

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 NICKY ENTERPRISE, INC.)
)
 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. 03-0323

DECISION AND ORDER NO. 21159

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

2004 JUL 26 A 8:57

RECEIVED

Filed July 22, 2004
At 11:00 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----))
NICKY ENTERPRISE, INC.))
Notice of Failure to Comply) Docket No. 03-0323
With Hawaii Revised Statutes) Decision and Order No. 21159
and Commission's Regulations)
Order to Show Cause Why)
Respondent's Operating)
Authority Should Not Be)
Suspended or Revoked.)
_____)

DECISION AND ORDER

The commission ordered NICKY ENTERPRISE, INC. ("Respondent") to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 26, 2003 to show cause why Respondent's certificate of public convenience and necessity ("CPCN") number ("No.") 1099-C should not be suspended or revoked for failure to pay penalties and interest of \$200.04 that the commission assessed, pursuant to Hawaii Revised Statutes ("HRS") § 271-27(i) and Hawaii Administrative Rules ("HAR") §§ 6-62-24(b), 6-62-24(c), and 6-62-42(d), for Respondent's untimely annual financial report filing and annual motor carrier gross revenue fee payment.¹ On February 27, 2004, Respondent paid the penalties and interest assessed by the commission.


¹Order No. 20524, filed on October 27, 2003, in this docket.


The commission finds that Respondent has fully complied, although belatedly, with the motor carrier laws, rules, and regulations, and concludes that Order No. 20524, filed on October 27, 2003, should be vacated.

THE COMMISSION ORDERS that Order No. 20524 is vacated and this docket is closed.

DONE at Honolulu, Hawaii this 22nd day of July, 2004.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Catherine P. Awakuni
Commission Counsel

03-0323.sl

03-0323

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21159 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

NICKY ENTERPRISE, INC.
P. O. Box 88042
Honolulu, HI 96830

(CM #7003 1680 0002 5382 7907)



Karen Higashi

DATED: July 22, 2004