BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
SURF & TURF SHUTTLE SERVICE, LLC ) DOCKET NO. 2007-0240
For Extension of Motor Carrier )
Certificate. )

ORDER NO. 24149

Filed ______________, 2008
At ___ o'clock ___ P.M.

Karen Higashii
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
SURF & TURF SHUTTLE SERVICE, LLC )
For Extension of Motor Carrier )
Certificate. )
Docket No. 2007-0240 )
Order No. 24149 )

ORDER

By this Order, the commission vacates Decision and Order No. 23846 and closes this docket.

I.

Application for Common Carrier Authority

On November 20, 2007, in Decision and Order No. 23846, the commission approved the application of SURF & TURF SHUTTLE SERVICE, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 3566-C to include the 1-to-7 passenger classification on the island of Kauai. 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.

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. 23846. The commission, thus, determines that Decision and Order No. 23846 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 23846 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

2007-0240.laa
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24149 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

SURF & TURF SHUTTLE SERVICE, LLC
c/o CAROL RESINTO
P.O. Box 662226
Lihue, HI 96766

DATED: APR 14 2008

Karen Higashi