BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

 In	the	Matter	of)	
)	

SCOTT TRUONG, dba FANTASY LIMOUSINE

DOCKET NO. 2007-0273

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. 24111

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Filed Murch 28, 2008
At 2:30 o'clock [.M.

Chief Clerk of the Commission

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Docket No. 2007-0273

Decision and Order No. 24111

DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 23766, filed on October 24, 2007, and Order No. 23937, filed on December 27, 2007, in the matter of SCOTT TRUONG, dba FANTASY LIMOUSINE ("Respondent").

I.

<u>History</u>

By Order No. 23766, 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 1327-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). As Respondent failed to appear before the commission's hearing officer on November 20, 2007, the commission, by Order No. 23937, filed on December 27, 2007, suspended Certificate 1327-C for a period of three (3) months, effective from December 27, 2007. Ordering paragraph 2 of Order No. 23937 stated that if Respondent failed to file an AFR and pay the Fee for the year 2006 by the time the suspension period had expired Certificate No. 1327-C would be revoked.

On March 14, 2008, Respondent filed his 2006 AFR, paid his Fee, and paid \$83.84 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. 23766, filed on October 24, 2007, and Order No. 23937, filed on December 27, 2007, should be vacated.

III.

Orders

THE COMMISSION ORDERS:

1. Order No. 23766, filed on October 24, 2007, is vacated.

- 2. Order No. 23937, filed on December 27, 2007, is vacated.
- 3. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAR 2 8 2008

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

John F) Cole, Commissioner

By_______Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djod Commission Counsel

2007-0273.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 24111</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

SCOTT TRUONG, dba FANTASY LIMOUSINE 5180 Likini Street, #1003 Honolulu, HI 96818

MAR 2 8 2008 DATED: