

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
ONIPA'A TRUCKING, LLC)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 2006-0368

ORDER NO. 23432

Filed May 14, 2007
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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

2007 MAY 15 A 8:33

RECEIVED

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)
ONIPA'A TRUCKING, LLC)
For Extension of Motor Carrier)
Certificate.)
_____)

Docket No. 2006-0368
Order No. 23432

ORDER

By this Order, the commission orders that Decision and Order No. 23133 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On December 13, 2006, in Decision and Order No. 23133, the commission approved the application of ONIPA'A TRUCKING, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 2201-C to include the general commodities and dump truck classifications on the island of Maui. 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 13, 2006, which reiterated the commission's requirements and specified April 13, 2007, 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. 23133. The commission, thus, determines that Decision and Order No. 23133 should be vacated.

III.

Orders

THE COMMISSION ORDERS:

Decision and Order No. 23133 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii MAY 14 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Jodi Yi
for Stacey Kawasaki Djou
Commission Counsel

2006-0368.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23432 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

EDWARD KALAHIKI HIAPO
ONIPA'A TRUCKING, LLC
P. O. Box 681
Waimanalo, HI 96795



Karen Higashi

DATED: MAY 14 2007