

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
MEDEIROS TRUCKING SERVICE, INC.)
)
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. 2006-0193

DECISION AND ORDER NO. 23689

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

2007 OCT -3 A 8:50

RECEIVED

Filed October 2, 2007
At 12:30 o'clock P.M.

for Brooke K. Kane
Chief Clerk of the Commission

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Docket No. 2006-0193
Decision and Order No. 23689

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 22671, filed on August 3, 2006, in the matter of MEDEIROS TRUCKING SERVICE, INC. ("Respondent").

I.

History

By Order No. 22671, filed on August 3, 2006, the commission ordered Respondent to 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 of public convenience and necessity number 243-C ("Certificate No. 243-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 years 2004 and 2005, pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25, 271-36,

and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a), 6-62-24(a).

On September 29, 2006, Respondent filed its AFRs and paid its Fees for the years 2004 and 2005. Subsequently, Respondent was assessed \$6,418.72 in penalties and interest, pursuant to HRS § 271-27(i), and HAR §§ 6-62-24(b)(c) and 6-62-42(d), for its late filing of its AFRs and late payment of its Fees. Respondent entered into a payment plan with the commission, filed on November 20, 2006, wherein Respondent would make payments of \$500.00 beginning December 1, 2006, monthly through December 1, 2007. On December 27, 2006, Respondent made a \$500.00 payment to the commission. Respondent has not made any payments since December 27, 2006.

II.

Findings and Conclusions

As Respondent has filed its AFRs and paid its Fees for the years 2004 and 2005, the commission finds that Respondent has complied, although belatedly, with the legal requirements set forth in Order No. 22671, filed on August 3, 2006, and, thus, concludes that Order No. 22671 should be vacated. At the same time, however, we note that Respondent still owes the commission an outstanding balance of \$5,918.72 in penalties and interest, and, thus, if the balance is not paid, Respondent may be required to appear at a future hearing to show cause why its Certificate 243-C should not be revoked.

III.


Orders

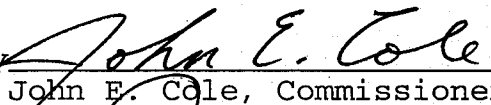
THE COMMISSION ORDERS:

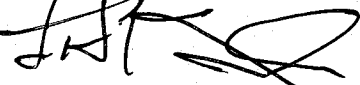
1. Order No. 22671 is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii OCT - 2 2007.

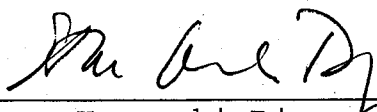
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2006-0193.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23689 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MEDEIROS TRUCKING SERVICE, INC.
P. O. Box 1705
Waianae, HI 96792



for Karen Higashi

DATED: **OCT - 2 2007**