BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

--------- In the Matter of ---------
PATTERSON CONSTRUCTION & TRUCKING, INC.

NOTICE OF FAILURE TO COMPLY
WITH HAWAI'I REVISED STATUTES
AND COMMISSION'S REGULATIONS;
ORDER TO SHOW CAUSE WHY
RESPONDENT'S OPERATING AUTHORITY SHOULD NOT BE
SUSPENDED OR REVOKED.

DECISION AND ORDER NO. 22828

Filed Sept. 8, 2006
At 10 o'clock A.M.

Karen T. Jiguet
Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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.

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PATTERSON CONSTRUCTION & TRUCKING, INC.

Docket No. 2006-0196
Decision and Order No. 22828

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 22708, filed on August 8, 2006, in the matter of PATTERSON CONSTRUCTION & TRUCKING, INC. ("Respondent").

I.

History

Pursuant to Hawaii Revised Statutes ("HRS") §§ 271-19, 271-25, 271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-24(a), 6-62-42(a), the commission ordered Respondent to 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 of public convenience and necessity number 4048-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 years 2004 and 2005.

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. 22708, filed on August 8, 2006, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 22708 is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii SEP - 8 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

2006-0196
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22828 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

PATTERSON CONSTRUCTION & TRUCKING, INC.
P. O. Box 354/#10 Manawainui Bridge
Hoolehua, HI  96729

DATED:  SEP - 8 2006

Karen Higashii