

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 DAVID T. HARRIS, dba)
 PROTOCOL TRANSPORT SERVICE)
)
 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. 04-0215

DECISION AND ORDER NO. 22362

Filed March 30, 2006
At 11 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

DIV. OF COMMUNITY DEVELOPMENT
OFFICE OF THE CHIEF CLERK
150 SOUTH KING STREET, 3RD FLOOR
HONOLULU, HAWAII 96813

2006 MAR 31 A 8:14

RECEIVED

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 -----)
)
 DAVID T. HARRIS, dba)
 PROTOCOL TRANSPORT SERVICE)
)
 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. 04-0215
Decision and Order No. 22362

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 21256, filed on September 7, 2004, in the matter of DAVID T. HARRIS, dba PROTOCOL TRANSPORT SERVICE ("Respondent").

I.

History

Pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25, 271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a), § 6-62-24(a), the commission ordered Respondent to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 6, 2004, to show cause why Respondent's certificate of public convenience and necessity number 1258-C should not be suspended or revoked for failure to file an annual financial report ("AFR") and pay an annual motor carrier gross revenue fee ("Fee") for the year 2003.

On September 27, 2004, Respondent filed his 2003 AFR, paid his Fee, and paid \$55.18 in penalties and interest that the commission assessed, pursuant to HRS § 271-27(i) and HAR §§ 6-62-24(b)(c) and 6-62-42(d).

II.

Findings and Conclusions

The commission finds that Respondent has fully complied, although belatedly, with the motor carrier laws, rules, and regulations, and concludes that Order No. 21256, filed on September 7, 2004, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 21256 is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAR 30 2006.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Catherine P. Awakuni
Commission Counsel

04-0215.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22362 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

DAVID T. HARRIS, dba
PROTOCOL TRANSPORT SERVICE
2511 Kapiolani Blvd., #11
Honolulu, HI 96826



Karen Higashi

DATED: MAR 30 2006