

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
ERIC TANIGUCHI, DBA )  
ERIC TANIGUCHI TRUCKING )  
& EQUIPMENT )  
 )  
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. 2006-0210

ORDER NO. 22721

Filed August 9, 2006  
At 1 o'clock P.M.

Karen Higuel.  
Chief Clerk of the Commission

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

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Docket No. 2006-0210  
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NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

ERIC TANIGUCHI, dba ERIC TANIGUCHI TRUCKING & EQUIPMENT ("Respondent"), is the holder of a certificate of public convenience and necessity ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12. Under Certificate No. 3034-C, Respondent is authorized to transport property by motor vehicle over irregular routes on the island of Kauai.

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 2005.

HRS § 271-19 authorizes the commission, after notice and hearing, to suspend or revoke any Certificate, in part or in whole, if the commission finds that the holder violated any provision of HRS chapter 271. Accordingly, the commission may

suspend or revoke Respondent's Certificate 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 September 27, 2006, to show cause why Respondent's Certificate 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 Certificate shall be revoked.


DONE at Honolulu, Hawaii AUG - 9 2006.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By:   
Carlito P. Caliboso, Chairman

By:   
John E. Cole, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel  
06-0210 eric.ac

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22721 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

ERIC TANIGUCHI (CM #7005 1160 0002 2514 2402)  
dba ERIC TANIGUCHI TRUCKING & EQUIPMENT  
394 Eggerking Road  
Kapaa, HI 96746

  
\_\_\_\_\_  
Karen Higashi

DATED: AUG - 9 2006