

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
DONNELLE GAU )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 04-0092

ORDER NO. 21823

Filed May 19, 2005  
At 10 o'clock A .M.

Karen Higashi  
Chief Clerk of the Commission

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

2005 MAY 23 A 7:58

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ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
DONNELLE GAU )  
For a Motor Carrier Certificate or )  
Permit. )  
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Docket No. 04-0092

Order No. 21823

ORDER

By this Order, the commission orders that Decision and Order No. 21183 is voided and this docket is closed.

I.

Application for Common Carrier Authority

On July 26, 2004, in Decision and Order No. 21183, the commission approved the application of DONNELLE GAU ("Applicant") for a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities and dump truck classifications. 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 one hundred and twenty (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 July 26, 2004, which reiterated the commission's requirements and specified November 26, 2004, as the deadline for compliance.

On November 26, 2004, Applicant filed a request for a thirty (30)-day extension to comply. The request was approved on November 29, 2004. On December 20, 2004, Applicant filed a request for an additional period of time to comply, until January 31, 2005. The request was approved on December 21, 2004.

## II.

### Findings and Conclusions

The extended due date has passed, and Applicant has not complied with the requirements set forth in Decision and Order No. 21183. The commission, thus, determines that Decision and Order No. 21183 should be voided.

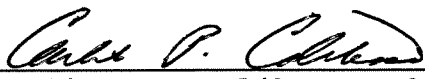
## III.


### Orders

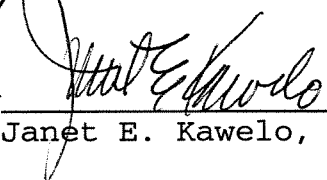
THE COMMISSION ORDERS that Decision and Order No. 21183 is voided and this docket is closed.

DONE at Honolulu, Hawaii MAY 19 2005.


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

04-0092.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21823 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

DONNELLE GAU  
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Honolulu, HI 96814

ALLEN CHEE  
CHEE & ASSOCIATES, LLC  
765 Amana Street, Suite 504  
Honolulu, HI 96814

  
\_\_\_\_\_  
Karen Higashi

DATED: MAY 19 2005