BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

---- In the Matter of ----

VOYTEK JARNOT, dba
HAWAII PARADISE TRAVEL

For a Motor Carrier Certificate
Or Permit.

DOCKET NO. 01-0143

ORDER NO. 19655

Filed Sept. 12, 2002
At 10:20 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
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-------- In the Matter of --------

VOYTEK JARNOT, dba HAWAII PARADISE TRAVEL

For a Motor Carrier Certificate
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Docket No. 01-0143
Order No. 19655

ORDER

I.

By Order No. 19506, filed on August 5, 2002, the commission voided Decision and Order No. 18656 which granted VOYTEK JARNOT, dba HAWAII PARADISE TRAVEL (Movant) a certificate of public convenience and necessity (CPCN) to operate as a common carrier of passengers by motor vehicle over irregular routes, on the island of Oahu, in the 8-to-25 passenger classification.¹


II.

The standard for granting a motion for reconsideration is set forth in Hawaii Administrative Rules (HAR) § 6-61-137, which provides, in relevant part, that a motion for reconsideration of an

¹Decision and Order No. 18656 was voided due to Movant’s failure, over a period of approximately six months, to comply with the requirements for the submittal of certain documents, as set forth in Decision and Order No. 18656.
order must be filed within ten days after a decision or order is served upon a party. Movant filed his motion for reconsideration on September 3, 2002, 29 days after Order No. 19506 was filed. Accordingly, we find that Movant has not met the filing requirements for a motion for reconsideration, as set forth in HAR § 6-61-137. We, thus, conclude that Movant's motion for reconsideration is untimely and should be denied.  

III.

THE COMMISSION ORDERS that Movant's motion for reconsideration of Order No. 19506, filed on September 3, 2002, is denied.

DONE at Honolulu, Hawaii this 12th day of September, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

Wayne H. Kimura, Chairman
Janet E. Kawelo, Commissioner
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

We note, however, that should Movant still desire to obtain a CPCN, he may file a new application with the commission.
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19655 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

VOYTEK JARNO, dba
HAWAII PARADISE TRAVEL
1019 University Avenue, #6A
Honolulu, HI  96826

DATED: September 12, 2002

Catherine Sakato