

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
ZEUS TELECOMMUNICATIONS, LLC )  
For a Certificate of Authority to )  
Operate as a Reseller of )  
Competitive Intrastate )  
Interexchange Services Within the )  
State of Hawaii. )  

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DOCKET NO. 2006-0372

ORDER NO. 23265

Filed Feb. 20, 2007  
At 2 o'clock P.M.

Karen Higashi.  
Chief Clerk of the Commission

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

2007 FEB 21 A 9:22

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ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Karen Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)	)	
ZEUS TELECOMMUNICATIONS, LLC	)	Docket No. 2006-0372
	)	
For a Certificate of Authority to	)	Order No. 23265
Operate as a Reseller of	)	
Competitive Intrastate	)	
Interexchange Services Within the	)	
State of Hawaii.	)	
_____	)	

ORDER

By this Order, the commission dismisses, without prejudice, the September 13, 2006 application filed by ZEUS TELECOMMUNICATIONS, LLC ("Applicant") requesting a certificate of authority ("COA") to provide resold telecommunications services in the State of Hawaii ("State") ("Application"), pursuant to the Notice of Dismissal of Application issued on January 29, 2007 ("Dismissal Notice").

I.

Discussion

On September 13, 2006, Applicant filed its Application for a COA to provide resold telecommunications services in the State.<sup>1</sup> On September 26, 2006, the Consumer Advocate issued

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<sup>1</sup>Applicant served copies of the Application on the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"), an ex-officio party to all proceedings before the commission. See Hawaii Revised Statutes ("HRS") § 269-51; Hawaii Administrative Rules ("HAR") § 6-61-62.

Applicant information requests ("IRs") to facilitate its review of the Application and requested responses by October 10, 2006.

By letter dated November 15, 2006, the commission informed Applicant that it had not received copies of Applicant's responses to the Consumer Advocate's September 26, 2006 IRs and requested that Applicant, within thirty (30) days from the date of the letter, either provide copies of the IR responses (previously submitted to the Consumer Advocate) or, alternatively, submit its responses to the IRs (with appropriate copies to the commission). In that letter, Applicant was advised that the commission would commence the process of dismissing the Application if Applicant failed to properly file, within the established deadline (i.e., December 15, 2006), the IR responses or documentation from the Consumer Advocate granting Applicant an extension of time to file the responses.

On January 29, 2007, Applicant was issued the Dismissal Notice for its failure to respond to the commission's November 15, 2006 letter. Applicant was advised that its Application would be dismissed, without prejudice,<sup>2</sup> unless a written objection to the proposed dismissal was filed with the commission no later than 10 days from the date of the Dismissal Notice.

No objection to the proposed dismissal of the Application was filed with the commission within the 10-day

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<sup>2</sup>Dismissal of the Application "without prejudice" means that Applicant is not precluded from filing a new application for a COA in compliance with all State laws and commission requirements. See HRS Chapter 269; HAR Title 6, Chapters 61 and 80.

period set forth in the Dismissal Notice. Hence, the commission finds good cause to dismiss the Application and close this docket.

II.

Orders

THE COMMISSION ORDERS:

1. The Application, filed by Applicant on September 13, 2006, is dismissed, without prejudice.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii FEB 20 2007.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By John E. Cole  
John E. Cole, Commissioner

APPROVED AS TO FORM:

Ji Sook Kim  
Ji Sook Kim  
Commission Counsel

2006-0372.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23265 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
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Attorney for ZEUS TELECOMMUNICATIONS, LLC

  
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Karen Higashi

DATED: FEB 20 2007