BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

CLUB KONA, INC.

DOCKET NO. 2007-0260

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. 23899

Filed __________, 2007
At ______ o’clock ______ .M.

Karen Higash
Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

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

Docket No. 2007-0260

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. 23761, filed on October 24, 2007, in the matter of
CLUB KONA, INC. ("Respondent").

I.

History

By Order No. 23761, 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 1650-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
On November 20, 2007, Respondent filed its 2006 AFR, paid its Fee, and paid $625.17 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. 23761, filed on October 24, 2007, should be vacated.

III.
Orders
THE COMMISSION ORDERS:
1. Order No. 23761 is vacated.
2. This docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii

DEC 18 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

2007-0260.Iaa
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23899 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

CLUB KONA, INC.
1100 Alakea Street, Suite 600
Honolulu, HI 96813

DATED: DEC 18 2007

Karen Higashi