# BEFORE THE PUBLIC UTILITIES COMMISSION

## OF THE STATE OF HAWAII

----- In the Matter of -----)

CENTURYTEL LONG DISTANCE, INC. )

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked. DOCKET NO. 02-0309



<u>ORDER NO. 19620</u>

Filed Sept. 30, 2002 At 8:00 o'clock A. .M.

Karin Higose.

Chief Clerk of the Commission

ATTEST: A True Copy CATHERINE SAKATO Clerk Public Utilities Commission State of Hawali

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------ In the Matter of ------) CENTURYTEL LONG DISTANCE, INC. ) Notice of Failure to Comply ) With Hawaii Revised Statutes ) and Commission's Regulations ) Order to Show Cause Why ) Respondent's Operating ) Authority Should Not Be ) Suspended or Revoked. )

Docket No. 02-0309 Order No. 19620

# NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

CENTURYTEL LONG DISTANCE, INC. (Respondent), is the holder of a certificate of authority (COA), issued pursuant to Hawaii Administrative Rules (HAR) § 6-80-18. Under its COA, Respondent is authorized to operate as a reseller of intrastate telecommunications services in the State of Hawaii (State).

As the holder of a COA, Respondent is required to file an annual financial report (AFR) by March 31 of each year, pursuant to HAR § 6-80-91, and pay a public utility fee (Fee) in July and December of each year, pursuant to Hawaii Revised Statutes § 269-30. Respondent paid the Fee, but failed to file its 2000 AFR.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in part or in whole, if the holder is found to be in violation of any applicable State laws or commission rules. Accordingly, the commission may suspend or revoke Respondent's COA for failure to comply with the legal requirements set forth above, unless Respondent is able to show why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 29, 2002 to show cause why Respondent's COA should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

3. If Respondent fails to appear at the scheduled hearing, Respondent's COA shall be revoked.

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DONE at Honolulu, Hawaii this 30th day of September,

2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

B

H. Kimura, Chairman ayne

By

E. Kawelo, Commissioner Janét

By (RECUSED) Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

P. Cluat .. athen

Catherine P. Awakuni Commission Counsel

02-0309.eh

I hereby certify that I have this date served a copy of the foregoing <u>Order No. 19620</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS DIVISION OF CONSUMER ADVOCACY P. O. Box 541 Honolulu, HI 96809

CENTURYTEL LONG DISTANCE, INC. 1000 CenturyTel Drive Monroe, LA 71203 (CM # 7099 3220 0003 3738 8846)

Catherine Sakato

DATED: September 30, 2002