

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
PRIMUS TELECOMMUNICATIONS, INC.)
)
To Voluntarily Surrender its)
Certificate of Registration.)
_____)

DOCKET NO. 04-0146

ORDER NO. 23364

Filed April 12, 2007
At 11 o'clock A.M.

for Broderick K. Kane
Chief Clerk of the Commission

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2007 APR 13 A 8:29

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

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
PRIMUS TELECOMMUNICATIONS, INC.) Docket No. 04-0146
To Voluntarily Surrender its) Order No. 23364
Certificate of Registration.)
_____)

ORDER

By this Order, the commission approves the voluntary surrender of PRIMUS TELECOMMUNICATIONS, INC.'s ("Petitioner") certificate of registration ("COR").

Petitioner holds a COR to operate as a provider of wireless telecommunications services on a resold basis within the State of Hawaii ("State").¹ Petitioner requests the commission's approval to voluntarily surrender its COR, by letter dated February 9, 2007, received on February 12, 2007.² Petitioner represents that no customers will be affected by the discontinuance of its COR, as Petitioner has no commercial mobile radio service ("CMRS") customers within the State.³ On March 28, 2007, Petitioner submitted its annual subscriber count and paid

¹See Decision and Order No. 21214, filed on August 5, 2004.

²Petitioner served copies of its letter upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate").

³Petitioner's letter, dated February 9, 2007, at 1. Concomitantly, Petitioner states that it "does not seek to surrender its Certificate of Authority to provide wireline telecommunications services." Id.

its public utility fees, in compliance with the commission's directive.

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 preempted by federal law,⁴ 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 12, 2007, Petitioner provided notice to the commission and the Consumer Advocate of its intent to surrender its COR. With respect to notifying its affected customers, Petitioner represents that it has no CMRS customers within the State to notify of its intent to discontinue wireless telecommunications 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 provide wireless telecommunications services on a resold basis within the State is approved, effective from the date of this Order.

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

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


DONE at Honolulu, Hawaii APR 12 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

04-0146.eh


CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23364 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
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DIVISION OF CONSUMER ADVOCACY
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for Karen Higashi

DATED: APR 12 2007