BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

--------- In the Matter of ---------

TAKE'S TRANSPORTATION, 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. 2009-0232

ORDER VACATING NOTICE OF VIOLATION
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------)
)
TAKE'S TRANSPORTATION, INC. ) Docket No. 2009-0232
)
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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.
)

ORDER VACATING NOTICE OF VIOLATION

By this Order, the commission vacates the Notice of
Violation, Order to Show Cause, and Notice of Hearing ("Notice"),
filed on October 16, 2009, in the matter of
TAKE'S TRANSPORTATION, INC. ("Respondent").

I.

History

By Notice, filed on October 16, 2009, the commission
ordered Respondent to 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 of public convenience and
necessity number 5004-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 2008,
pursuant to Hawaii Revised Statutes ("HRS") §§ 271-25, 271-36,
and Hawaii Administrative Rules ("HAR") §§ 6-62-42(a),
6-62-24(a).

On October 28, 2009, Respondent filed its 2008 APR,
paid its Fee, and on November 3, 2009, paid $2,084.21 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 16, 2009, should be vacated.

III.

Orders
THE COMMISSION ORDERS:

1. The Notice, filed on October 16, 2009, is vacated.
2. This docket is closed unless otherwise ordered by
the commission.
DONE at Honolulu, Hawaii      DEC - 7 2009

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

By   Carlito P. Caliboso, Chairman

By   John E. Cole, Commissioner

By   Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djbu
Commission Counsel

2009-0232/3a
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

TAKE'S TRANSPORTATION, INC.
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