

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
MAGIC MAUI, 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. 04-0221

DECISION AND ORDER NO. 22446

Filed May 3, 2006
At 11 o'clock A.M.

Karen H. Grost.
Chief Clerk of the Commission

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PUBLIC UTILITIES COMMISSION
HONOLULU, HAWAII

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Suspended or Revoked.)
_____)

Docket No. 04-0221
Decision and Order No. 22446

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 21262, filed on September 7, 2004, in the matter of MAGIC MAUI, INC. ("Respondent").

I.

History

Pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25, 271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a), § 6-62-24(a), the commission ordered Respondent to 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 certificate of public convenience and necessity number 4801-C should not be suspended or revoked for failure to file an annual financial report ("AFR") and pay an annual motor carrier gross revenue fee ("Fee") for the year 2003.

On September 10, 2004, Respondent filed its 2003 AFR and paid its Fee. On September 24, 2004, Respondent paid \$69.28 in penalties and interest that the commission assessed, pursuant to HRS § 271-27(i) and HAR §§ 6-62-24(b)(c) and 6-62-42(d).

II.

Findings and Conclusions

The commission finds that Respondent has fully complied, although belatedly, with the motor carrier laws, rules, and regulations, and concludes that Order No. 21262, filed on September 7, 2004, should be vacated.

III.


Orders

THE COMMISSION ORDERS:

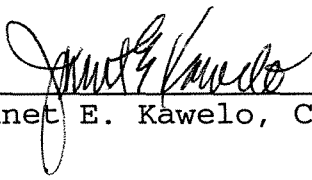
1. Order No. 21262 is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAY - 3 2006.

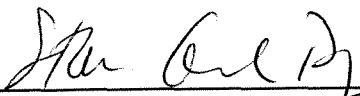
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

04-0221.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22446 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MAGIC MAUI, INC.
2219 S. Kihei road, B218
Kihei, HI 96753



Karen Higashi

DATED: MAY - 3 2006