BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
EDGAR E. UNDERWOOD, dba
ELITE PRIVATE ISLAND TOURS
)
For a Motor Carrier Certificate or )
Permit.
)

DOCKET NO. 04-0321

ORDER NO. 21983

Filed August 10, 2005
At 2 o’clock P. M.

Karen Digest
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
In the Matter of the Application of)
)
EDGAR E. UNDERWOOD, dba )
ELITE PRIVATE ISLAND TOURS ) Docket No. 04-0321
)
For a Motor Carrier Certificate or ) Order No. 21983
Permit.
)

ORDER

By this Order, the commission orders that Decision and Order No. 21663 is voided and this docket is closed.

I.

Application for Common Carrier Authority

On March 1, 2005, in Decision and Order No. 21663, the commission approved the application of EDGAR E. UNDERWOOD, dba ELITE PRIVATE ISLAND TOURS ("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 Hawaii, excluding Waipio Valley, in the 1-to-7 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 1, 2005, which reiterated the commission’s requirements and specified July 1, 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. 21663. The commission, thus, determines that Decision and Order No. 21663 should be voided.

III. Orders

THE COMMISSION ORDERS that Decision and Order No. 21663 is voided and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii AUG 10 2005

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By__Carlito P. Caliboso, Chairman

By_(EXCUSED)_Wayne H. Kimura, Commissioner

By__Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

04-0321.rpr
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21983 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

EDGAR E. UNDERWOOD, dba
ELITE PRIVATE ISLAND TOURS
P. O. Box 7063, PMB107
Ocean View, HI 96737

DATED: AUG 11 2005

Karen Higashi

Karen Higashi