BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application )
VIA ONE TECHNOLOGIES, INC. )

For a Certificate of Authority to )
Provide Intrastate Interexchange )
Telecommunications Services )
within the State Of Hawaii and )
Approval of its Initial Tariff. )

DECISION AND ORDER NO. 20024

Filed Feb. 18, 2003
At 10:30 o'clock AM

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application )
) VIA ONE TECHNOLOGIES, INC. ) Docket No. 03-0007
) For a Certificate of Authority to) Decision and Order No. 20024
Provide Intrastate Interexchange ) Telecommunications Services ) within the State Of Hawaii and ) Approval of its Initial Tariff. )

DECISION AND ORDER

I.

By an application filed on January 10, 2003, VIA ONE TECHNOLOGIES, INC. (Applicant) requests a certificate of authority (COA) to operate as a reseller of intrastate telecommunications services within the State of Hawaii. Applicant makes its request pursuant to Hawaii Revised Statutes (HRS) § 269-7.5 and Hawaii Administrative Rules (HAR) §§ 6-80-17 and 6-80-18.

Copies of the application were served upon the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs (Consumer Advocate). On January 23, 2003, the Consumer Advocate filed its statement of position indicating that it does not object to the commission approving the instant application.
II.

Applicant is a New Jersey corporation which was organized on September 5, 2001. Applicant is a reseller of telecommunications services and has been in the telecommunication business since inception.

Nationally, Applicant has authorization from the Federal Communications Commission (FCC) to offer domestic interstate and international services in all 50 states and the District of Columbia as a non-dominant carrier. Applicant is authorized to do business in the State of Hawaii.

Applicant requests authority to operate as a reseller of intrastate telecommunications services within the State of Hawaii. Specifically, Applicant proposes to offer 1+ and 101XXXX outbound dialing, inbound “800” / “888” toll-free, travel card, and prepaid calling card services. Initially, Applicant will offer only prepaid calling card service.

III.

Upon review of the Application, the commission makes the following findings pursuant to HAR § 6-80-18:

1. Applicant is fit, willing, and able to properly perform the telecommunications services proposed and to conform
to the terms, conditions, and rules prescribed or adopted by the commission; and

2. Applicant’s proposed telecommunication services are in the public interest.

Accordingly, the commission concludes that Applicant should be granted a COA to operate as a reseller of telecommunications services within the State of Hawaii.

We further conclude that Applicant’s proposed tariff is consistent with chapter 6-80, HAR.

IV.

THE COMMISSION ORDERS:

1. Applicant is granted a COA to operate as a reseller of telecommunication services within the State of Hawaii.

2. As a holder of a COA, Applicant shall be subject to all applicable provisions of HRS chapter 269, HAR chapters, 6-80 and 6-81, and any other applicable State law and commission rules, and any orders that the commission may issue from time to time.

3. Applicant shall file its tariffs in accordance with HAR §§ 6-80-39 and 60-80-40. Applicant’s tariffs shall comply with the provisions of HAR chapter 6-80. In the event of
a conflict between any tariff provision and State law, State law shall prevail.

4. An original and eight copies of the initial tariff shall be filed with the commission and two additional copies shall be served on the Consumer Advocate. Applicant shall ensure that the appropriate effective date is reflected in its tariffs.

5. Within 30 days from the date of this decision and order, Applicant shall pay a public utility fee of $60, pursuant to HRS § 269-30. The business check shall be made payable to the Hawaii Public Utilities Commission, and sent to the commission’s office at 465 S. King Street #103, Honolulu, Hawaii 96813.

6. In accordance with HAR § 6-80-39, Applicant will not offer, initiate, or provide any telecommunications services within the State, at wholesale or retail, until it complies with the requirements set forth in paragraphs 3 to 5, above.
DONE at Honolulu, Hawaii this 18th day of February, 2003.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Wayne H. Kimura, Chairman

By
Janet E. Kawelo, Commissioner

By
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Kevin M. Katsura
Commission Counsel

03-0007.sh
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20024 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

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LANCE J.M. STEINHART, ESQ.
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DATED:  February 18, 2003

Karen Higa