BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

BAK COMMUNICATIONS, LLC

DOCKET NO. 2006-0278

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. 22952

Filed Oct. 18, 2006
At 1 o'clock P.M.

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

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Docket No. 2006-0278
Decision and Order No. 22952

DECISION AND ORDER

By this Decision and Order, the commission revokes the certificate of authority ("COA") held by BAK COMMUNICATIONS, LLC ("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 September 28, 2006, to show cause why Respondent's COA should not be suspended or revoked for failure to file its 2004 annual financial report and pay the public utility fee that was due on December 31,
The commission notified Respondent that its COA would be revoked if it failed to appear at the scheduled hearing.

On September 28, 2006, 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. 22754, 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.

'The commission notified Respondent of the September 28, 2006 hearing by serving Order No. 22754 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to HAR § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to 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 5 and September 12, 2006.
DONE at Honolulu, Hawaii OCT 18 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

By Stacey Kawasaki Djou
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22952 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

BAK COMMUNICATIONS, LLC
444 South Flower Street, Suite 4188
Los Angeles, CA 90071

TELECOM COMPLIANCE SERVICES, INC.
c/o BAK COMMUNICATIONS, LLC
1720 Windward Concourse, Suite 250
Alpharetta, GA 30005

DATED: OCT 18 2006

Karen Higashi