

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
RAENIELSEN E. FRANCO, dba)
BJ'S HAULING)
For a Motor Carrier Certificate or)
Permit.)

DOCKET NO. 2006-0041

ORDER NO. 22904

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Filed Sept. 29, 2006
At 1:30 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)
RAENIELSEN E. FRANCO, dba)
BJ'S HAULING)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 2006-0041
Order No. 22904

ORDER

By this Order, the commission orders that Decision and Order No. 22440 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On May 2, 2006, in Decision and Order No. 22440, the commission approved the application of RAENIELSEN E. FRANCO, dba BJ'S HAULING ("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 vacate 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 May 2, 2006, which reiterated the commission's requirements and specified September 2, 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. 22440. The commission, thus, determines that Decision and Order No. 22440 should be vacated.

III.


Orders


THE COMMISSION ORDERS that Decision and Order No. 22440 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii

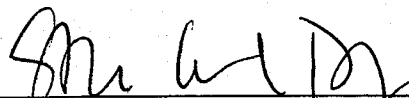
SEP 29 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2006-0041.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22904 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

RAENIELSEN F. FRANCO, dba
BJ'S HAULING
P. O. Box 2127
Aiea, HI 96701



Karen Higashi

DATED: SEP 29 2006