

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
MATSUYAMA BROTHERS TRUCKING, 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. 2007-0249

DECISION AND ORDER NO. 24073

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

Filed March 5, 2008
At 2:30 o'clock P.M.

Karen Higdon
Chief Clerk of the Commission

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Suspended or Revoked.)
_____)

Docket No. 2007-0249

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DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23736, filed on October 17, 2007, in the matter of MATSUYAMA BROTHERS TRUCKING, INC. ("Respondent").

I.

History

By Order No. 23736, 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 5110-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 on February 21, 2008, paid \$32,484.15 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. 23736, filed on October 17, 2007, should be vacated.

III.

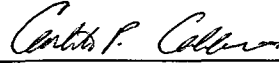
Orders

THE COMMISSION ORDERS:

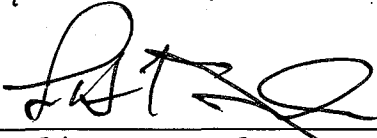
1. Order No. 23736 is vacated.
2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAR - 5 2008

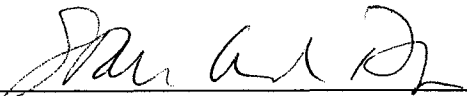
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

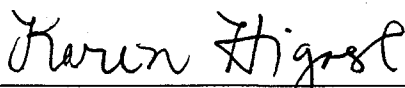
2007-0249.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 24073 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

MATSUYAMA BROTHERS TRUCKING, INC.
73-4156 Hulikoa Drive
Kailua-Kona, HI 96740



Karen Higashi

DATED: MAR - 5 2008