

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII EXECUTIVE CHARTER, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2007-0116

ORDER NO. 23922

Filed December 21, 2007
At 11 o'clock A.M.

for [Signature]
Chief Clerk of the Commission

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2007 DEC 24 A 9:59
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII EXECUTIVE CHARTER, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 2007-0116
Order No. 23922

ORDER

By this Order, the commission vacates Decision and Order No. 23584 and closes this docket.

I.

Application for Common Carrier Authority

On August 8, 2007, in Decision and Order No. 23584, the commission approved the application of HAWAII EXECUTIVE CHARTER, LLC ("Applicant") for a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers. 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 August 8, 2007, which reiterated the commission's requirements and specified December 8, 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. 23584. The commission, thus, determines that Decision and Order No. 23584 should be vacated.

III.

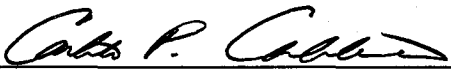
Order


THE COMMISSION ORDERS:

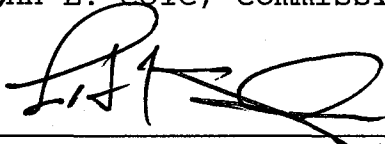
Decision and Order No. 23584 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii DEC 21 2007.

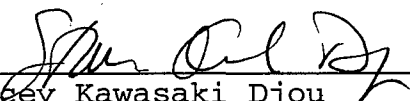
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

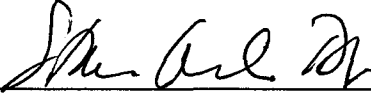
2007-0116.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23922 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

HAWAII EXECUTIVE CHARTER, LLC
74-4977 Mamalahoa Highway
Holualoa, HI 96725



Karen Higashi
for

DATED: DEC 21 2007