BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Request of)

INFONE LLC, fka NORTH BY )
NORTHEASTCOM LLC )

To Voluntarily Surrender its )
Certificate of Authority.

DOCKET NO. 02-0102

ORDER NO. 22816

Filed Sept. 5, 2006
At 1 o'clock P.M.

KAREN HIGASHI
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

INFONE LLC, fka NORTH BY NORTHEASTCOM LLC

To Voluntarily Surrender its Certificate of Authority.

Docket No. 02-0102
Order No. 22816

ORDER

By this Order, the commission approves the voluntary surrender of INFONE LLC's ("Petitioner") certificate of authority ("COA") to operate as a reseller of telecommunications services in the State of Hawaii (the "State").

Petitioner holds a COA to operate as a reseller of intrastate telecommunications services.\(^1\) Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated July 5, 2006.\(^2\) Petitioner represents that it ceased all regulated operations in the State in December 2005, it had no presubscribed customers, and thus, no customer notification of its discontinuance of telecommunications services was required. On August 4, 2006, Petitioner fully complied with the requirements to pay the public utility fees based on its 2005 and 2006 revenues, in response to the commission's directive.

\(^1\)See Decision and Order No. 19466, filed on July 15, 2002; and Petitioner's letter, dated May 23, 2003 (name change to Infone LLC).

\(^2\)The commission transmitted a copy of Petitioner's letter, dated July 5, 2006, upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy.
Hawaii Administrative Rules ("HAR") § 6-80-123, governing the discontinuance of a fully or partially competitive telecommunications service, states in part:

Abandonment or discontinuance of fully or partially competitive service. (a) A telecommunications carrier intending or seeking to abandon or discontinue offering or providing a fully or partially competitive service shall, not later than thirty days before the proposed date of abandonment or discontinuance, provide a written notice of its intent to the commission, the consumer advocate, and its affected customers.

(b) The commission may:

(1) Allow the proposed abandonment or discontinuance of service to take effect on such reasonable terms and conditions that it deems are in the public interest.

The commission: (1) approves the voluntary surrender of Petitioner's COA; and (2) waives the customer notification requirement set forth in HAR § 6-80-123(a), as Petitioner represents that it has no presubscribed customers to notify of its discontinuance of telecommunications services.

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COA to operate as a reseller of intrastate telecommunications services is approved, effective from the date of this Order.

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

3. This docket is closed, unless ordered otherwise by the commission.
DONE at Honolulu, Hawaii SEP. - 5 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Carlito P. Caliboso, Chairman

By
John E. Cole, Commissioner

APPROVED AS TO FORM:

Michael Azama
Commission Counsel

02-0102.s1
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22816 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

ROBIN NORTON
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P. O. Drawer 200
Winter Park, FL 32790-0200

Consultant for INFONE LLC

DATED: SEP - 5 2006

Karen Higashi