BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of
JOVENAL A. DULATRE, dba JAYDE TOUR & LIMOUSINE SERVICE
DOCKET NO. 02-0280

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 NO. 19591

Filed Sept. 30, 2002
At 8:00 o'clock A.M.

Karen Higa
Chief Clerk of the Commission

ATTEST: A True Copy
CATHERINE SAKADO
Clerk
Public Utilities Commission
State of Hawaii
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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JOVENAL A. DULATRE, dba JAYDE TOUR & LIMOUSINE SERVICE

Docket No. 02-0280
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Authority Should Not Be
Suspended or Revoked.

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

JOVENAL A. DULATRE, dba JAYDE TOUR & LIMOUSINE SERVICE (Respondent), is the holder of a motor carrier certificate, issued pursuant to Hawaii Revised Statutes (HRS) § 271-12. Under certificate of public convenience and necessity (CPCN) No. 1032-C, Respondent is authorized to transport passengers by motor vehicle on the island of Oahu.

As the holder of a CPCN, Respondent is required to file an annual financial report (AFR), pursuant to HRS § 271-25, and pay an annual motor carrier gross revenue fee (Fee), pursuant to HRS § 271-36. Respondent filed a 2001 AFR and paid the Fee, but after the April 30, 2002 deadline for filing of the AFR and payment of the Fee had passed. Pursuant to HRS § 271-27(h) and Hawaii Administrative Rules § 6-62-42, the commission assessed a penalty of $251.42 for Respondent's untimely AFR filing and Fee payment. Respondent has not complied with the commission's request for payment.
HRS § 271-19 authorizes the commission, after notice and hearing, to suspend or revoke any CPCN, in part or in whole, if the holder is found to be in violation of any of the provisions of HRS chapter 271. Accordingly, the commission may suspend or revoke Respondent’s CPCN for failure to comply with the legal requirements set forth above, unless Respondent is able to show why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

1. Respondent shall appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 29, 2002 to show cause why Respondent’s CPCN 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 CPCN shall be revoked.
DONE at Honolulu, Hawaii this 30th day of September, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Wayne H. Kimura, Chairman

By
Janet E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Catherine P. Awakuni
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19591 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

JOVINAL A. DULATRE, dba JAYDE TOUR & LIMOUSINE SERVICE
45-419 Pua Makahala Street
Kaneohe, HI  96744
(CM #7001 1940 0007 4476 7836)

[Signature]
Catherine Sakato

DATED: September 30, 2002