

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of )  
UNIVERSAL ACCESS, INC., )  
To Voluntarily Surrender its )  
Certificate of Authority. )  
\_\_\_\_\_ )

DOCKET NO. 00-0038

ORDER NO. 23397

Filed April 30, 2007  
At 1 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

RECEIVED

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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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of	)	
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UNIVERSAL ACCESS, INC.	)	Docket No. 00-0038
	)	
To Voluntarily Surrender its	)	Order No. 23397
Certificate of Authority.	)	
<hr/>		

ORDER

By this Order, the commission approves the voluntary surrender of UNIVERSAL ACCESS, INC.'s ("Petitioner") certificate of authority ("COA") to operate as a facilities-based carrier and reseller of telecommunications services in the State of Hawaii (the "State").

Petitioner holds a COA to operate as a facilities-based carrier and reseller of intrastate telecommunications services.<sup>1</sup> Petitioner requests the commission's approval to voluntarily surrender its COA, by letter dated September 29, 2006.<sup>2</sup> Petitioner represents that it does not have any customers in the State, and has ceased its operations for telecommunications services in the State. On April 9, 2007, Petitioner fully complied with commission's directive to file its 2006 Annual Financial Report and pay the applicable public utility fees, in response to the commission's directive.

<sup>1</sup>See Decision and Order No. 17706, filed on May 3, 2000.

<sup>2</sup>The commission transmitted a copy of Petitioner's letter, dated September 29, 2006, upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate").

Hawaii Administrative Rules ("HAR") § 6-80-123, governing the discontinuance of a fully or partially competitive telecommunications service, states in part:

Abandonment or discontinuance of fully or partially competitive service. (a) A telecommunications carrier intending or seeking to abandon or discontinue offering or providing a fully or partially competitive service shall, not later than thirty days before the proposed date of abandonment or discontinuance, provide a written notice of its intent to the commission, the consumer advocate, and its affected customers. . . .

(b) The commission may:

- (1) Allow the proposed abandonment or discontinuance of service to take effect on such reasonable terms and conditions that it deems are in the public interest[.]

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

THE COMMISSION ORDERS:

1. Petitioner's request to surrender its COA to operate as a facilities-based carrier and reseller of intrastate telecommunications services is approved, effective from the date of this Order.

2. The customer notification requirement set forth in HAR § 6-80-123(a) is waived.

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

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

00-0038.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23397 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  
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Consultant for UNIVERSAL ACCESS, INC.

  
\_\_\_\_\_  
Karen Higashi

DATED: APR 30 2007