

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
N & C TRUCKING & SERVICES, 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. 03-0290

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

2004 JUL 21 A 8:35

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DECISION AND ORDER NO. 21135

Filed July 20, 2004
At 8 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.

Respondent that its CPCN would be revoked if it failed to appear at the scheduled hearing.

On November 26, 2003, Respondent failed to appear before the commission's hearings officer. As a result, the hearings officer recommended that the commission render the following findings and conclusions: (1) Respondent be found in default for failure to appear at the hearing and (2) Respondent's CPCN be revoked.

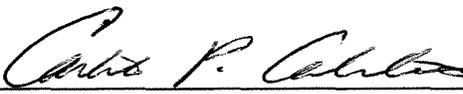
Based on the above, the commission finds that Respondent's failure to appear at the November 26, 2004 hearing constitutes a default in accordance with HAR § 6-68-23. Accordingly, because the commission can assume the facts alleged in Order No. 20491 are true in the event of a default, and such facts are in violation of applicable laws, rules, and regulations noted above, the commission concludes that Respondent's CPCN should be revoked.

THE COMMISSION ORDERS that CPCN No. 5163-C is revoked.

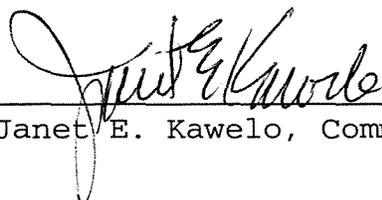
statewide publication in newspapers of general circulation on November 3 and November 10, 2003.

DONE at Honolulu, Hawaii this 20th day of July, 2004.

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

03-0290.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21135 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

N & C TRUCKING & SERVICES, LLC
c/o CAROL OTSUKA
P. O. Box 437475
Kamuela, HI 96743
(CM #7002 2030 0006 6812 6717)



Karen Higashi

DATED: July 20, 2004