

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
HARRY'S EQUIPMENT, INC. )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 2008-0043

ORDER VACATING DECISION AND ORDER FILED ON JUNE 5, 2008

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DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

PUBLIC UTILITIES  
COMMISSION

2008 OCT 23 A 11:59

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
                  HARRY'S EQUIPMENT, INC.        )                   Docket No. 2008-0043  
  ) )  
For a Motor Carrier Certificate or )  
Permit.    )  
\_\_\_\_\_)

ORDER VACATING DECISION AND ORDER FILED ON JUNE 5, 2008

By this Order, the commission vacates the Decision and Order filed on June 5, 2008, and closes this docket.

I.

Application for Common Carrier Authority

By the Decision and Order filed on June 5, 2008, the commission approved the application of HARRY'S EQUIPMENT, INC. ("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 Oahu 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.

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 the Decision and Order filed on June 5, 2008. The commission, thus, determines that the Decision and Order filed on June 5, 2008 should be vacated.

III.

Order

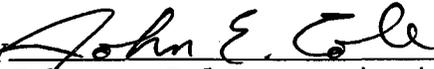
THE COMMISSION ORDERS:

The Decision and Order filed on June 5, 2008 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii OCT 23 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

2008-0043.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  
P. O. Box 541  
Honolulu, HI 96809

HARRY'S EQUIPMENT, INC.  
c/o PACIFIC ACADEMY & ACCOUNTING SERVICES, INC.  
85-979 Farrington Hwy.  
Waianae, HI 96792

HARRY J. SILVA, PRESIDENT  
HARRY'S EQUIPMENT, INC.  
P. O. Box 4219  
Waianae, HI 96792