

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
 EXERGY GROUP, LLC )  
 )  
 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. 2006-0273

ORDER NO. 22748

Filed August 15, 2006  
At 1 o'clock P.M.

Karen Higash  
Chief Clerk of the Commission

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

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OF THE STATE OF HAWAII

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EXERGY GROUP, LLC	)	Docket No. 2006-0273
Notice of Failure to Comply	)	Order No. 22748
With Hawaii Revised Statutes	)	
and Commission's Regulations;	)	
Order to Show Cause Why	)	
Respondent's Operating	)	
Authority Should Not Be	)	
Suspended or Revoked.	)	
_____)	)	

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

EXERGY GROUP, LLC ("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. Respondent failed to file its 2004 AFR.

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 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 15 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

2006-0273.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22748 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

EXERGY GROUP, LLC  
1550 W. 84<sup>th</sup> Street, Suite 50  
Hialeah, FL 33014

CM #7005 1160 0002 2514 0781

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

DATED: AUG 15 2006