## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----) EASTERN TELECOMMUNICATIONS, INC.)

DOCKET NO. 02-0311

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.

DECISION AND ORDER NO. 19898

\_, 2002

Chief Clerk of the Commission

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

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## DECISION AND ORDER

By Order No. 19622, filed on September 30, 2002, the commission ordered EASTERN TELECOMMUNICATIONS, INC. (Respondent) to 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 certificate of authority (COA) should not be suspended or revoked for failure to pay a public utility fee that was due on December 31, 2001, pursuant to Hawaii Revised Statutes § 269-30. The commission notified Respondent that its COA would be revoked if it failed to appear at the scheduled hearing.

<sup>&#</sup>x27;The commission notified Respondent of the October 29, 2002 hearing by serving Order No. 19622 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to Hawaii Administrative Rules (HAR) § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to Respondent's last known address, or to Respondent's attorney. Additionally, pursuant to HRS § 91-9.5, the commission provided Respondent with notice of the hearing via statewide publication in newspapers of general circulation on October 7 and October 14, 2002.

On October 29, 2002, Respondent failed to appear before the commission's hearings officer. As a result, the hearings officer recommended that: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's COA be revoked.

Based on the above, the commission finds that Respondent has not complied with Order No. 19622, the applicable laws, rules, and regulations, and concludes that Respondent's COA should be revoked.

THE COMMISSION ORDERS that Respondent's COA is revoked.

DONE at Honolulu, Hawaii this 17th day of December, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By May Who trammed	By Mulasurdo
Wayne H. Kimura, Chairman	Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

By (RECUSED)
Gregg J. Kinkley, Commissioner

Catherine P. Awakuni Commission Counsel

02-0311.eh

## CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 19898</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

EASTERN TELECOMMUNICATIONS, INC. 400 East Atlantic Boulevard, Apt. 1 Pompano Beach, FL 33060-6260 (CM #7099 3220 0001 6485 0356)

EASTERN TELECOMMUNICATIONS, INC. c/o Telecom Compliance Services, Inc. 1720 Windward Concourse, Suite 250 Alpharetta, GA 30005 (CM #7099 3220 0001 6485 0363)

Karen Higashi

DATED: December 17, 2002