

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
INTERMEDIA COMMUNICATIONS, INC.)
To Voluntarily Surrender its)
Certificate of Authority.)

DOCKET NO. 96-0387

ORDER NO. 21690

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

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Filed March 10, 2005
At 2 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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

K. Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
INTERMEDIA COMMUNICATIONS, INC.)
To Voluntarily Surrender its)
Certificate of Authority.)

Docket No. 96-0387

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ORDER

The commission approves INTERMEDIA COMMUNICATIONS, INC.'s ("Intermedia") request to voluntarily surrender its certificate of authority ("COA") to operate as a reseller of intrastate telecommunications services.

I.

Procedural Background

Intermedia is the holder of COA No. 0022 issued by the commission.¹ Intermedia requests the commission's approval to voluntarily surrender its COA.² On January 25, 2005, the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"), filed its position statement. On February 15, 2005, Intermedia submitted its 2004 annual financial

¹See Decision and Order No. 15163, filed on November 13, 1996.

²Application for Cancellation of Intermedia Communications, Inc.'s Certificate, Withdrawal of Tariffs and Request for Expedited Approval, Power of Attorney, Verification, and Certificate of Service, filed on January 6, 2005 (collectively, the "Application").

report and public utility fee, in response to the commission's directive, dated January 12, 2005.

II.

Voluntary Surrender

Intermedia represents that:

1. MCI, Inc., through its various operating subsidiaries, provides nationwide telecommunications services.

2. The cancellation of Intermedia's COA is part of MCI, Inc.'s continuing efforts to streamline its corporate legal structure to achieve certain operating efficiencies, cost savings, and administrative benefits.

3. It has no intrastate voice customers, and its long distance voice customers were migrated to other MCI, Inc.-affiliated services, following MCI, Inc.'s purchase of Intermedia.

4. It has no customers to notify of the cancellation of its COA:

[S]ince Intermedia is not providing intrastate services, there are no Hawaii counties that will be impacted or affected by Intermedia's decision to abandon its certificate and tariffs. Intermedia does not currently maintain any facilities or equipment in Hawaii and, therefore, granting this Application to cancel such certificate and tariffs will not result in the abandonment of facilities.³

The Consumer Advocate does not object to the voluntary surrender of Intermedia's COA, provided that Intermedia notify

³Id. at 3 - 4.

its affected customers, if any, of its discontinuance of telecommunications services in the State of Hawaii (the "State").⁴

Intermedia's representations that it does not provide intrastate telecommunications services, and it has no customers to notify of its discontinuance of said services, is supported by the written verification of MCI, Inc.'s senior vice president.⁵ Moreover, Intermedia's 2004 annual financial report specifies zero (0) operating revenues in the State.

Given its non-provision of telecommunications services in the State, the commission: (1) approves the voluntary surrender of Intermedia's COA No. 0022; and (2) waives the customer notification requirement set forth in HAR § 6-80-123(a), as Intermedia represents and confirms that it has no customers to notify of its discontinuance of intrastate telecommunications services.

III.

Orders

THE COMMISSION ORDERS:

1. Intermedia's request to surrender COA No. 0022 to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this Order. Intermedia shall promptly return COA No. 0022 to the commission.

⁴See Hawaii Administrative Rules ("HAR") § 6-80-123(a).


⁵See HAR § 6-61-17.


2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.

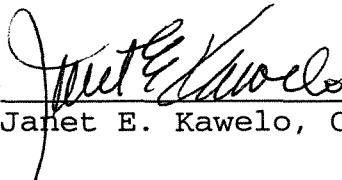
3. This docket is closed.

DONE at Honolulu, Hawaii MAR 10 2005.


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:


Michael Azama
Commission Counsel

96-0387.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21690 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Karen Higashi

DATED: MAR 10 2005