BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

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

BCGI COMMUNICATIONS CORP. DOCKET NO. 04-0233

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. 22523

Filed June 7, 2006
At 11 o'clock A.M.

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

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Respondent’s Operating )
Authority Should Not Be )
Suspended or Revoked.
)

Docket No. 04-0233
Decision and Order No. 22523

DECISION AND ORDER

By this Decision and Order, the commission revokes the certificate of authority ("COA") held by BCGI COMMUNICATIONS CORP. ("Respondent").

I.

Procedural History

Pursuant to Hawaii Administrative Rules ("HAR") § 6-80-91 and Hawaii Revised Statutes ("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 file its 2003 annual financial report and pay the public utility fee that was due on July 31, 2003 and December 31, 2003.¹ The commission notified Respondent that its

¹The commission notified Respondent of the October 6, 2004 hearing by serving Order No. 21274 upon Respondent by certified
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. 21274, 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.

DONE at Honolulu, Hawaii JUN - 7 2006.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

Wayne H. Kimura, Commissioner

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 Decision and Order No. 22523 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

JOHANNA REGAN
ECGI COMMUNICATIONS CORP.
100 Sylvan Road, Suite 100
Woburn, MA 01801

DATED: JUN - 7 2006

Karen Higashi