

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
CNG COMMUNICATIONS, LLC )  
To Voluntarily Surrender its )  
Certificate of Registration. )  

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DOCKET NO. 04-0354

ORDER NO. 23285

Filed March 1, 2007  
At 2 o'clock P.M.

Karen Higashi.  
Chief Clerk of the Commission

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

2007 MAR -5 A 9:08

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ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Karen Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of )  
CNG COMMUNICATIONS, LLC )  
To Voluntarily Surrender its )  
Certificate of Registration. )  
\_\_\_\_\_ )

Docket No. 04-0354  
Order No. 23285

ORDER

By this Order, the commission approves the voluntary surrender of CNG COMMUNICATIONS, LLC's ("Petitioner") certificate of registration ("COR").

Petitioner holds a COR to operate as a pay telephone service provider within the State of Hawaii ("State").<sup>1</sup> Petitioner requests the commission's approval to voluntarily surrender its COR, by letter dated February 14, 2007, received on February 16, 2007.<sup>2</sup> Petitioner represents that it never commenced its business operations, and it does not have any customers within the State.<sup>3</sup>

Hawaii Administrative Rules ("HAR") § 6-80-123(c) provides in relevant part that for any telecommunications carrier whose entry into the intrastate telecommunications market is

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<sup>1</sup>See Decision and Order No. 21558, filed on January 25, 2005.

<sup>2</sup>By its letter, Petitioner also: (1) filed its Annual Financial Reports for 2005, 2006, and 2007; and (2) paid its applicable public utility fees.

<sup>3</sup>Petitioner's letter, dated February 14, 2007, at 1.

preempted by federal law,<sup>4</sup> said carrier "shall, not later than thirty days before the proposed effective date of any contemplated abandonment or discontinuance of service, provide a written notice of [its] intent to abandon or discontinue service to the commission, the consumer advocate, and affected customers."

On February 16, 2007, Petitioner provided notice to the commission of its intent to surrender its COR. Thereafter, a copy of Petitioner's notice was transmitted by the commission to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy. With respect to notifying its affected customers, Petitioner represents that it never commenced its business operations. Moreover, in general, as a pay telephone service provider, Petitioner has no customers per se to notify of its intent to discontinue its provision of pay telephone service.

The commission approves the voluntary surrender of Petitioner's COR, pursuant to HAR § 6-80-123(c).

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COR to operate as a pay telephone service provider in the State is approved, effective from the date of this Order.

2. This docket is closed, unless ordered otherwise by the commission.

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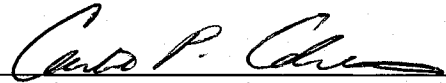
<sup>4</sup>See also HAR § 6-80-2(b)(2), 6-80-17(d), and 6-80-18(b).

DONE at Honolulu, Hawaii

MAR - 1 2007

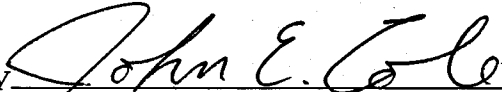
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By



Carlito P. Caliboso, Chairman

By



John E. Cole, Commissioner

APPROVED AS TO FORM:



Michael Azama  
Commission Counsel

04-0354.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23285 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  
P. O. Box 541  
Honolulu, HI 96809

CNG COMMUNICATIONS, LLC  
c/o EUGENE C. KRAUS  
94-1086 Pulelo Street  
Waipahu, HI 96797

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

DATED: MAR - 1 2007