

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
ROBERT GASTON SMETS, dba)
WOLF TOURS, and dba)
FIVE DIAMOND LIMOUSINE SERVICE)
)
To Place Operating Authority on)
Inactive Status.)
_____)

DOCKET NO. 03-0138

ORDER NO. 21316

Filed August 19, 2004
At 1 o'clock P .M.

Karen Higashi
Chief Clerk of the Commission

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

2004 AUG 23 A 8:29

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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 the Request of)	
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ROBERT GASTON SMETS, dba)
WOLF TOURS, and dba)
FIVE DIAMOND LIMOUSINE SERVICE)	Docket No. 03-0138
)	
To Place Operating Authority on)	Order No. 21316
Inactive Status.)	
_____)	

ORDER

I.

Request to Place Common Carrier Authority on Inactive Status

On May 15, 2003, ROBERT GASTON SMETS, dba WOLF TOURS, and dba FIVE DIAMOND LIMOUSINE SERVICE ("Petitioner"), filed a letter requesting that certificate of public convenience and necessity number 5661-C ("Certificate No. 5661-C") be placed on inactive status. Certificate No. 5661-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Hawaii (excluding Waipio Valley) in the 1-to-7 passenger classification.

On July 22, 2004, in Docket No. 03-0326, the commission issued Decision and Order No. 21161, which revoked Certificate No. 5661-C for Petitioner's failure to pay penalties and interest of \$250.00 that the commission assessed for Petitioner's untimely annual financial report ("AFR") filing and annual motor carrier gross revenue fee ("Fee") payment.¹

¹In Docket No. 03-0326, Petitioner was ordered to appear before the commission on November 26, 2003 to show cause why Certificate

The revocation of Petitioner's operating authority renders moot Petitioner's request to place Certificate No. 5661-C on inactive status. Thus, we conclude that there is good cause to dismiss the petition in this docket.

II.


Order

THE COMMISSION ORDERS that the petition filed on May 15, 2003, is dismissed and this docket is closed.


DONE at Honolulu, Hawaii AUG 19 2004.

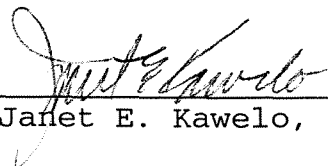
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

By 
Janet E. Kawelo, Commissioner

03-0138.cs

No. 5661-C should not be revoked for failure to pay penalties and interest for the untimely filing of his AFR and payment of his Fee. Petitioner failed to appear as ordered.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21316 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

ROBERT GASTON SMETS, dba
WOLF TOURS, and dba
FIVE DIAMOND LIMOUSINE SERVICE
P. O. Box 383138
Waikoloa, HI 96738



Karen Higashi

DATED: AUG 19 2004