

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
CYP, INC., dba CYPRIANO RENTALS)
& TRUCKING)
)
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. 02-0246

DECISION AND ORDER NO. 19738

Filed Oct. 28, 2002
At 12:30 o'clock P .M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

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PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

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CYP, INC., dba CYPRIANO RENTALS) Docket No. 02-0246
& TRUCKING)
) Decision and Order No. 19738
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.)
_____)

DECISION AND ORDER

By Order No. 19557, filed on September 30, 2002, the commission ordered CYP, INC., dba CYPRIANO RENTALS & TRUCKING (Respondent) to 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 certificate of public convenience and necessity number 5121-C should not be suspended or revoked for failure to file an annual financial report (AFR) for 2001, pursuant to Hawaii Revised Statutes (HRS) § 271-25. In addition, Respondent failed to comply with the orders of the commission by failing to pay the penalties that the commission imposed in Citation Nos. 0479, 0481, and 0482 (citations).

On October 14, 2002, Respondent filed its 2001 AFR. On October 22, 2002 and October 24, 2002, respectively, Respondent paid its Fee and the late-filing penalties assessed pursuant to

HRS § 271-27(i) and Hawaii Administrative Rules § 6-62-42. Additionally, on October 22, 2002, Respondent paid the penalties imposed in the citations.

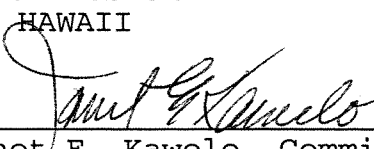
Based on the above, the commission finds that Respondent has fully complied, although belatedly, with the motor carrier laws, rules, and regulations, and concludes that Order No. 19557 should be vacated.

THE COMMISSION ORDERS that Order No. 19557 is vacated and this docket is closed.

DONE at Honolulu, Hawaii this 28th day of October, 2002.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

By (RECUSED)
Gregg J. Kinkley, Commissioner

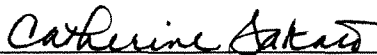

Catherine P. Awakuni
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19738 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

CYP, INC., dba
CYPRIANO RENTALS & TRUCKING
P. O. Box 5327
Twin Falls, ID 83303



Catherine Sakato

DATED: October 28, 2002