

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
CARNOR J. SUMIDA, dba)
ACR WATER HAULING)
)
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. 2009-0234

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

FILED

2009 OCT 16 P 12:46

PUBLIC UTILITIES
COMMISSION

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OF THE STATE OF HAWAII

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CARNOR J. SUMIDA, dba)) Docket No. 2009-0234
ACR WATER HAULING))
Notice of Failure to Comply))
With Hawaii Revised Statutes))
and Commission's Regulations;))
Order to Show Cause Why))
Respondent's Operating))
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Suspended or Revoked.))
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NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

CARNOR J. SUMIDA, dba ACR WATER HAULING ("Respondent"), is the holder of certificate of public convenience and necessity number 5144-C ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

Decision and Order No. 23862, filed on December 3, 2007, in Docket No. 2007-0159, requires that motor carriers of property or passengers reporting annual gross revenues of more than \$1 million shall file with the commission HAW-PUC Form 03-020 by June 1 for each of the calendar years, 2008 through 2011. Respondent failed to file HAW-PUC Form 03-020 for the year 2008.

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 B-3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 18, 2009, 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 16 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:


for Stacey Kawasaki Djou
Commission Counsel

2009-0234.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

CARNOR J. SUMIDA, dba (CM #7006 3450 0000 6241 1597)
ACR WATER HAULING
HC 2, Box 6481
Keaau, HI 96749