## BEFORE THE PUBLIC UTILITIES COMMISSION

## OF THE STATE OF HAWAII

In the Matter of the Application of)

BAGGAGEDIRECT.COM, INC.

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1.

DOCKET NO. 2006-0327

For a Motor Carrier Certificate or ) Permit.

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RECEIVED

# <u>ORDER NO. 23409</u>

May 3 Filed \_ 2007 At \_\_\_\_\_ 12 o'clock P.M.

Karen Hignel.

Chief Clerk of the (commission

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

## BEFORE THE PUBLIC UTILITIES COMMISSION

## OF THE STATE OF HAWAII

In the Matter of the Application of)

BAGGAGEDIRECT.COM, INC.

For a Motor Carrier Certificate or ) Permit. ) Docket No. 2006-0327 Order No. 23409

## ORDER

By this Order, the commission orders that Decision and Order No. 23147 is vacated and this docket is closed.

I.

## Application for Common Carrier Authority

On December 19, 2006, in Decision and Order No. 23147, the commission approved the application of BAGGAGEDIRECT.COM, INC. ("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 islands of Oahu and Maui in the specific commodities (baggage) 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 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 December 19, 2006, which reiterated the commission's requirements and specified April 19, 2007, 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. 23147. The commission, thus, determines that Decision and Order No. 23147 should be vacated.

# III.

#### <u>Orders</u>

#### THE COMMISSION ORDERS:

Decision and Order No. 23147 is vacated and this docket is closed unless otherwise ordered by the commission.

# DONE at Honolulu, Hawaii \_\_\_\_\_ MAY - 3 2007

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By <u>John E. Cole</u>, Commissioner

APPROVED AS TO FORM:

Sw Stace Kawasaki Djou Commission Counsel

2006-0327.eh

### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23409 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

BAGGAGEDIRECT.COM, INC. c/o HEATHER SIMON 2201 Dupont Drive, Suite 150 Irvine, CA 92612

Karen Higashi

DATED: MAY - 3 2007