BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------
)
RK CONTRACTING, LLC ) DOCKET NO. 2009-0223
)
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
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-------- In the Matter of --------)
)
RK CONTRACTING, LLC ) Docket No. 2009-0223
)
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 RK CONTRACTING, LLC
(“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 2174-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,

On December 2, 2009, Respondent filed its 2008 APR, paid its Fee, and paid $56.38 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 - 8 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
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

RK CONTRACTING, LLC
89-1116 Nanakuli Avenue
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