

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 KYUNG HO HYUN, dba) Docket No. 02-0283
 MICKEY LIMOUSINE & TOUR) Order No. 19959
)
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

I.

By Decision and Order No. 19886, filed on December 17, 2002, the commission revoked certificate of public convenience and necessity (CPCN) number 1614-C held by KYUNG HO HYUN, dba MICKEY LIMOUSINE & TOUR (Movant), for failure to pay a penalty of \$200.62 assessed by the commission, pursuant to Hawaii Revised Statutes § 271-27(i) and Hawaii Administrative Rules § 6-62-42, for Respondent's untimely annual financial report filing and annual motor carrier gross revenue fee payment

On December 26, 2002, Movant filed a motion for reconsideration, requesting that the commission reconsider the revocation of his CPCN.¹

¹Movant's motion for reconsideration is considered timely, pursuant to Hawaii Administrative Rules §§ 6-61-21(e) and 6-61-137.

II.

Movant seeks reconsideration on the basis that he did not receive a copy of Order No. 19594 (Notice of Violation, Order to Show Cause, and Notice of Hearing), filed on September 30, 2002, and the hearing held on October 29, 2002.²

On December 26, 2002, Movant paid \$200.62 in penalties assessed by the commission.

Based on the above, the commission finds that Movant has fully complied, although belatedly, with the motor carrier laws, rules, and regulations, and concludes that the motion for reconsideration should be granted and Decision and Order No. 19886 should be voided.

III.

THE COMMISSION ORDERS:

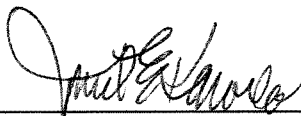
1. Movant's motion for reconsideration of Decision and Order No. 19886, filed on December 26, 2002, is granted.
2. Decision and Order No. 19886, filed on December 17, 2002, is voided.
3. Movant's CPCN No. 1614-C is reinstated.

²In addition, Movant asserts that he apprised the commission of a change in his business address, pursuant to HRS § 271-26.5, prior to the filing of Order No. 19594 on September 30, 2002.

DONE at Honolulu, Hawaii this 14th day of January,
2003.


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

02-0283.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19959 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

KYUNG HO HYUN, dba MICKEY LIMOUSINE & TOUR
3233 Francis Street
Honolulu, HI 96815



Karen Higashi

DATED: January 14, 2003