

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
DARLENE E.SOUZA, dba)
IWALANI TRUCKING)
)
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. 2006-0213

ORDER NO. 22835

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

2006 SEP 12 A 9:26

RECEIVED

Filed September 11, 2006
At 11 o'clock A.M.

for Bonita K. Kane
Chief Clerk of the Commission

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DARLENE E.SOUZA, dba) Docket No. 2006-0213
IWALANI TRUCKING)
) Order No. 22835
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_____)

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

DARLENE E. SOUZA, dba IWALANI TRUCKING ("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. 2044-C, Respondent is authorized to transport property by motor vehicle over irregular routes on the island of Oahu.

On July 25, 2003, Respondent was issued Citation No. 0862, with an accompanying civil penalty of \$1,000.00. Since Respondent did not pay the citation within fifteen (15) days of receipt of the citation or request a contested hearing on the citation within twenty (20) days of receipt of the citation, the citation was deemed to be a final order of the commission, pursuant to Hawaii Administrative Rules ("HAR") § 6-68-21(f)(1). The commission sent bills for collection to Respondent on September 8, 2003 and October 16, 2003, requesting payment of the

penalty. Respondent has not complied with the commission's order in that it has failed to pay the penalty imposed by the commission.

HRS § 271-19 and HAR § 6-68-32(b) authorize 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.

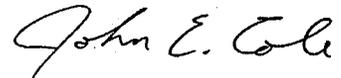
3. If Respondent fails to appear at the scheduled hearing, Respondent's Certificate shall be revoked.

DONE at Honolulu, Hawaii

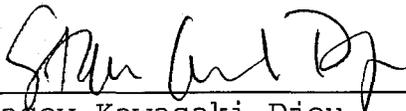
SEP 11 2006

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

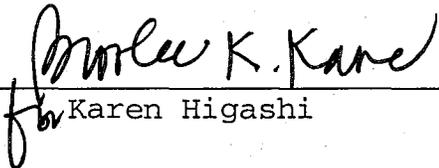
2006-0213.et

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22835 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

DARLENE E. SOUZA, DBA
IWALANI TRUCKING
P. O. Box 4189
Waianae, HI 96792 (CM #7002 2030 0006 6798 5919)


for Karen Higashi

DATED: SEP 11 2006