

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
))
 ABOVE AND BEYOND DELIVERY))
 HAWAII, INC.))
))
For a Motor Carrier Certificate or))
Permit.))
_____)

DOCKET NO. 2006-0465

DECISION AND ORDER NO. 23871

Filed Dec. 4, 2007
At 12 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED
2007 DEC -5 A 8:28
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

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

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
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In the Matter of the Application of)
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HAWAII, INC.)
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Docket No. 2006-0465
Order No. 23871

ORDER

By this Order, the commission vacates Decision and Order No. 23271 and closes this docket.

I.

Application for Contract Carrier Authority

On February 22, 2007, in Decision and Order No. 23271, the commission approved the application of ABOVE AND BEYOND DELIVERY HAWAII, INC. ("Applicant") for a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to a contract with AmerisourceBergen. We also: (1) ordered Applicant, as a condition to our approval of the application, to comply with all commission requirements for contract 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 February 2, 2007, which reiterated the commission's requirements and specified June 22, 2007, as the deadline for compliance.

On June 19, 2007, Applicant filed a request for a sixty (60)-day extension to comply. The request was approved on July 5, 2007, allowing Applicant until August 22, 2007 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. 23271. The commission, thus, determines that Decision and Order No. 23271 should be vacated.

III.

Orders

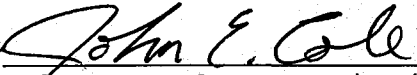
THE COMMISSION ORDERS:


Decision and Order No. 23271 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii DEC - 4 2007.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

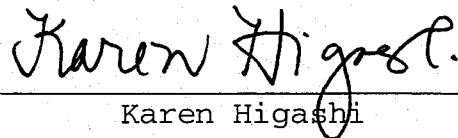
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23871 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

ABOVE AND BEYOND DELIVERY HAWAII INC.
106 South 54th Street
Chandler, AZ 85226



Karen Higashi

DATED: DEC - 4 2007