BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Appl	ication of)		
BYUNG KOO LEE)	DOCKET NO.	02-0150
For a Motor Carrier Certi Permit.	ficate or)		

ORDER NO. 19999

Filed Jan. 31 , 2003

Chief Clerk of the (Commission

ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public Utilities

Commission State of Hawaii.

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For a Motor Carrier Certificate or) Permit.

Docket No. 02-0150

Order No. 19999

<u>ORDER</u>

By Decision and Order No. 19516, filed on August 14, 2002, we approved the application of BYUNG KOO LEE (Applicant) for a certificate 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. 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 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 void 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 SS 6-61-21 and 6-61-122. Additionally, we sent a letter to Applicant, dated August 14, 2002, which reiterated the commission's requirements and specified December 14, 2002, as the deadline for compliance.

On December 17, 2002, Applicant filed a request for a 60-day extension to comply to the commission's Decision and Order No. 19516, as Applicant had been unable to purchase a motor vehicle. By letter dated December 23, 2002, the commission requested that Applicant clarify certain matters in his extension request, as Applicant had submitted a motor vehicle registration and Certificate of Title to the commission on December 3, 2002, for a Lincoln Limousine, license no. FWA999. Applicant was given 10 days to respond to our letter for a clarification of his extension request. The time has passed and the commission has not received a response from Applicant. The commission, thus, finds good cause to deny Applicant's request for an extension of time to comply.

As the 120-day time period, as set forth in Decision and Order No. 19516, has passed, and Applicant has not complied with the requirements set forth under Decision and Order No. 19516, the commission, thus, determines that Decision and Order No. 19516 should be voided.

THE COMMISSION ORDERS:

- 1. Applicant's request filed on December 17, 2002 for a 60-day extension of time to comply with Decision and Order No. 19516 is denied.
- 2. Decision and Order No. 19516 is voided and this docket is closed.

DONE at Honolulu, Hawaii this 31st day of January, 2003.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Mynth tomas

By Jane E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Benedyne S Stone Commission Counsel

02-0150.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19999 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

BYUNG KOO LEE 728 Kinau Street, #605 Honolulu, HI 96813

Karen Higashi

DATED: January 31, 2003