BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of)

KELII KAI TRUCKING, LLC

For a Motor Carrier Certificate or)

Permit.

)

DOCKET NO. 2007-0311

ORDER VACATING DECISION AND ORDER NO. 23848

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DIV. OF CONSUMER ADVOCAC

CONSUMER AFFAIRS

STATE OF HAWAII

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DEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)		
KELII KAI TRUCKING, LLC)	Docket No. 2	2007-0311
For a Motor Carrier Certificate or) Permit.		
)		

ORDER VACATING DECISION AND ORDER NO. 23848

By this Order, the commission vacates Decision and Order No. 23848 and closes this docket.

I.

Application for Common Carrier Authority

On November 20, 2007, in Decision and Order No. 23848, the commission approved the application of KELII KAI 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 Hawaii 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 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 November 20, 2007, which reiterated the commission's requirements and specified March 20, 2008, as the deadline for compliance.

On March 17, 2008, Applicant filed a request for a six (6)-month extension to comply. The request was approved on March 24, 2008, which allowed Applicant until September 20, 2008 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. 23848. The commission, thus, determines that Decision and Order No. 23848 should be vacated.

III.

<u>Order</u>

THE COMMISSION ORDERS:

Decision and Order No. 23848 is vacated and this docket is closed unless otherwise ordered by the commission.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2007-0311.ps

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
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Honolulu, HI 96809

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