

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
DIRECT FREIGHT SERVICE HAWAII, INC.)
)
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. 2008-0191

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

RECEIVED

2008 OCT -3 A 7:52

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

PUBLIC UTILITIES
COMMISSION

2008 OCT -2 P 12:55

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----))
DIRECT FREIGHT SERVICE HAWAII, INC.)) Docket No. 2008-0191
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.))
_____))

NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

DIRECT FREIGHT SERVICE HAWAII, INC. ("Respondent") is the holder of a certificate of public convenience and necessity ("Certificate"), issued pursuant to Hawaii Revised Statutes ("HRS") § 271-12. Under Certificate No. 5193-C, Respondent is authorized to transport property by motor vehicle over irregular routes on the island of Hawaii.

HRS § 271-25 and Hawaii Administrative Rules ("HAR") § 6-62-42(a) require Respondent to file an annual financial report ("AFR"). HRS § 271-36 and HAR § 6-62-24(a) require Respondent to pay an annual motor carrier gross revenue fee ("Fee"). Respondent failed to file an AFR and pay the Fee for 2007.

HRS § 271-19 authorizes the commission, after notice and hearing, to suspend or revoke any Certificate, in part or in whole, if the commission finds that the holder violated any provision of HRS chapter 271. Accordingly, the commission may

suspend or revoke Respondent's Certificate for failure to comply with the legal requirements set forth above, unless Respondent is able to show cause why such suspension or revocation should not occur.

THE COMMISSION ORDERS:

1. Respondent shall appear at 465 South King Street, Room B-3, Honolulu, Hawaii 96813, at 9:00 a.m., on November 19, 2008, to show cause why Respondent's Certificate should not be suspended or revoked for failure to comply with the legal requirements set forth in this order.

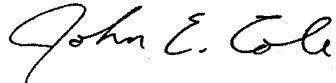
2. Respondent may be represented by counsel. If Respondent does not retain counsel, Respondent may be represented at the hearing as follows: (a) an individual may appear on his or her own behalf; (b) a partner may represent a partnership; and (c) an officer or authorized employee of a corporation, trust, or association may represent the corporation, trust, or association.


3. If Respondent fails to appear at the scheduled hearing, Respondent's Certificate shall be suspended or revoked.

DONE at Honolulu, Hawaii OCT - 2 2008.

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
2008-0191.ac

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

DIRECT FREIGHT SERVICE HAWAII, INC.
P. O. Box 1005
Pepeekeo, HI 96783
(CM #7006 3450 0000 6241 1221)