

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
RDK/LB, LLC, dba)
MAUI DIRT WORX)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0219

ORDER NO. 23218

Filed Jan. 26, 2007
At 11 o'clock A.M.

Karen Higashi.
Chief Clerk of the Commission

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

2007 JAN 29 A 8:50

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

Karen Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION
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In the Matter of the Application of)
RDK/LB, LLC, dba)
MAUI DIRT WORX)
For a Motor Carrier Certificate or)
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Docket No. 05-0219
Order No. 23218

ORDER

By this Order, the commission orders that Decision and Order No. 22208 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On December 30, 2005, in Decision and Order No. 22208, the commission approved the application of RDK/LB, LLC, dba MAUI DIRT WORX ("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 Maui 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 December 30, 2005, which reiterated the commission's requirements and specified April 30, 2006, as the deadline for compliance.

On April 11, 2006, Applicant filed a request for a ninety (90)-day extension to comply. The request was approved on April 13, 2006, which allowed Applicant until July 30, 2006 to comply.

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. 22208. The commission, thus, determines that Decision and Order No. 22208 should be vacated.

III.

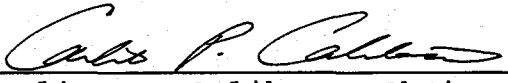
Orders

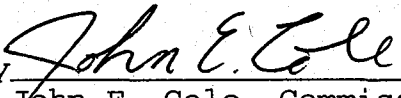
THE COMMISSION ORDERS:

Decision and Order No. 22208 is vacated and this docket is closed unless otherwise ordered by the commission.

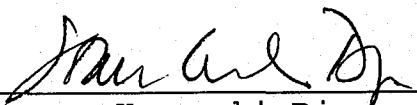
DONE at Honolulu, Hawaii JAN 26 2007.

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

05-0219.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23218 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

RDK/LB, LLC, dba
MAUI DIRT WORX
c/o Robert D. Kron
P. O. Box 11602
Lahaina, HI 96761



Karen Higashi

DATED: JAN 26 2007