

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
ISLAND NETWORK SERVICES, LLC, dba)
INS TOURS)
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. 2007-0256

ORDER NO. 23905

Filed Dec. 19, 2007
At 12 o'clock P.M.

Karen Higrot.
Chief Clerk of the Commission

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Docket No. 2007-0256
Order No. 23905

ORDER

By this Order, the commission suspends certificate of public convenience and necessity number 1785-C ("Certificate No. 1785-C"), held by ISLAND NETWORK SERVICES, LLC, dba INS TOURS ("Respondent"), for a period of three (3) months.

I.

Procedural History

By Order No. 23757, filed on October 24, 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 No. 1785-C should not be suspended or revoked for failure to pay the civil penalty of \$1,000.00 associated with Citation No. 0921.¹ In its order, the commission notified

¹The commission notified Respondent of the November 20, 2007 hearing by serving Order No. 23757 upon Respondent by certified

Respondent that Certificate No. 1785-C would be suspended or revoked if it failed to appear at the scheduled hearing.

On November 20, 2007, Respondent failed to appear before the commission's hearing officer. As a result, the hearings officer recommended that: (1) Respondent be found in default for failure to appear at the hearing, and (2) Respondent's Certificate No. 1785-C be suspended for a period of three (3) months and thereafter be revoked if Respondent fails to pay the civil penalty of \$1,000.00 associated with Citation No. 0921.

II.

Findings and Conclusions

Based on the entire record, the commission finds that Respondent's failure to appear at the November 20, 2007 hearing constitutes a default in accordance with Hawaii Administrative Rules § 6-68-23. Accordingly, because the commission can assume the facts alleged in Order No. 23757 are true in the event of a default, and such facts are in violation of the applicable laws, rules, and regulations noted above, the commission concludes that

mail, return receipt requested, at Respondent's last known address. Pursuant to Hawaii Administrative Rules § 6-61-21, service is deemed complete upon properly stamping, addressing, and mailing the order to Respondent's last known address, or to Respondent's attorney. Additionally, pursuant to Hawaii Revised Statutes § 91-9.5, the commission provided Respondent with notice of hearing via statewide publication in newspapers of general circulation on October 26, 2007 and November 2, 2007.

Respondent's Certificate No. 1785-C should be suspended for a period of three (3) months and thereafter be revoked if Respondent fails to pay the civil penalty of \$1,000.00 associated with Citation No. 0921.

III.

Orders

THE COMMISSION ORDERS:

1. Certificate No. 1785-C is suspended for a period of three (3) months, effective from the date of this Order.
2. If Respondent fails to pay the civil penalty of \$1,000.00 associated with Citation No. 0921 by the time the suspension period has expired, i.e., three (3) months from the date of this Order, Certificate No. 1785-C shall be revoked.

DONE at Honolulu, Hawaii DEC 19 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

By John E. Cole
John E. Cole, Commissioner

By Leslie H. Kondo
Leslie H. Kondo, Commissioner

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23905 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

ISLAND NETWORK SERVICES, LLC, dba
INS TOURS
1552 Young Street, #602
Honolulu, HI 96826



Karen Higashi

DATED: DEC 19 2007