BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------
MATSUYAMA BROTHERS TRUCKING, INC.

DOCKET NO. 2007-0249

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.

DECISION AND ORDER NO. 24073

Filed March 5, 2008
At 2:30 o’clock P.M.

Karen Higasi
Chief Clerk of the Commission
DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23736, filed on October 17, 2007, in the matter of MATSUYAMA BROTHERS TRUCKING, INC. ("Respondent").

I. History

By Order No. 23736, 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 5110-C should not be suspended or revoked for failure to file an annual financial report ("AFR") for the year 2006, pursuant to Hawaii Revised Statutes ("HRS") § 271-25, and pay an annual motor carrier gross revenue fee ("Fee") for the year 2006, pursuant to Hawaii Administrative Rules ("HAR") §§ 6-62-24(a), 271-36, and Hawaiian Revised Statutes ("HRS") § 271-36, and Hawaii Administrative Rules ("HAR") § 6-62-42(a).

By this Decision and Order, the commission vacates Order No. 23736, filed on October 17, 2007, in the matter of MATSUYAMA BROTHERS TRUCKING, INC. ("Respondent").

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.
On November 20, 2007, Respondent filed its 2006 AFR, paid its Fee, and on February 21, 2008, paid $32,484.15 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. 23736, filed on October 17, 2007, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 23736 is vacated.

2. This docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii MAR - 5 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

2007-0249 dh
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 24073 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

MATSUYAMA BROTHERS TRUCKING, INC.
73-4156 Hulikoa Drive
Kailua-Kona, HI 96740

DATED: MAR - 5 2008