

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
)
) RENE LEILANI NAUKA, dba
) EKOLU TRUCKING & EQUIPMENT RENTALS)
)
) 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. 2008-0200

DECISION AND ORDER

RECEIVED

2008 DEC -9 A 8:38

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

PUBLIC UTILITIES
COMMISSION

2008 DEC -8 A 11:27

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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 EKOLU TRUCKING & EQUIPMENT RENTALS)
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 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. 2008-0200

DECISION AND ORDER

By this Decision and Order, the commission vacates the Notice of Violation, Order to Show Cause, and Notice of Hearing ("Notice"), filed on October 8, 2008, in the matter of RENEE LEILANI NAUKA, dba EKOLU TRUCKING & EQUIPMENT RENTALS ("Respondent").

I.

History

By Notice, filed on October 8, 2008, the commission ordered Respondent to 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 of public convenience and necessity number 2231-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 2007,

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 19, 2008, Respondent filed its 2007 AFR, paid its Fee, and paid \$486.20 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 the Notice, filed on October 8, 2008, should be vacated.

III.

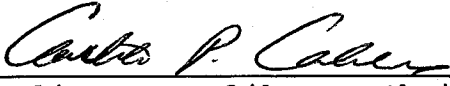
Orders

THE COMMISSION ORDERS:

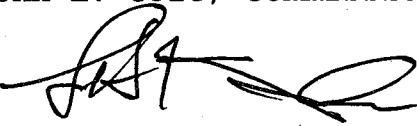
1. The Notice, filed on October 8, 2008, is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii DEC - 8 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

2008-0200.laa

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

RENEE LEILANI NAUKA, dba
EKOLU TRUCKING & EQUIPMENT RENTALS
92-566 Awawa Street
Kapolei, HI 96707