

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
RICKY'S TRUCKING, INC.)
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. 02-0263

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2002 NOV 27 A 11: 09
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

DECISION AND ORDER NO. 19824

Filed Nov. 27, 2002
At 8 o'clock A. .M.

for *Kuo h. Lee*
Chief Clerk of the Commission

TEST: A True Copy
LEATRICE G. ASAHI
Clerk, Public Utilities
Commission, State of Hawaii.
Leatrice G. Asahi

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Docket No. 02-0263

Decision and Order No. 19824

DECISION AND ORDER

By Order No. 19574, filed on September 30, 2002, the commission ordered RICKY'S TRUCKING, INC. (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 (CPCN) number 2112-C should not be suspended or revoked for failure to pay a penalty of \$300.00 assessed by the commission, pursuant to Hawaii Revised Statutes § 271-27(i) and Hawaii Administrative Rules § 6-62-42, for Respondent's failure to timely file an annual financial report and pay an annual motor carrier gross revenue fee.¹ The commission notified Respondent that its CPCN would be revoked if it failed to appear at the scheduled hearing.

¹The commission notified Respondent of the October 29, 2002 hearing by serving Order No. 19574 upon Respondent by certified mail, return receipt requested, at Respondent's last known address, or to Respondent's attorney. Pursuant to Hawaii Administrative Rules (HAR) § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to Respondent's last known address, or to Respondent's attorney.


On October 29, 2002, Respondent failed to appear before the commission's hearings officer. As a result, the hearings officer recommended that: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's CPCN be revoked.


Based on the above, the commission finds that Respondent has not complied with Order No. 19574, the applicable laws, rules, and regulations, and concludes that Respondent's CPCN should be revoked.

THE COMMISSION ORDERS that CPCN No. 2112-C is revoked.

DONE at Honolulu, Hawaii this 27th day of November, 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


for Catherine P. Awakuni
Commission Counsel

osc02-0263d&o.cpa

Additionally, pursuant to HRS § 91-9.5, the commission provided Respondent with notice of the hearing via statewide publication in newspapers of general circulation on October 7 and October 14, 2002.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19824 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

RICKY'S TRUCKING, INC.
PMB #259, 98-1277 Kaahumanu Street
Aiea, HI 96701
(CM #7001 1940 0007 4476 7980)

Catherine Sakao
for _____
Karen Higashi

DATED: November 27, 2002