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.

DECISION AND ORDER NO. 22517

Filed June 6, 2006
At 11 o'clock A.M.

Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
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Docket No. 04-0236 )
Decision and Order No. 22517

DECISION AND ORDER

By this Decision and Order, the commission revokes the certificate of authority ("COA") held by CIERA NETWORK SYSTEMS, INC. ("Respondent").

I.

Procedural History

Pursuant to Hawaii Revised Statues ("HRS") § 269-30, the commission ordered Respondent to 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 pay the public utility fee that was due on July 31, 2003 and December 31, 2003.¹

¹The commission notified Respondent of the October 6, 2004 hearing by serving Order No. 21277 upon Respondent by certified mail, return receipt requested, at Respondent’s last known address, or to Respondent’s attorney. Pursuant to Hawaii Administrative Rules § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to
The commission notified Respondent that its COA would be revoked if it failed to appear at the scheduled hearing.

On October 6, 2004, Respondent failed to appear before the commission's hearing officer. As a result, the hearings officer recommended that the commission render the following findings and conclusions: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's COA be revoked.

II.

Findings and Conclusions

Based on the entire record, the commission finds that Respondent has not complied with Order No. 21277, the applicable laws, rules, and regulations, and concludes that Respondent's COA should be revoked.

III.

Orders

THE COMMISSION ORDERS that Respondent's COA is revoked, and this docket is closed unless otherwise ordered by the commission.

Respondent's last known address, or to Respondent's attorney. Additionally, pursuant to HRS § 91-9.5, the commission provided Respondent with notice of hearing via statewide publication in newspapers of general circulation on September 14 and September 21, 2004.
DONE at Honolulu, Hawaii JUN - 6 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

(excused)
Wayne H. Kimura, Commissioner

By Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni
Commission Counsel

04-0236.en
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22517 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
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

ROBERT W. LIVINGSTONG, CEO/SEC
CIERA NETWORK SYSTEMS, INC.
1250 Wood Branch Park Drive, Suite 600
Houston, TX 77079-1212

DATED: JUN - 6 2006

Karen Higashi