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

--------- In the Matter of ---------)

NORINA DEREIS SOUZA, dba
ISLAND TOP SOIL

DOCKET NO. 2006-0192

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.

DECISION AND ORDER NO. 22864

Filed Sept. 18, 2006
At 2 o'clock P.M.

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

-------- In the Matter of --------

) NORINA DEREIS SOUZA, dba ) Docket No. 2006-0192
) ISLAND TOP SOIL ) Decision and Order No. 22864
)
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. )
)

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 22670, filed on August 3, 2006, in the matter of NORINA DEREIS SOUZA, dba ISLAND TOP SOIL ("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 September 27, 2006 to show cause why Respondent's certificate of public convenience and necessity number 111-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. 22670, filed on August 3, 2006, should be vacated.

III.
Orders

THE COMMISSION ORDERS:

1. Order No. 22670 is vacated.

2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii  SEP 18 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

APPROVED AS TO FORM:

By John E. Cole, Commissioner

Stacey Kawasaki Djou
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22864 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

NORINA DEREIS SOUZA, dba
ISLAND TOP SOIL
P. O. Box 1857
Waianae, HI 96792

DATED: SEP 18 2006

[Signature]
Karen Higashi