BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

GARRY DUSTIN KANE ALII KAAWA,
dba GK TRUCKING

For a Motor Carrier Certificate or 
Permit.

DOCKET NO. 04-0144

ORDER NO. 21640

Filed Feb. 7, 2005
At 2:00 o'clock P.M.

Karen Diggs,
Chief Clerk of the Commission

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

By this order, the commission orders that Decision and Order No. 21372 is voided and this docket is closed.

I. Application for Common Carrier Authority

On September 28, 2004, in Decision and Order No. 21372, the commission approved the application of GARRY DUSTIN KANE ALII KAAWA, dba GK TRUCKING ("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 dump truck 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 September 28, 2004, which reiterated the commission's requirements and specified January 28, 2005, 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. 21372. The commission, thus, determines that Decision and Order No. 21372 should be voided.

III.

Orders

THE COMMISSION ORDERS that Decision and Order No. 21372 is voided and this docket is closed.
DONE at Honolulu, Hawaii FEB - 7 2005

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By Wayne H. Kimura, Commissioner

By Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

04-0144
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21640 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

GARRY DKA KAAWA, dba
GK TRUCKING
P. O. Box 755
Naalehu, HI  96772

DATED:  FEB - 7 2005

Karen Higashi