

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----))
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))
Authority Should Not Be))
Suspended or Revoked.))
-----))

ORDER VACATING NOTICE OF VIOLATION

By this Order, the commission vacates the Notice of Violation, Order to Show Cause, and Notice of Hearing ("Notice"), filed on October 16, 2009, in the matter of CARNOR J. SUMIDA, dba ACR WATER HAULING ("Respondent").

I.

History

By Notice, filed on October 16, 2009, the commission ordered Respondent to 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 of public convenience and necessity number 5144-C should not be suspended or revoked for failure to file a HAW-PUC Form 03-020 for the year 2008, pursuant Decision and Order No. 23862, filed on December 3, 2007, in

Docket No. 2007-0159. On October 26, 2009, Respondent filed his HAW-PUC Form 03-020 for the year 2008.

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 16, 2009, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

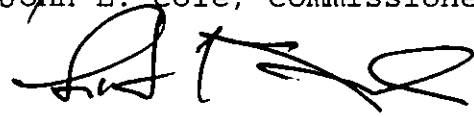
1. The Notice, filed on October 16, 2009, is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii DEC - 7 2009

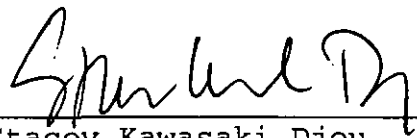
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner


By Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0234.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

CARNOR J. SUMIDA, dba
ACR WATER HAULING
HC 2, Box 6481
Keaau, HI 96749