

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
TAKASAGODEN U.S.A., INC.,)
 dba PIVOT TOUR HAWAII)
)
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. 2008-0231

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

RECEIVED

2008 OCT 16 A 8:56

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

PUBLIC UTILITIES
COMMISSION

2008 OCT 15 A 9:30

FILED

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OF THE STATE OF HAWAII

----- In the Matter of -----))
TAKASAGODEN U.S.A., INC.,) Docket No. 2008-0231
dba PIVOT TOUR HAWAII))
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

TAKASAGODEN U.S.A., INC., dba PIVOT TOUR HAWAII ("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. 1251-C, Respondent is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu.

HRS § 271-25 and Hawaii Administrative Rules ("HAR") § 6-62-42(a) require Respondent to file an annual financial report ("AFR"). HRS § 271-36 and HAR § 6-62-24(a) require Respondent to pay an annual motor carrier gross revenue fee ("Fee"). Respondent failed to file an AFR and pay the Fee for 2007.

HRS § 271-19 authorizes 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 November 19, 2008, 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 suspended or revoked.

DONE at Honolulu, Hawaii OCT 15 2008.

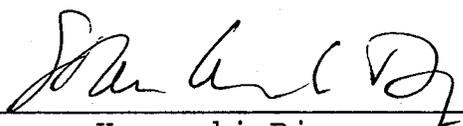
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2008-0231.et

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

TAKASAGODEN U.S.A., INC.,
dba PIVOT TOUR HAWAII
3259 Lincoln Avenue
Honolulu, HI 96816

(CM #7006 0100 0002 0376 0574)