

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
NORTH SHORE WASTEWATER)
TREATMENT, 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. 2007-0282

ORDER NO. 23775

Filed Oct. 26, 2007

At 11 o'clock A.M.

Karen Higash
Chief Clerk of the Commission

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2007 OCT 29 A 8:35

DIVISION OF PUBLIC UTILITIES ADVOCACY
DEPARTMENT OF PUBLIC UTILITIES AND
CONSUMER AFFAIRS
STATE OF HAWAII

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OF THE STATE OF HAWAII

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NORTH SHORE WASTEWATER) Docket No. 2007-0282
TREATMENT, LLC)
) Order No. 23775
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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

NORTH SHORE WASTEWATER TREATMENT, LLC ("Respondent") is the holder of a certificate of public convenience and necessity ("CPCN"), issued pursuant to Hawaii Revised Statutes ("HRS") § 269-7.5. The CPCN authorizes Respondent to provide wastewater services within its service area of Kahuku, on the island of Oahu.

Ordering Paragraph No. 5 of Decision and Order No. 21864, filed on June 14, 2005, in Docket No. 04-0298, requires Respondent to file an annual financial report ("AFR") by March 31 of each year. HRS § 269-30 requires Respondent to pay a public utility fee ("Fee") in July and December of each year. Respondent failed to file its 2005 AFR and pay the Fee that was due on July 31, 2006, and December 31, 2006.

HRS § 269-7.5(d) authorizes the commission, after notice and hearing, to suspend or revoke any CPCN, in whole or in part, if the commission finds the holder to be in willful violation of any of the provisions of HRS § 269 or with any lawful order or rule of the commission adopted thereunder. Accordingly, the commission may suspend or revoke Respondent's CPCN 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 November 20, 2007, to show cause why Respondent's CPCN should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

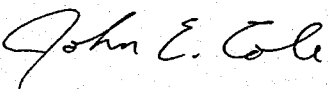
2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust,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


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

DONE at Honolulu, Hawaii OCT 26 2007.

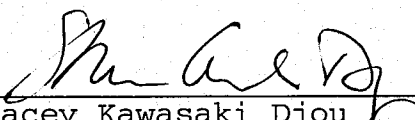
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

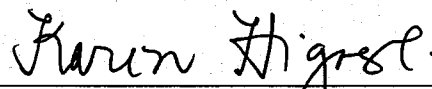

Stacey Kawasaki Djou
Commission Counsel
2007-0282.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23775 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

North Shore Wastewater Treatment, LLC
57-091 Kamehameha Highway
Kahuku, HI 96731
(CM #7003 0500 0002 9036 4210)



Karen Higashi

DATED: OCT 26 2007