BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

YASUHIRO NISHIDA, dba ) DOCKET NO. 2007-0382
SIRIUS THE STUDIO )

For a Motor Carrier Certificate or)
Permit. )

ORDER VACATING DECISION AND ORDER NO. 24043
ORDER VACATING DECISION AND ORDER NO. 24043

By this Order, the commission vacates Decision and Order No. 24043 and closes this docket.

I.

Application for Common Carrier Authority

On February 19, 2008, in Decision and Order No. 24043, the commission approved the application of YASUHIRO NISHIDA, dba SIRIUS THE STUDIO ("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 (1) 1-to-7 passenger classification, and (2) 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 February 19, 2008, which reiterated the commission’s requirements and specified June 19, 2008, 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. 24043. The commission, thus, determines that Decision and Order No. 24043 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 24043 is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii  JUL - 9 2008

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

2007-0382.1aa
CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHARINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
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