BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

HERMAN DANIEL SANTANA, dba
H SANTANA TRUCKING

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. 23824

Filed Nov. 13, 2007
At 1 o'clock P.M.

Paua Niguel
Chief Clerk of the Commission
DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23737, filed on October 17, 2007, in the matter of HERMAN DANIEL SANTANA, dba H SANTANA TRUCKING ("Respondent").

I.

History

By Order No. 23737, filed on October 17, 2007, the commission ordered Respondent to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 20, 2007, to show cause why Respondent's certificate of public convenience and necessity number 5205-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 2006, pursuant to Hawaii Revised Statutes
On September 12, 2006, Respondent filed its 2006 AFR, and on October 30, 2007, paid its Fee and $55.00 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. 23737, filed on October 17, 2007, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 23737 is vacated.

2. This docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii NOV 13 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: Carlito P. Caliboso, Chairman

By: John E. Cole, Commissioner

By: Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

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. 23824 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHARINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI  96809

HERMAN DANIEL SANTANA, dba
H SANTANA TRUCKING
RR 3, Box 1384
Pahoa, HI  96778

DATED:  NOV 13 2007

Karen Higashi