BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

DINH D. PHAM

For a Motor Carrier Certificate or Permit.

DOCKET NO. 03-0403

ORDER NO. 21369

Filed Sept. 28, 2004
At 8 o’clock A.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
)
DINH D. PHAM
)
For a Motor Carrier Certificate or )
Permit.
)

Docket No. 03-0403

ORDER No. 21369

ORDER

On March 25, 2004, in Decision and Order No. 20868, the commission approved the application of DINH D. PHAM ("Applicant") for a certificate of public convenience and necessity 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 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 March 25, 2004, which reiterated the commission's requirements and specified July 25, 2004, as the deadline for compliance.
The one hundred and twenty (120)-day time period has passed, and Applicant has not complied with the requirements set forth under Decision and Order No. 20868. The commission, thus, determines that Decision and Order No. 20868 should be voided.

THE COMMISSION ORDERS that Decision and Order No. 20868 is voided and this docket is closed.

DONE at Honolulu, Hawaii SEP 28 2004

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By

Carlito P. Caliboso, Chairman

Wayne H. Kimura, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21369 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

DINH D. PHAM
1228 Kamaile Street, #B
Honolulu, HI  96814

DATED:  SEP 28 2004

Karen Higashi