BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of
HAWAII RESORTS
TRANSPORTATION CO., INC.

DOCKET NO. 04-0216

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. 21257

Filed Sept. 7, 2004
At 8 o’clock A.M.

Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

Docket No. 04-0216
Order No. 21257

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and Commission’s Regulations;
Order to Show Cause Why
Respondent’s Operating
Authority Should Not Be
Suspended or Revoked.

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

HAWAII RESORTS TRANSPORTATION CO., INC. ("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. 5654-C, Respondent
is authorized to transport passengers by motor vehicle on the
island of Hawaii.

HRS § 271-25 and Hawaii Administrative Rules ("HAR")
§ 6-62-42(a) require Respondent to file an annual financial
report ("AFR"). HRS § 271-36 and HAR § 6-62-24(a) require
Respondent to pay an annual motor carrier gross revenue fee
("Fee"). Respondent failed to file an AFR and pay the Fee for
2003.

HRS § 271-19 authorizes the commission, after notice
and hearing, to suspend or revoke any CPCN, in part or in whole,
if the commission finds the holder violated any provision 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 cause 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 6, 2004 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 7th day of September, 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
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21257 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

HAWAII RESORTS TRANSPORTATION CO., INC.
P. O. Box 183
Honokaa, HI 96727

(CM #7003 1680 0002 5382 9154)

DATED: September 7, 2004

Karen Higashi