

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MK CONSTRUCTION SERVICES, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2007-0027

ORDER NO. 24203

Filed May 9, 2008
At 10 o'clock A.M.

Karen Higashi.
Chief Clerk of the Commission

RECEIVED

2008 MAY 12 A 8:29

DIV. OF CONSUMER ADVOCACY
DEPT. OF BUSINESS, ECONOMIC 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)
MK CONSTRUCTION SERVICES, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 2007-0027
Order No. 24203

ORDER

By this Order, the commission vacates Decision and Order No. 23450 and closes this docket.

I.

Application for Common Carrier Authority

On May 21, 2007, in Decision and Order No. 23450, the commission approved the application of MK CONSTRUCTION SERVICES, 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 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. Additionally, we sent a letter to Applicant, dated May 21, 2007, which reiterated the commission's requirements and specified September 21, 2007, as the deadline for compliance.

On September 10, 2007, Applicant filed a request for a sixty (60)-day extension to comply. The request was approved on September 14, 2007, which allowed Applicant until November 21, 2007 to comply. On November 20, 2007, Applicant filed a request for an additional period of time to comply. A ninety (90)-day extension was approved on November 21, 2007, which allowed Applicant until February 21, 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. 23450. The commission, thus, determines that Decision and Order No. 23450 should be vacated.

III.

Order


THE COMMISSION ORDERS:

Decision and Order No. 23450 is vacated and this docket is closed unless otherwise ordered by the commission.

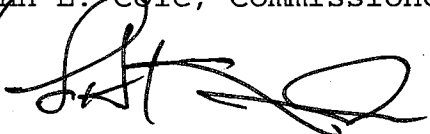
DONE at Honolulu, Hawaii

MAY - 9 2008

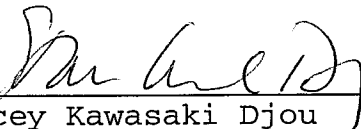
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2007-0027.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24203 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

MK CONSTRUCTION SERVICES, LLC
c/o MARVIN "KEITH" KEOPUHIWA
41-733 Ala Koa Street
Waimanalo, HI 96795



Karen Higashi

DATED: MAY - 9 2008