

ols
Stan

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
HOH UTILITIES, LLC)
)
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. 03-0336

RECEIVED

2003 OCT 28 A 9:51

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ORDER NO. 20537

Filed Oct. 27, 2003
At 8:00 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
HOH UTILITIES, LLC) Docket No. 03-0336
)
Notice of Failure to Comply) Order No. 20537
With Hawaii Revised Statutes)
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

HOH UTILITIES, LLC ("Respondent") is the holder of a certificate of public convenience and necessity ("CPCN"), issued pursuant to Hawaii Revised Statutes ("HRS") § 269-7.5. The commission authorized Respondent to operate as a provider of private wastewater services in the State of Hawaii ("State") under the CPCN.

At the time that the commission granted Respondent its CPCN, the commission required that Respondent file an annual financial report ("AFR") by March 31 of each year. Hawaii Revised Statutes ("HRS") § 269-30 requires Respondent to pay a public utility fee ("Fee") in July and December of each year. Respondent filed its 2001 AFR, but failed to pay the Fee that was due on December 31, 2002.

HAR § 6-80-19 authorizes the commission, after notice and hearing, to suspend or revoke any CPCN, in part or in whole, if the commission finds the holder violated any applicable State

laws or commission rules. 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 November 26, 2003 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.

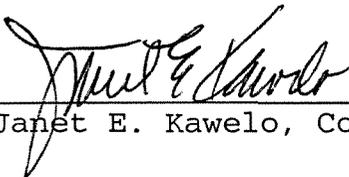
3. If Respondent fails to appear at the scheduled hearing, Respondent's CPCN shall be revoked.

DONE at Honolulu, Hawaii this 27th day of October, 2003.

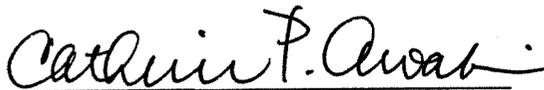
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Catherine P. Awakuni
Commission Counsel

03-0336.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20537 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

HOH UTILITIES, LLC
P. O. Box 383
Lawai, HI 96765

(CM # 7002 2030 0006 6812 7363)



Karen Higashi

DATED: October 27, 2003