BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------

KYUNG HO HYUN, dba
MICKEY LIMOUISE & TOUR

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. 02-0283

ORDER NO. 19959

Filed Jan. 14, 2003
At 12:00 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

KYUNG HO HYUN, dba
MICKEY LIMOUSINE & TOUR

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. 02-0283
Order No. 19959

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, 2002.¹

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.

¹In 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

DATED: January 14, 2003