BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KAPENA TRUCKING LLC)

For a Motor Carrier Certificate or)

Permit.

DOCKET NO. 2007-0228

ORDER VACATING DECISION AND ORDER NO. 24196
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
) Docket No. 2007-0228
KAPENA TRUCKING LLC)
For a Motor Carrier Certificate or)
Permit.

ORDER VACATING DECISION AND ORDER NO. 24196

By this Order, the commission vacates Decision and
Order No. 24196 and closes this docket.

I.

Application for Common Carrier Authority

On May 8, 2008, in Decision and Order No. 24196, the
commission approved the application of KAPENA TRUCKING LLC
(“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
general commodities and dump truck classifications. 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 may 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.

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. 24196. The commission, thus, determines that Decision and Order No. 24196 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 24196 is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii             SEP 16 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

2007-0228.cp
CERTIFICATE OF SERVICE

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

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

KAPENA TRUCKING LLC
c/o TIVAINI TATOFI
P. O. Box 850
Makawao, HI 96768