

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
FATS EQUIPMENT SERVICE LLC )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 2007-0121

ORDER NO. 24147

Filed April 14, 2008  
At 1 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

RECEIVED

2008 APR 15 A 8:44

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

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
FATS EQUIPMENT SERVICE LLC )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

Docket No. 2007-0121  
Order No. 24147

ORDER

By this Order, the commission vacates Decision and Order No. 23620 and closes this docket.

I.

Application for Common Carrier Authority

On August 30, 2007, in Decision and Order No. 23620, the commission approved the application of FATS EQUIPMENT SERVICE 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 Molokai 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 August 30, 2007, which reiterated the commission's requirements and specified December 30, 2007, 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. 23620. The commission, thus, determines that Decision and Order No. 23620 should be vacated.

III.


Order

THE COMMISSION ORDERS:

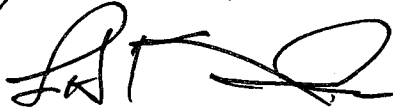
Decision and Order No. 23620 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii APR 14 2008.

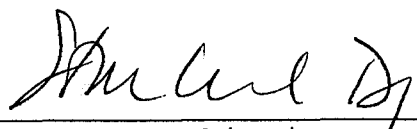
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

2007-0121.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24147 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

FATS EQUIPMENT SERVICE LLC  
c/o KARILYN TILINI  
P. O. Box 165  
Kualapuu, HI 96757

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

DATED: APR 14 2008