

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
GLOBAL CROSSING NORTH )  
AMERICAN NETWORKS, INC. )  
For Approval of Merger. )  
\_\_\_\_\_ )

DOCKET NO. 2008-0258

ORDER APPROVING WITHDRAWAL OF APPLICATION

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

PUBLIC UTILITIES  
COMMISSION

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FILED

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OF THE STATE OF HAWAII

In the Matter of the Application of )  
GLOBAL CROSSING NORTH ) Docket No. 2008-0258  
AMERICAN NETWORKS, INC. )  
For Approval of Merger )  
\_\_\_\_\_ )

ORDER APPROVING WITHDRAWAL OF APPLICATION

By this Order, the commission approves the withdrawal of the "Notice of Merger" filed by GLOBAL CROSSING NORTH AMERICAN NETWORKS, INC. ("Applicant") regarding its *pro forma* merger into Applicant's affiliate, Global Crossing Telecommunications, Inc. ("Application").<sup>1</sup>

I.

Withdrawal Request

On October 6, 2008, Applicant filed the Application regarding its planned *pro forma* merger with its affiliate, Global Crossing Telecommunications, Inc. (the "Proposed Transaction").

By letter dated and filed on December 3, 2008, Applicant informed the commission that the Proposed Transaction is no longer taking place. Further, Applicant requests that the commission: (1) take no action with respect to the Proposed Transaction; and (2) close the docket. The commission deems

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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 this proceeding pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules § 6-61-62. On November 5, 2008, the Consumer Advocate submitted its Statement of Position.

Applicant's December 3, 2008 letter to be a request to withdraw its Application.

Upon review, the commission finds good cause, under the circumstances, to grant Applicant's withdrawal request, without prejudice. Thus, the commission concludes the Applicant's request to withdraw its Application, filed on December 3, 2008, should be approved, and that this docket should be closed.

II.

Orders

THE COMMISSION ORDERS:

1. Applicant's request to withdraw its Application, filed on December 3, 2008, is approved, without prejudice.

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

DONE at Honolulu, Hawaii DEC 26 2008.

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

By Leslie H. Kondo  
Leslie H. Kondo, Commissioner

2008-0258.ps

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
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