BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

CIERA NETWORK SYSTEMS, INC.

DOCKET NO. 04-0236

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.

ORDER NO. 21277

Filed Sept. 7, 2004
At 8 o'clock A.M.

Karen Bigott
Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

CIERA NETWORK SYSTEMS, INC. ) Docket No. 04-0236
) Order No. 21277
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With Hawaii Revised Statutes )
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Respondent's Operating )
Authority Should Not Be )
Suspended or Revoked. )

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

CIERA NETWORK SYSTEMS, INC. ("Respondent") is the holder of a certificate of authority ("COA"), issued pursuant to Hawaii Administrative Rules ("HAR") § 6-80-18. The commission authorized Respondent to operate as a reseller of intrastate telecommunications services in the State of Hawaii ("State") under the COA.

Hawaii Revised Statutes ("HRS") § 269-30 requires Respondent to pay a public utility fee ("Fee") in July and December of each year. Respondent failed to pay the Fee that was due on July 31, 2003 and December 31, 2003.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any COA, in part or in whole, if the commission finds that the holder violated 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 cause 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 6, 2004 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.
DONE at Honolulu, Hawaii this 7th day of September, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Carlito P. Caliboso, Chairman

By
Wayne H. Kimura, Commissioner

By
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21277 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

CIERA NETWORK SYSTEMS, INC.
c/o THOMAS FORTE, CONSULTANT
TECHNOLOGIES MANAGEMENT, INC.
P. O. Drawer 200
Winter Park, FL  32789-0200
CM # 7003 1680 0002 5382 9345

ROBERT W. LIVINGSTONG, CEO/SEC
CIERA NETWORK SYSTEMS, INC.
1250 Wood Branch Park Dr., Ste. 600
Houston, TX  77079-1212
CM #7003 1680 0002 5382 7990

Karen Higashi

DATED:  September 7, 2004