BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of) VIDEO VEND, INC., dba PACIFIC) TEL and PACIFIC TELEPHONE To Voluntarily Surrender its Certificate of Authority.

DOCKET NO. 96-0204

ORDER NO. 23303

Filed March 15, 2007 At ____/ o'clock _ P _ .M.

Chief Clerk of the Commission

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

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Docket No. 96-0204 Order No. 23303

ORDER

By this Order, the commission approves the voluntary surrender of certificate of authority ("COA") 0038, issued to VIDEO VEND, INC., dba PACIFIC TEL and PACIFIC TELEPHONE ("Petitioner").

Petitioner holds a COA to operate as a pay telephone service provider within the State of Hawaii ("State").¹ Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated February 14, 2007, received on February 28, 2007.² As the basis for its request, Petitioner states that it terminated its entire pay phone route as of May 1, 2006.³

¹See Interim Decision and Order No. 15346, filed on January 31, 2007; and COA 0038.

²Along with its letter, Petitioner also: (1) filed its Annual Financial Reports for 2006 and 2007; and (2) paid its applicable public utility fees.

³Petitioner's letter, dated February 14, 2007, at 1.

Hawaii Administrative Rules ("HAR") § 6-80-123(c) provides in relevant part that for any telecommunications carrier whose entry into the intrastate telecommunications market is preempted by federal law, said carrier shall, not later than thirty days before the proposed effective date of any contemplated abandonment or discontinuance of service, provide a written notice of [its] intent to abandon or discontinue service to the commission, the consumer advocate, and affected customers."

On February 28, 2007, Petitioner provided notice to the commission of its intent to surrender its authority to operate as a pay telephone service provider within the State. Thereafter, a copy of Petitioner's notice was transmitted by the commission to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy. Moreover, in general, as a pay telephone service provider, Petitioner has no customers per se to notify of its intent to discontinue its provision of pay telephone service.

The commission approves the voluntary surrender of Petitioner's COA, pursuant to HAR § 6-80-123(c).

THE COMMISSION ORDERS:

- Petitioner's request to surrender its COA to operate as a pay telephone service provider in the State is approved, effective from the date of this Order.
- 2. Petitioner shall promptly return COA 0038 to the commission.

96-0204

 $^{^{4}}$ See also HAR § 6-80-2(b)(2), 6-80-17(d), and 6-80-18(b).

3. This docket is closed, unless ordered otherwise by the commission.

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PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

John E. Cole, Commissioner

APPROVED AS TO FORM:

Michael Azama

Commission Counsel

96-0204.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23303 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Karen Higashi

DATED: MAR 1 5 2007