BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

----- In the Matter of ------BEHROUZ RAYAN AGHDASI Notice of Failure to Comply

Authority Should Not Be Suspended or Revoked.

Notice of Failure to Comply) With Hawaii Revised Statutes) and Commission's Regulations;) Order to Show Cause Why) Respondent's Operating) DOCKET NO. 2007-0259

DECISION AND ORDER NO. 23898

Filed _____ Dec. 18 ___, 2007 At _____ o'clock _____ .M.

Chief Clerk of the ¢ mmission

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OF THE STATE OF HAWAII

------ In the Matter of ------) BEHROUZ RAYAN AGHDASI) 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. 2007-0259 Decision and Order No 23898

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23760, filed on October 24, 2007, in the matter of BEHROUZ RAYAN AGHDASI ("Respondent").

I.

<u>History</u>

By Order No. 23760, filed on October 24, 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 1526-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 ("HRS") §§ 271-25, 271-36, and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a), 6-62-24(a).

On November 20, 2007, Respondent filed its 2006 AFR, paid its Fee, and paid \$56.29 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. 23760, filed on October 24, 2007, should be vacated.

III.

<u>Orders</u>

THE COMMISSION ORDERS:

1. Order No. 23760 is vacated.

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

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PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Contra P. " (an By

Carlito P. Caliboso, Chairman

B٦ hn John E. Cole, Commissioner By_

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou

Commission Counsel

2007-0259.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 23898</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

BEHROUZ RAYAN AGHDASI 85 Kaneohe Bay Drive Kailua, HI 96734

Kur grst. Karen Hi

DEC 1 8 2007 DATED: