

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
GENERAL TELCOURIER, INC.,)
dba PAGER ONE)
)
To Voluntarily Surrender its)
Certificate of Public Convenience)
and Necessity.)
_____)

DOCKET NO. 5952

ORDER NO. 23394

Filed April 30, 2007

At 1 o'clock P.M.

Karen Higashi

Chief Clerk of the Commission

RECEIVED

2007 MAY -2 A 9:23

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

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

Karen Higashi

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Docket No. 5952

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ORDER

By this Order, the commission approves the voluntary surrender of GENERAL TELCOURIER, INC.'s ("Petitioner") certificate of public convenience and necessity ("CPCN").

Petitioner holds a CPCN to provide mobile/portable telephone and paging services.¹ On January 16, 2007, Petitioner submitted its bill for collection and its corresponding public utility fee. On the bill for collection form, Petitioner noted in part that it has ceased offering service in Hawaii in December 2005.

¹See Decision and Order No. 9581, filed on November 39, 1987 (CPCN, island of Oahu); and In re Page-Com Hawaii, Inc. and General Telcourier, Inc., Docket No. 7095, Decision and Order No. 11573, filed on April 10, 1992 (transfer of Page-Com Hawaii, Inc.'s CPCN and property to General Telcourier, Inc., including the authority to operate on the islands of Maui, Hawaii, and Kauai). The commission's records indicate that sometime after the issuance of General Telcourier, Inc.'s CPCN, said carrier began to utilize the dba Pager One. See also Hawaii Administrative Rules ("HAR") § 6-80-17(a)(1) (all CPCNs issued for telecommunications services remain in full force and effect, notwithstanding the commission's implementation of the certificate of authority and registration procedures for telecommunications carriers pursuant to HAR chapter 6-80).

By letter dated January 23, 2007, the commission informed Petitioner that it will treat the notation as a request to voluntarily surrender Petitioner's CPCN. The commission also: (1) sent a copy of Petitioner's bill for collection form to the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"); and (2) instructed Petitioner to pay the applicable public utility fees and file its 2005 - 2007 Annual Financial Reports.

Hawaii Revised Statutes § 269-19 states in relevant part that no public utility corporation shall dispose of any franchise or permit without first having secured from the commission an order authorizing it so to do. Moreover, with respect to providers of commercial mobile radio services ("CMRS") authorized by the commission to operate within the State of Hawaii ("State"), 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,² 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 January 16, 2007, Petitioner effectively notified the commission of its intent to surrender its CPCN, and thereafter, the commission forwarded a copy of Petitioner's request to the Consumer Advocate. On March 30, 2007, Petitioner

²See also HAR § 6-80-2(b)(2), 6-80-17(d), and 6-80-18(b).

paid the applicable public utility fees and filed its 2006 and 2007 Annual Financial Reports.³

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


THE COMMISSION ORDERS:

1. Petitioner's request to surrender its CPCN authorizing it to provide CMRS within the State is approved, effective from the date of this Order.
2. The customer notification requirement set forth in HAR § 6-80-123(c) is waived.
3. This docket is closed, unless ordered otherwise by the commission.

³While Petitioner did not file its 2005 Annual Financial Report, Petitioner paid the applicable public utility fee for the period covered by this non-filed report.


DONE at Honolulu, Hawaii APR 30 2007.

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

5952.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23394 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
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

GENERAL TELCOURIER, INC.
ATTENTION: D. WILLIAMS, ACCOUNTING
P. O. Box 610
Bountiful, UT 84011



Karen Higashi

DATED: APR 30 2007