Before the Public Utilities Commission of the State of Hawaii

In the Matter of the Application of

Max Delivery Service, LLC

For a Motor Carrier Certificate or Permit.

Docket No. 05-0239

Order No. 22226

Filed Jan. 13, 2006
At 3 o'clock P.M.

Karen Higashi
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)
MAX DELIVERY SERVICE, LLC )
) Docket No. 05-0239
For a Motor Carrier Certificate or ) Order No. 22226
) Permit.
)

ORDER

By this Order, the commission orders that the application filed by MAX DELIVERY SERVICE, LLC ("Applicant") on September 22, 2005, is dismissed without prejudice and this docket is closed.

I.
Application for Common Carrier Authority

On September 22, 2005, Applicant filed an application requesting a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle in the general commodities and specific commodities (airline baggage) classifications, limited to providing services in the areas of West, South, Central, and Upcountry Maui.

By a notice of dismissal dated November 30, 2005, we informed Applicant of our intent to dismiss the application without prejudice because of Applicant’s failure to respond to the commission’s request for information. Applicant was further advised that any objection to the dismissal of its application
must be submitted in writing and filed not later that ten (10) days from the date of the notice, and that if an objection was not filed, the commission would issue an order dismissing the application.

II.

Findings and Conclusions

Applicant did not object to the dismissal of its application within the ten (10)-day time period. We, thus, find that there is good cause to dismiss the application in this docket.

III.

Orders

THE COMMISSION ORDERS that the application filed by Applicant on September 22, 2005, is dismissed without prejudice and this docket is closed, unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii JAN 13 2006

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:

By __________
Stacey Kawasaki Djou
Commission Counsel

05-0239.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22226 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

MAX DELIVERY SERVICE, LLC
c/o MAXIMINO L. MACULAM JR.
398 South Papa Avenue
Kahului, HI 96732

DATED: JAN 13 2006

Karen Higashii
Karen Higashii