

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

----- In the Matter of ----- )  
 )  
CARLOS G. TANDOC, JR., dba )  
HAWAII EXPRESS )  
 )  
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. 2009-0269

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

FILED  
2009 OCT 20 P 12:08  
PUBLIC UTILITIES  
COMMISSION

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HAWAII EXPRESS )  
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Notice of Failure to Comply )  
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Respondent's Operating )  
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Suspended or Revoked. )  
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NOTICE OF VIOLATION, ORDER TO SHOW CAUSE, AND NOTICE OF HEARING

CARLOS G. TANDOC, JR., dba HAWAII EXPRESS  
("Respondent"), is the holder of certificate of public  
convenience and necessity number 1870-C ("Certificate"), issued  
pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

By Citation Order No. 495, filed on August 17, 2009,  
the commission imposed civil penalties in the amount of \$500.00  
for violating the Hawaii motor carrier laws. The commission sent  
bills for collection to Respondent on August 17, 2009 and  
September 9, 2009, requesting payment of the penalty. On  
October 1, 2009, Respondent filed a motion for reconsideration  
("Motion") of our Citation Order No. 495. By Citation Order  
No. 499, filed on October 6, 2009, the commission dismissed  
Respondent's Motion, as it was untimely. Respondent has not  
complied with Citation Order No. 495 in that it has failed to pay  
the penalty imposed by the commission.

HRS § 271-19 and HAR § 6-68-32(b) authorize 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 18, 2009, 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 20 2009

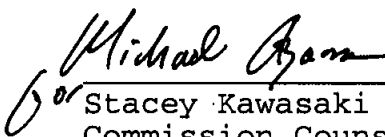
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By:   
Carlito P. Caliboso, Chairman

By:   
John E. Cole, Commissioner

By:   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

2009-0269.cp

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

CARLOS G. TANDOC, JR., dba (CM #7006 3450 0000 6241 1337)  
HAWAII EXPRESS  
94-242 Kahahele Street  
Waipahu, HI 96797