



PUBLIC NOTICE

Federal Communications Commission
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DA 01-1616
July 9, 2001

COMMENTS INVITED ON GST TELECOM HAWAII, INC. APPLICATION TO DISCONTINUE DOMESTIC SERVICES

NSD File No. W-P-D-498

Comments Due: July 23, 2001

Section 214 Application

Applicant: GST Telecom Hawaii, Inc.

On May 22, 2001, GST Telecom Hawaii, Inc. (GST Hawaii or Applicant), located at 9300 NE Oak View Drive, Suite A, Vancouver, WA 98662, filed an application requesting authority under section 214(a) of the Communications Act of 1934, 47 U.S.C. § 214(a), and section 63.71 of the Federal Communications Commission's (Commission or FCC) rules, 47 C.F.R. § 63.71, to discontinue providing certain U.S. domestic telecommunications services in the state of Hawaii.

The application indicates that on May 17, 2000, GST Telecommunications, Inc. and its subsidiaries (GST), including GST Hawaii, filed for protection under Chapter 11 of the U.S. Bankruptcy Code in the U.S. District Court for Delaware. On March 9, 2001, GST requested the Bankruptcy Court's approval of an asset purchase agreement (Agreement) with TM Communications Hawaii, LLC (TM). On March 22, 2001, the Court approved the agreement, as well as TM's assignment of assets to its nominee, Pacific Lightnet, Inc. (Pacific Lightnet). Among other things, Pacific Lightnet will acquire certain assets associated with GST Hawaii's telecommunications operations, including telecommunications equipment and GST Hawaii's customer base.

The application states that once the Agreement is effective, all GST Hawaii customers will be migrated over to Pacific Lightnet. Accordingly, GST Hawaii seeks authority to discontinue providing U.S. domestic local, long distance, data, and Internet services. Pursuant to GST's bankruptcy proceeding, GST Hawaii will cease all operations. Applicant anticipates that the contract will go into effect on or about June 30, 2001, and requests discontinuance authority before that date to enable a quick transition of GST Hawaii's business assets and customers to Pacific Lightnet, and ensuring uninterrupted service to affected customers.

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified Applicant that the grant will not be automatically effective. The FCC will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity is otherwise adversely affected.

Comments objecting to this application must be filed with the Commission by **July 23, 2001**. Such comments should refer to application file number **W-P-D-498**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments should be sent to the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Room TW-A325, Washington, DC 20554. Two (2) copies of the comments should also be sent to the Network Services Division, Common Carrier Bureau, Federal Communications Commission, 445 12th Street, SW, Room 6-A207, Washington, DC 20554; Attention: Al McCloud.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, International Transcription Service, Inc. (ITS), 1231 20th Street, NW, Washington, DC 20036, telephone (202) 857-3800, facsimile (202) 857-3805, TTY (202) 293-8810.

For further information, contact Al McCloud, (202) 418-2499 (voice), amecloud@fcc.gov, or Jon Minkoff (202) 418-2353 (voice), jminkoff@fcc.gov, of the Network Services Division, Common Carrier Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit the Network Services Division web site at: <http://www.fcc.gov/ccb/nsd/documents/214.html>.

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