

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
HAWAIIAN ROLL OFF SERVICES LLC, dba )  
SOUTH KONA HAULING COMPANY )  
 )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 05-0320

ORDER NO. 23219

Filed Jan. 26, 2007  
At 11 o'clock A.M.

Karen Higashi  
Chief Clerk of the Commission

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

2007 JAN 29 A 8:50

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

Karen Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

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HAWAIIAN ROLL OFF SERVICES LLC, dba )  
SOUTH KONA HAULING COMPANY )  
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For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

Docket No. 05-0320  
Order No. 23219

ORDER

By this Order, the commission orders that Decision and Order No. 22796 is vacated and this docket is closed.

I.

Application for Common Carrier Authority

On August 24, 2006, in Decision and Order No. 22796, the commission approved the application of HAWAIIAN ROLL OFF SERVICES LLC, dba SOUTH KONA HAULING COMPANY ("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 general commodities and dump truck classifications, limited to serving the areas of North and South Kona. 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 vacate 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 August 24, 2006, which reiterated the commission's requirements and specified December 24, 2006, 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. 22796. The commission, thus, determines that Decision and Order No. 22796 should be vacated.

## III.


### Orders

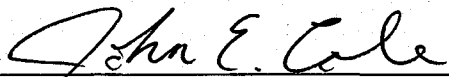
THE COMMISSION ORDERS:

Decision and Order No. 22796 is vacated and this docket is closed unless otherwise ordered by the commission.


DONE at Honolulu, Hawaii JAN 26 2007.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djon  
Commission Counsel

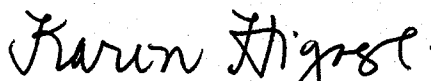
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23219 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

HAWAIIAN ROLL OFF SERVICES, LLC,  
dba SOUTH KONA HAULING COMPANY  
89-2296 Mamalahoa Highway  
Captain Cook, HI 96704

  
\_\_\_\_\_  
Karen Higashi

DATED: JAN 26 2007