

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KEN'S TOWING SERVICE, INC.)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0184

ORDER NO. 22646

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

2006 JUL 27 A 9:22

RECEIVED

Filed July 25, 2006
At 10 o'clock A .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)
KEN'S TOWING SERVICE, INC.)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 05-0184

Order No. 22646

ORDER

By this Order, the commission orders that Decision and Order No. 22112 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On November 9, 2005, in Decision and Order No. 22112, the commission approved the application of KEN'S TOWING SERVICE, INC. ("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 Hawaii in the specific commodities (machinery, equipment, and automobiles) 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 November 9, 2005, which reiterated the commission's requirements and specified March 9, 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. 21305.¹ The commission, thus, determines that Decision and Order No. 22112 should be vacated.

III.


Orders

THE COMMISSION ORDERS that Decision and Order No. 22112 is vacated and this docket is closed unless otherwise ordered by the commission.

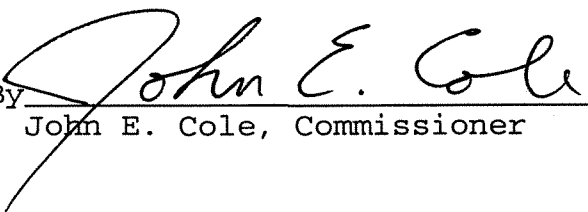
¹Applicant failed to provide the following: (1) evidence of cargo insurance; (2) a completed "Motor Carrier Lease" form for the 1996 International Flatbed truck, license number 557HCT; and (3) the Motor Carrier Gross Revenue Fee.

DONE at Honolulu, Hawaii JUL 25 2006.

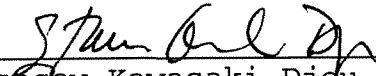
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

05-0184.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22646 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

KEN'S TOWING SERVICE, INC.
c/o KEN ANTONIO, SR.
55 Kukila Street
Hilo, HI 96720



Karen Higashi

DATED: JUL 25 2006