BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

RED RIVER NETWORKS, LLC

DOCKET NO. 05-0030

For a Certificate of Public Convenience and Necessity.

ORDER NO. 21842

Filed May 26, 2005

At 1 o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
In the Matter of the Application of

RED RIVER NETWORKS, LLC

For a Certificate of Public Convenience and Necessity.

Docket No. 05-0030

Order No. 21842

ORDER

By this Order, the commission dismisses, without prejudice, RED RIVER NETWORKS, LLC’s ("Applicant") February 3, 2005 Application for a certificate of authority ("COA") to provide intrastate telecommunications services within the State of Hawaii (the "State") as a reseller.

I.

Procedural History

On February 3, 2005, Applicant filed an Application requesting a COA to provide intrastate telecommunications services within the State on a resold basis.

1Applicant’s February 3, 2005 Application requested for a certificate of public convenience and necessity ("CPCN"). However, on June 3, 1996, Hawaii Administrative Rules ("HAR") Chapter 6-80 took effect. HAR Chapter 6-80, among other things, replaces the CPCN with a COA for telecommunications carriers, and establishes procedures for requesting and issuing a COA. Accordingly, the commission will treat the instant Application in this docket as a request for a COA to provide intrastate telecommunications services in the State as a reseller under HAR Chapter 6-80 and review the Application under HAR § 6-80-18.
On May 4, 2005, the commission issued a Notice of Intent to Dismiss Application ("Notice"), informing Applicant of the commission's intent to dismiss its February 3, 2005 Application, without prejudice, due to Applicant's failure to move forward with the prosecution of the Application. Specifically, by letter dated February 14, 2005, the commission requested Applicant to submit updated financial statements, pursuant to HAR § 6-80-17(c)(1)(E) within thirty (30) days from the date of the letter. Applicant was further advised that any objection to the dismissal of the Application must be submitted in writing and filed not later than ten (10) days from the date of the Notice, and that if written objections to the Notice is not received or if a timely written objection is received but is not supported by good cause, the commission would dismiss the Application, without prejudice.

As of the date of this Order, Applicant neither filed written objections to the Notice nor corrected the stated deficiencies. We, thus, find and conclude that there is good cause to dismiss the instant Application, without prejudice, and close this docket.

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^By its Statement of Position, filed on February 23, 2005, the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs also commented that Applicant's June 30, 2004 financial statements do not comply with HAR § 6-80-17(c)(1)(E).
II.

Order

THE COMMISSION ORDERS that the Application, filed on February 3, 2005, is dismissed, without prejudice, and that this docket is closed.

DONE at Honolulu, Hawaii MAY 26 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:

Kris N. Nakagawa
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21842 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
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DATED:  MAY 26 2005

Karen Higashi