BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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

MAH COMMUNICATIONS, INC.

DOCKET NO. 02-0324

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.

<u>ORDER NO. 19635</u>

2002 SEP 30 A 9: 03

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

Chief Clerk of the commission

ATTEST: A True Copy CATHERINE SAKATO

Clark
Public Unilities Commission
State of Hawaii

Callars

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Docket No. 02-0324
Order No. 19635

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

MAH COMMUNICATIONS, INC. (Respondent), is the holder of a certificate of registration (COR), issued pursuant to Hawaii Administrative Rules (HAR) § 6-80-18. Under its COR, Respondent is authorized to operate as a pay telephone provider in State of Hawaii (State).

As the holder of a COR, 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 COR, 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 COR 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 COR 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 COR shall be revoked.

DONE at Honolulu, Hawaii this 30th day of September, 2002.

> PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Janet E. Kawelo, Commissioner

(RECUSED) Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni Commission Counsel 02-0324.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19635 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

MAH COMMUNICATIONS, INC. 151 Kalmus Drive, Suite J-7 Costa Mesa, CA 92626 (CM #7099 3220 0003 3738 8815)

Catherine Sakato

DATED: September 30, 2002