

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 RUTH BERINOBIS, dba)
 PURE HAWAIIAN WATER)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 03-0214

ORDER NO. 21040

RECEIVED
2004 JUN -9 P 3:48
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed June 9, 2004
At 2:00 o'clock P.M.

Karen Higash
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
RUTH BERINOBIS, dba)
PURE HAWAIIAN WATER) Docket No. 03-0214
For a Motor Carrier Certificate or)
Permit.) Order No. 21040
_____)

ORDER

On November 28, 2003, in Decision and Order No. 20696, the commission approved the application of RUTH BERINOBIS, dba PURE HAWAIIAN WATER ("Applicant"), for a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle in the specific commodities (water hauling) classification, over irregular routes on the island of Hawaii, limited to serving the areas of South Kona and Ka'u. We also: (1) ordered Applicant, as a condition to our approval of the application, to comply with all commission requirements for common carriers, including submitting certain documents within 120 days of the issuance of the decision and order; and (2) notified Applicant that failure to timely comply with the commission's requirements would constitute cause for the commission to void the decision and order. We served Applicant with a copy of the decision and order by mail, postage prepaid, on the same day that the decision and order was issued, in accordance with Hawaii Administrative Rules §§ 6-61-21 and 6-61-122. Additionally, we sent a letter to Applicant, dated November 28, 2003, which reiterated the


commission's requirements and specified March 28, 2004, as the deadline for compliance.

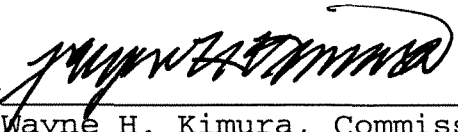
The 120-day time period has passed, and Applicant has not complied with the requirements set forth under Decision and Order No. 20696. The commission, thus, determines that Decision and Order No. 20696 should be voided.

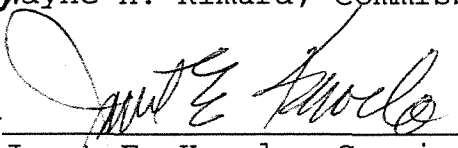
THE COMMISSION ORDERS that Decision and Order No. 20696 is voided and this docket is closed.

DONE at Honolulu, Hawaii this 9th day of June, 2004.

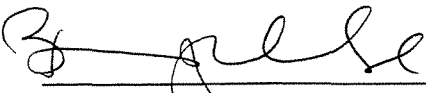
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

03-0214.cs

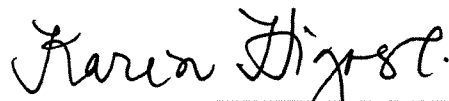
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21040 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

RUTH BERINOBIS, dba
PURE HAWAIIAN WATER
P. O. Box 6302
Ocean View, HI 96737

ALAN H. TUHY, ESQ.
LAW OFFICES OF ALAN H. TUHY
75-240 Nani Kailua Drive, #11
Kailua-Kona, HI 96740



Karen Higashi

DATED: June 9, 2004