

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
PHONE 1, INC.)
)
To Voluntarily Surrender its)
Certificate of Authority.)
_____)

DOCKET NO. 2009-0001

ORDER APPROVING THE SURRENDER
OF A CERTIFICATE OF AUTHORITY

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

PUBLIC UTILITIES
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FILED

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OF THE STATE OF HAWAII

In the Matter of the Request of)
)
PHONE 1, INC.) Docket No. 2009-0001
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To Voluntarily Surrender its)
Certificate of Authority.)
_____)

ORDER APPROVING THE SURRENDER
OF A CERTIFICATE OF AUTHORITY

By this Order, the commission approves the voluntary surrender of PHONE1, INC.'s ("Petitioner") certificate of authority ("COA") to provide intrastate telecommunications services as a reseller and an operator service provider.

I.

Background

Petitioner holds a COA to provide intrastate telecommunications services as a reseller and an operator service provider.¹ By letter dated January 5, 2009, Petitioner requests the commission's approval to voluntarily surrender its COA, noting that it "does not have any customer[s] in Hawaii and has ceased operations in the state."² As part of its request, Petitioner also submitted its public utility fee payment based on its 2008 revenues.

¹In re Phone1, Inc., Docket No. 05-0017, Decision and Order No. 21841, filed on May 26, 2005.

²Petitioner's letter, dated January 5, 2009, at 1.

By letter dated January 7, 2009, the commission informed Petitioner of the need to: (1) file its 2009 Annual Financial Report; and (2) pay the applicable public utility fee. On January 26, 2009, Petitioner complied with the commission's directives.

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 intent to discontinue intrastate telecommunications services.

III.

Orders

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COA to provide intrastate telecommunications services as a reseller and an operator service provider 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 JAN 30 2009.


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

By 
Leslie H. Kondo, Commissioner

2009-0001.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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DIVISION OF CONSUMER ADVOCACY
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Consultant to PHONE1, INC.