

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
RODNEY EVERETT WILBUR, dba)
R & C HAULING)
)
To Sell, Lease, Assign, Mortgage or)
Otherwise Dispose of, or Encumber)
The Whole or Any Part of Its)
Property, Certificate, or Permit.)
_____)

DOCKET NO. 2007-0405

ORDER REINSTATING DECISION AND ORDER NO. 24192

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

PUBLIC UTILITIES
COMMISSION

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FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

RODNEY EVERETT WILBUR, dba)
R & C HAULING)

Docket No. 2007-0405

To Sell, Lease, Assign, Mortgage or)
Otherwise Dispose of, or Encumber)
The Whole or Any Part of Its)
Property, Certificate, or Permit.)

ORDER REINSTATING DECISION AND ORDER NO. 24192

By this Order, the commission vacates the Order Vacating Decision and Order No. 24192, filed on January 22, 2009, and reinstates Decision and Order No. 24192, in the matter of RODNEY EVERETT WILBUR, dba R & C HAULING ("Petitioner").

I.

Background

On May 8, 2008, in Decision and Order No. 24192, the commission approved the transfer of certificate of public convenience and necessity number 5192-C from Petitioner to R & C HAULING LLC ("Transferee") upon condition that Petitioner and Transferee file certain required documents with the commission. By the Order filed on January 22, 2009, the commission vacated Decision and Order No. 24192 for Transferee's failure to comply with the commission's requirements set forth in Decision and Order No. 24192.

On January 28, 2009, Petitioner filed a timely motion for reconsideration of the Order vacating Decision and Order No. 24192, stating that it had been assured by its insurance company in October 2008 that the requisite insurance forms had been completed and mailed out. On January 29, 2009 and January 30, 2009, Petitioner filed the requisite documents requested by Decision and Order No. 24192.

II.

Findings and Conclusions

The commission finds that Transferee has fully complied, although belatedly, with the requirements set forth in Decision and Order No. 24192, and, thus, finds good cause in this particular instance to reconsider and set aside the Order vacating Decision and Order No. 24192.

III.

Orders

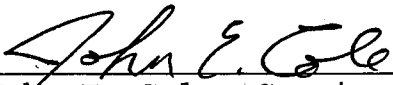
THE COMMISSION ORDERS:

1. The Order Vacating Decision and Order No. 24192, filed on January 22, 2009, is vacated.
2. Decision and Order No. 24192 is reinstated.

DONE at Honolulu, Hawaii FEB - 5 2009.

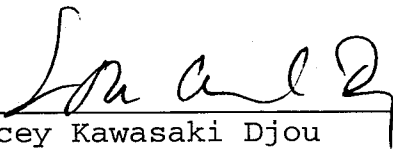
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2007-0405.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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