

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KAIPO'S TOWING SERVICE LLC)
For a Motor Carrier Certificate or)
Permit.)

DOCKET NO. 2007-0362

ORDER VACATING DECISION AND ORDER NO. 24062

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

PUBLIC UTILITIES
COMMISSION

2009 FEB 19 A 8:21

FILED

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OF THE STATE OF HAWAII

In the Matter of the Application of))	
KAIPO'S TOWING SERVICE LLC)	Docket No. 2007-0362
For a Motor Carrier Certificate or)	
Permit.)	
<hr/>)	

ORDER VACATING DECISION AND ORDER NO. 24062

By this Order, the commission vacates Decision and Order No. 24062 and closes this docket.

I.

Application for Common Carrier Authority

On February 29, 2008, in Decision and Order No. 24062, the commission approved the application of KAIPO'S TOWING 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 Hawaii in the general commodities 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 February 29, 2008, which reiterated the commission's requirements and specified May 29, 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. 24062. The commission, thus, determines that Decision and Order No. 24062 should be vacated.

III.

Order

THE COMMISSION ORDERS:

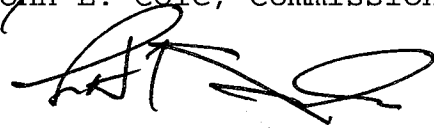
Decision and Order No. 24062 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii FEB 19 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

2007-0363.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:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

KAIPO'S TOWING SERVICE LLC
c/o John K. McCarroll
P. O. Box 2562
Kamuela, Hawaii 96743