

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 TAMPOS 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. 2008-0207

DECISION AND ORDER

RECEIVED

2009 JUN 26 A 9:33

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

PUBLIC UTILITIES
COMMISSION

2009 JUN 25 P 12:30

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 TAMPOS TRUCKING, INC.) Docket No. 2008-0207
)
 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 14, 2008, in the matter of TAMPOS TRUCKING, INC. ("Respondent").

I.

History

By Notice, filed on October 14, 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 2161-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 2007, 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 3, 2008, Respondent filed its 2007 AFR and paid its Fee. On November 5, 2008, the commission assessed Respondent \$2,761.39 in penalties and interest, pursuant to HRS § 271-27(i), and HAR §§ 6-62-24(b)(c) and 6-62-42(d). On December 1, 2008, Respondent submitted a proposed payment plan schedule for approval. The commission approved the plan on December 2, 2008, and on June 5, 2009, Respondent paid its last installment payment, bringing the balance owed to zero.

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 14, 2008, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. The Notice, filed on October 14, 2008, is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii JUN 25 2009

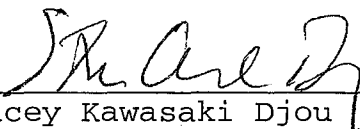
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2008-0207.ps

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

TAMPOS TRUCKING, INC.
91-1765 Puhiko street
Ewa Beach, HI 96706