

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MK CONSTRUCTION SERVICES, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0257

ORDER NO. 22498

RECEIVED

2006 MAY 31 A 9:29

COMMUNICATIONS SECTION
PUBLIC UTILITIES COMMISSION
HONOLULU, HAWAII

Filed May 31, 2006
At 2 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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)
MK CONSTRUCTION SERVICES, LLC) Docket No. 05-0257
For a Motor Carrier Certificate or) Order No. 22498
Permit.)
_____)

ORDER

By this Order, the commission orders that Decision and Order No. 22232 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On January 18, 2006, in Decision and Order No. 22232, the commission approved the application of MK CONSTRUCTION SERVICES, LLC ("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 dump truck classification. 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 January 18, 2006, which reiterated the commission's requirements and specified May 18, 2006, as the deadline for compliance.

II.

Findings and Conclusions

The one hundred and twenty (120)-day time period has passed, and Applicant has not complied with the requirements set forth in Decision and Order No. 22232. The commission, thus, determines that Decision and Order No. 22232 should be vacated.

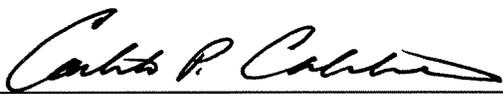
III.

Orders

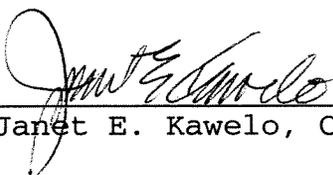
THE COMMISSION ORDERS that Decision and Order No. 22232 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAY 31 2006 .

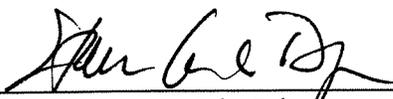
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djon
Commission Counsel

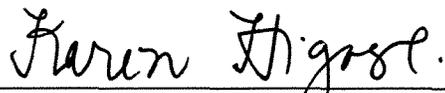
05-0257.et

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22498 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MK CONSTRUCTION SERVICES LLC
41-733 Ala Koa Street
Waimanalo, HI 96795



Karen Higashi

DATED: MAY 31 2006