

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
 YESTEL USA, INC. )  
 )  
 For A Certificate of Authority to )  
 Operate as a Reseller of Competitive )  
 Intrastate Interexchange Services )  
 Within the State of Hawaii )  
 \_\_\_\_\_ )

DOCKET NO. 2006-0325

ORDER NO. 23220

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

2007 JAN 29 A 8:51

RECEIVED

Filed Jan. 26, 2007

At 11 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.

Karen Higashi.

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Docket No. 2006-0325

Order No. 23220

ORDER

By this Order, the commission dismisses, without prejudice, the application filed by YESTEL USA, INC. ("Applicant") on August 4, 2006, which requests a certificate of authority ("COA") to operate as a reseller of competitive intrastate interexchange services in the State of Hawaii ("Application"). The commission dismisses the Application because Applicant has not submitted updated financial information to support its Application, as required under Hawaii Administrative Rules ("HAR") § 6-80-17(c)(1)(E).

I.

Dismissal

On August 4, 2006, Applicant filed its Application requesting approval for a COA. Applicant included in its Application a balance sheet and income statement dated February 3, 2006, which were over three months old from the date of the Application.

HAR § 6-80-17(c)(1)(E) requires an applicant for a COA to include with its application "a copy of the most recent audited financial statement and, if more than three months have elapsed since the date of the most recent audited financial statement, a current, unaudited financial statement[.]"

By letter dated September 19, 2006, the commission informed Applicant that it was unable to process the Application until Applicant sufficiently satisfies the application requirements of HAR Chapter 6-80. The commission specifically requested that Applicant submit its most recent financial statements (i.e., not older than three months from the August 4, 2006 filing date of the Application) within thirty days from the date of the letter, or by October 19, 2006. Applicant failed to comply with the commission's request.

By letter dated December 5, 2006, the commission again requested Applicant to submit its most recent financial statements. The commission advised Applicant that, if the commission did not receive the requested information by January 2, 2007, the commission would dismiss the Application.

To this date, the commission has not received updated financial information from Applicant, in compliance with HAR § 6-80-17(c)(1)(E). Accordingly, upon review of the entire record herein, the commission dismisses the Application, without prejudice.

II.

Order

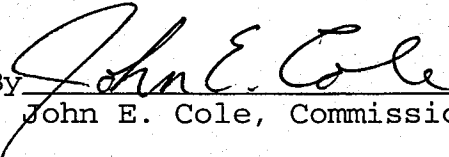
THE COMMISSION ORDERS:

The Application is dismissed, without prejudice,<sup>1</sup> for failure by Applicant to comply with HAR § 6-80-17(c)(1)(E).


DONE at Honolulu, Hawaii JAN 26 2007.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

APPROVED AS TO FORM:

  
Kaiulani Kidani Shinsato  
Commission Counsel

2006-0325.sl

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<sup>1</sup>The commission may consider a re-filed application for a COA by Applicant, if Applicant includes financial information that complies with HAR § 6-80-17(c)(1)(E) in its re-filing.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23220 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
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Honolulu, HI 96809

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

DATED: JAN 26 2007