

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
MATSUYAMA BROTHERS TRUCKING, 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. 2008-0198

DECISION AND ORDER

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

PUBLIC UTILITIES
COMMISSION

2009 JAN 22 P 1:05

FILED

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OF THE STATE OF HAWAII

----- In the Matter of -----))
MATSUYAMA BROTHERS TRUCKING, INC.) Docket No. 2008-0198
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

By this Decision and Order, the commission vacates the Notice of Violation, Order to Show Cause, and Notice of Hearing ("Notice"), filed on October 8, 2008, in the matter of MATSUYAMA BROTHERS TRUCKING, INC. ("Respondent").

I.

History

By Notice, filed on October 8, 2008, the commission ordered Respondent to appear at 465 South King Street, Room B-3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 19, 2008, to show cause why Respondent's certificate of public convenience and necessity number 5110-C should not be suspended or revoked for failure to (1) file an annual financial report ("AFR") and pay an annual motor carrier gross revenue fee ("Fee") for the year 2007, and (2) pay the civil penalty of \$1,000.00 associated with Citation No. 1156 issued on April 4, 2008.

On October 30, 2008, Respondent filed its 2007 AFR and paid its Fee, and on November 5, 2008, paid \$15,704.02 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). On January 8, 2009, Respondent paid the civil penalty of \$1,000.00 associated with Citation No. 1156.

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 the Notice, filed on October 8, 2008, should be vacated.

III.

Orders

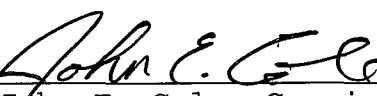
THE COMMISSION ORDERS:


1. The Notice, filed on October 8, 2008, is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii JAN 22 2009.

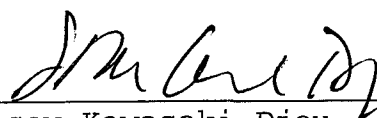
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2008-0198.laa

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

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73-4156 Hulikoa Drive
Kailua-Kona, HI 96740