

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
GLENN K. LINDSEY )  
 )  
Notice of Failure to Comply )  
With Hawaii Revised Statutes )  
and Commission's Regulations )  
Order to Show Cause Why )  
Respondent's Operating )  
Authority Should Not Be )  
Suspended or Revoked. )  
\_\_\_\_\_ )

DOCKET NO. 02-0269

DEPT. OF CONSUMER AFFAIRS  
DEPT. OF COMMERCE  
CONSUMER AFFAIRS  
STATE OF HAWAII

2002 SEP 30 A 8:48

RECEIVED

ORDER NO. 19580

Filed Sept. 30, 2002  
At 8:00 o'clock A .M.

Karen Higashi  
Chief Clerk of the Commission

ATTEST: A True Copy  
CATHERINE SAKATO  
Clerk  
Public Utilities Commission  
State of Hawaii

Catherine Sakato

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of -----)	
GLENN K. LINDSEY                  )	Docket No. 02-0269
Notice of Failure to Comply                  )	
With Hawaii Revised Statutes                  )	Order No. 19580
and Commission's Regulations                  )	
Order to Show Cause Why                  )	
Respondent's Operating                  )	
Authority Should Not Be                  )	
Suspended or Revoked.                  )	
_____)	

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

GLENN K. LINDSEY (Respondent), is the holder of a motor carrier certificate, issued pursuant to Hawaii Revised Statutes (HRS) § 271-12. Under certificate of public convenience and necessity (CPCN) No. 5082-C, Respondent is authorized to transport passengers by motor vehicle on the island of Hawaii.

On March 23, 2001, a Public Utilities Commission Enforcement Officer determined that Respondent violated HRS § 271-21 by failing to file a tariff with the commission, and issued Citation No. 0499, with an accompanying civil penalty of \$1,000.00. Since Respondent did not pay the citation within 15 days of its receipt and did not request a contested hearing on the citation within 20 days from the receipt of the citation, the citation was deemed to be the final order of the commission, pursuant to Hawaii Administrative Rules § 6-68-21(f)(1). The commission sent a first and second bill for collection on April 30, 2001 and August 7, 2001, respectively. Respondent has not

complied with the commission's orders by failing to pay the penalty imposed by the commission.

HRS § 271-19 and Hawaii Administrative Rules § 6-68-32(b) authorizes the commission, after notice and hearing, to suspend or revoke any CPCN, in part or in whole, if the holder is found to be in violation of any of the provisions of HRS chapter 271. Accordingly, the commission may suspend or revoke Respondent's CPCN for failure to comply with the legal requirements set forth above, unless Respondent is able to show why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

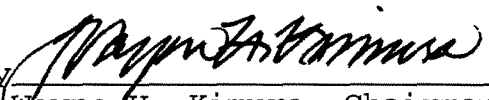
1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 29, 2002 to show cause why Respondent's CPCN should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

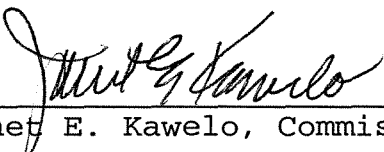
2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

3. If Respondent fails to appear at the scheduled hearing, Respondent's CPCN shall be revoked.

DONE at Honolulu, Hawaii this 30th day of September,  
2002.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By (RECUSED)  
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Catherine P. Awakuni  
Commission Counsel

02-0269.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19580 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

GLENN K. LINDSEY  
P. O. Box 991  
Kamuela, HI 96743  
(CM # 7099 3220 0001 6485 0400)



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Catherine Sakato

DATED: September 30, 2002