

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
BRENDAN Y. UCHIMA, dba )  
B.U. HAULING )  
 )  
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. 2006-0200

ORDER NO. 22712

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

2006 AUG -9 A 8:24

RECEIVED

Filed August 8, 2006  
At 12 o'clock P.M.  
Karen Higrot.  
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

|                               |   |                      |
|-------------------------------|---|----------------------|
| ----- In the Matter of -----) |   |                      |
|                               | ) |                      |
| BRENDAN Y. UCHIMA, dba        | ) | Docket No. 2006-0200 |
| B.U. HAULING                  | ) | Order No. 22712      |
|                               | ) |                      |
| 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.         | ) |                      |

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

BRENDAN Y. UCHIMA, dba B.U. HAULING ("Respondent"), is the holder of a certificate of public convenience and necessity ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12. Under Certificate No. 5189-C, Respondent is authorized to transport property by motor vehicle over irregular routes on the island of Hawaii.

HRS § 271-25 and Hawaii Administrative Rules ("HAR") § 6-62-42(a) require Respondent to file an annual financial report ("AFR"). HRS § 271-36 and HAR § 6-62-24(a) require Respondent to pay an annual motor carrier gross revenue fee ("Fee"). Respondent failed to file an AFR and pay the Fee for 2004 and 2005.

HRS § 271-19 authorizes the commission, after notice and hearing, to suspend or revoke any Certificate, in part or in whole, if the commission finds that the holder violated any provision of HRS chapter 271. Accordingly, the commission may

suspend or revoke Respondent's Certificate for failure to comply with the legal requirements set forth above, unless Respondent is able to show cause 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 September 27, 2006, to show cause why Respondent's Certificate should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

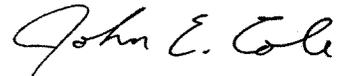
2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.

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

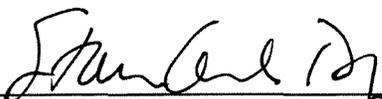
DONE at Honolulu, Hawaii AUG - 8 2006.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By:   
Carlito P. Caliboso, Chairman

By:   
John E. Cole, Commissioner

APPROVED AS TO FORM:

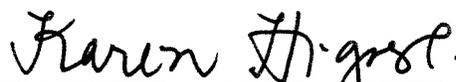
  
Stacey Kawasaki Djou  
Commission Counsel  
06-0200 brendan.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22712 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

BRENDAN Y. UCHIMA (CM #7005 1160 0002 2514 2495)  
dba B.U. HAULING  
P. O. Box 358  
Honomu, HI 96728

  
\_\_\_\_\_  
Karen Higashi

DATED: AUG - 8 2006