

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
KIKUO KUBOTA )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 2007-0155

ORDER NO. 24004

Filed Feb. 1, 2008  
At 1 o'clock P.M.

Karen Higashi.  
Chief Clerk of the Commission

RECEIVED  
2008 FEB -4 A 8 52  
DIVISION OF PUBLIC UTILITIES  
HAWAII

ATTEST: A True Copy  
KAREN HIGASHI  
for Chief Clerk, Public Utilities  
Commission, State of Hawaii.  
Eleanor P. Luasaga

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
KIKUO KUBOTA )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

Docket No. 2007-0155  
Order No. 24004

ORDER

By this Order, the commission vacates Decision and Order No. 23638 and closes this docket.

I.

Application for Common Carrier Authority

On September 7, 2007, in Decision and Order No. 23638, the commission approved the application of KIKUO KUBOTA ("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 Oahu in the 8-to-25 passenger classification. 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 September 7, 2007, which reiterated the commission's requirements and specified January 7, 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. 23638. The commission, thus, determines that Decision and Order No. 23638 should be vacated.

III.


Order

THE COMMISSION ORDERS:

Decision and Order No. 23638 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii FEB - 1 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

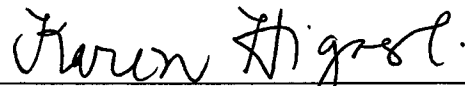
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24004 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

KUKUO KUBOTA  
2464 Prince Edward Street, #301  
Honolulu, Hawaii 96815

  
\_\_\_\_\_  
Karen Higashi

DATED: FEB - 1 2008