BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

ARCH WIRELESS, fka
MMLICENSE MMCA2, dba
RAM PAGING HAWAII

DOCKET NO. 2006-0270

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. 22964

Filed Oct. 20, 2006
At 11 o'clock A.M.

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

In the Matter of

ARCH WIRELESS, fka MMLICENSE MMCA2, dba RAM PAGING HAWAII

Docket No. 2006-0270

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and Commission's Regulations;
Order to Show Cause Why
Respondent's Operating
Authority Should Not Be
Suspended or Revoked.

DECISION AND ORDER

By this Decision and Order, the commission revokes the certificate of registration ("COR") held by ARCH WIRELESS, fka MMLICENSE MMCA2, dba RAM PAGING HAWAII ("Respondent").

I.

Procedural History

Pursuant to Hawaii Administrative Rules ("HAR") § 6-80-91, Hawaii Revised Statues ("HRS") § 269-30, and Order No. 20193, 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 COR should not be suspended or revoked for failure to (1) file its 2004 annual financial report, (2) pay the public utility fee that was due on July 31, 2005 and December 31, 2005, and (3) pay its contribution to the telecommunications relay services fund
that was due on July 26, 2005.¹ The commission notified Respondent that its COR 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 COR be revoked.

II.

Findings and Conclusions

Based on the entire record, the commission finds that Respondent has not complied with Order No. 22745, the applicable laws, rules, and regulations, and concludes that Respondent’s COR should be revoked.

¹The commission notified Respondent of the September 28, 2006 hearing by serving Order No. 22745 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.
III.

Orders

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

DONE at Honolulu, Hawaii

OCT 20 2006

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

Michael Agaman
for Stacey Kawasaki Djou
Commission Counsel

2006-0270.ah
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22964 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

ARCH WIRELESS, fka
MMLICENSE MMCA2, dba
RAM PAGING HAWAII
1800 West Park Drive, Suite 250
Westborough, MA 01581

DATED: OCT 20 2006

Karen Higashi