

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
KIA TRUCKING & EQUIPMENT )  
RENTAL, 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. 2007-0248

DECISION AND ORDER NO. 23840

Filed Nov. 19, 2007  
At 1 o'clock P.M.

Karen Higrest.  
Chief Clerk of the Commission

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

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 KIA TRUCKING & EQUIPMENT )  
 RENTAL, INC. )  
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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. )  
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Docket No. 2007-0248  
 Decision and Order No. **23840**

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23735, filed on October 17, 2007, in the matter of KIA TRUCKING & EQUIPMENT RENTAL, INC. ("Respondent").

I.

History

By Order No. 23735, filed on October 17, 2007, the commission ordered Respondent to 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 certificate of public convenience and necessity number 4071-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 2006, pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25,

271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a), 6-62-24(a).

On November 7, 2007, Respondent filed its 2006 AFR, paid its Fee, and on November 7 and 14, 2007, paid \$2,538.66 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. 23735, filed on October 17, 2007, should be vacated.

## III.

### Orders

#### THE COMMISSION ORDERS:

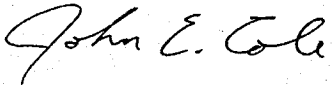
1. Order No. 23735 is vacated.
2. This docket is closed unless otherwise ordered by the commission.


DONE at Honolulu, Hawaii

NOV 19 2007

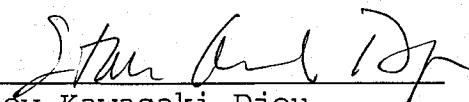
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By:   
Carlito P. Caliboso, Chairman

By:   
John E. Cole, Commissioner

By:   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

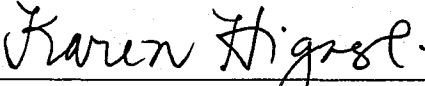
2007-0248.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23840 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

KIA TRUCKING & EQUIPMENT RENTAL, INC.  
P. O. Box 2301  
Kihei, HI 96753

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

DATED: **NOV 19 2007**