

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 JIMMY LY)
)
 For a Motor Carrier Certificate or)
 Permit.)
 _____)

DOCKET NO. 03-0230

ORDER NO. 21241

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

2004 AUG 12 A 8:10

RECEIVED

Filed August 11, 2004
At 3 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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

K. Higashi.

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Docket No. 03-0230
Order No. **21241**

ORDER

By Decision and Order No. 20647, filed on November 18, 2003, we approved the application of JIMMY LY ("Applicant") to amend his authority under certificate of public convenience and necessity number 1499-C ("Certificate No. 1499-C") by (1) removing the 1-to-7 passenger classification, and (2) adding 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 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 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 §§ 6-61-21 and 6-61-122. Additionally, we sent a letter to


Applicant, dated November 18, 2003, which reiterated the commission's requirements and specified March 18, 2004, as the deadline for compliance.


On March 31, 2004, Applicant filed a request for an extension to comply. The commission approved a sixty (60)-day extension on April 2, 2004, which gave Applicant until May 18, 2004 to comply. The extended due date has passed, and Applicant has not complied with the requirements set forth under Decision and Order No. 20647. The commission, thus, determines that Decision and Order No. 20647 should be voided.

THE COMMISSION ORDERS that Decision and Order No. 20647 is voided and this docket is closed. Applicant may still operate in the 1-to-7 passenger classification under Certificate No. 1499-C.


DONE at Honolulu, Hawaii this 11th day of August, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

By 
Janet E. Kawelo, Commissioner

03-0230.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No 21241 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

JIMMY LY
P. O. Box 22603
Honolulu, HI 96823



Karen Higashi

DATED: AUG 11 2004