, Hawaii AUG 10 2006 .

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: *Carlito P. Caliboso*
Carlito P. Caliboso, Chairman

By: *John E. Cole*
John E. Cole, Commissioner

APPROVED AS TO FORM:

 Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

2006-0258.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22729 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

UNIVERSAL BROADBAND COMMUNICATIONS, INC.
dba BUSINESS SAVINGS PLAN
5440 Trabuco Road
Irvine, CA 92620-5704 (CM #7005 1160 0002 2514 0385)



Karen Higashi

DATED: AUG 10 2006