BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

SER TRUCKING, INC.

DOCKET NO. 2006-0212

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. 23089

Filed Nov. 30, 2006
At 2 o'clock P.M.

Karen St. John
Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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SER TRUCKING, INC.

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and Commission's Regulations;
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Respondent's Operating
Authority Should Not Be
Suspended or Revoked.

Order No. 23089

DECISION AND ORDER

By this Decision and Order, the commission vacates
Order No. 22793, filed on August 23, 2006, and Decision and
Order No. 22996, filed on October 31, 2006, in the matter of
SER TRUCKING, INC. ("Respondent").

I.

History

By Order No. 22793, filed on August 23, 2006, 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 2074-C should not be suspended
for failure to comply with the commission's order that required
the payment of $1,000 in civil penalties, imposed for the
violation of the motor carrier laws. As Respondent failed
to appear at the hearing, the commission revoked
Certificate No. 2074-C by Decision and Order No. 22996, filed on October 31, 2006,

On November 3, 2006, Respondent filed a timely motion for reconsideration ("Motion") of Decision and Order No. 22996 and paid the outstanding civil penalties in the amount of $1,000.00. In its Motion, Respondent stated that it was under the impression from its advisors that the matters resulting in the citation had been taken care of and that it did not realize that attendance at the hearing scheduled for September 27, 2006 was still required.

II.

Findings and Conclusions

The commission finds that Respondent has fully complied, although belatedly, with the requirements set forth in Order No. 22793 and, thus, finds good cause in this particular instance to vacate Order No. 22793 and to reconsider and set aside Decision and Order No. 22996.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 22793, filed on August 23, 2006, and Decision and Order No. 22996, filed on October 31, 2006, are vacated.

2. This docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii NOV 30 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

2006-0212 eh
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23089 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

SER TRUCKING, INC.
P. O. Box 1847
Waianae, HI 96792

DATED: NOV 30 2006

Karen Hirosi
Karen Higashi