

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
ASC TELECOM, INC.)
To Voluntarily Surrender its)
Certificate of Authority.)
_____)

DOCKET NO. 96-0090

ORDER NO. 23578

Filed August 7, 2007
At 11 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

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

2007 AUG -8 A 9:13

RECEIVED

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)	
)	
ASC TELECOM, INC.)	Docket No. 96-0090
)	
To Voluntarily Surrender its)	Order No. 23578
Certificate of Authority.)	
<hr/>		

ORDER

By this Order, the commission approves the voluntary surrender of ASC TELECOM, INC.'s ("Petitioner") certificate of authority ("COA") to operate as a reseller of intrastate telecommunications services.

I.

Background

Petitioner holds a COA to operate as a reseller of intrastate telecommunications services.¹ Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated May 22, 2007. Petitioner represents that it "no longer has any customers and does not provide telecommunications service in Hawaii."² On June 27, 2007, Petitioner submitted its 2007 Annual

¹See Decision and Order No. 14831, filed on August 1, 1996.

²Petitioner's letter, dated May 22, 2007, at 1.

Financial Report and paid the applicable public utility fees, in compliance with the commission's directive.³

II.

Discussion

Hawaii Administrative Rules ("HAR") § 6-80-123, governing the discontinuance of a fully or partially competitive telecommunications service, states in part:

Abandonment or discontinuance of fully or partially competitive service. (a) A telecommunications carrier intending or seeking to abandon or discontinue offering or providing a fully or partially competitive service shall, not later than thirty days before the proposed date of abandonment or discontinuance, provide a written notice of its intent to the commission, the consumer advocate, and its affected customers. . . .

(b) The commission may:

- (1) Allow the proposed abandonment or discontinuance of service to take effect on such reasonable terms and conditions that it deems are in the public interest[.]

The commission: (1) approves the voluntary surrender of Petitioner's COA; and (2) waives the customer notification requirement set forth in HAR § 6-80-123(a), as Petitioner represents that it has no Hawaii-based customers to notify of its discontinuance of telecommunications services.

³See Commission's letter, dated May 29, 2007; and Petitioner's letter, filed June 27, 2007.

III.

Orders

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COA to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this Order.

2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.

3. This docket is closed unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii AUG - 7 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

By Leslie H. Kondo
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Michael Azama
Michael Azama
Commission Counsel

96-0090.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23578 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

ANN THOMPSON
STATE TARIFF ANALYST
SPRINT NEXTEL
6450 Sprint Parkway
KSOPHN0212-2A370
Overland Park, KS 66251



Karen Higashi

DATED: AUG - 7 2007