BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

DOCKET NO. 2007-0122

ORDER VACATING DECISION AND ORDER NO. 23568

MOSUMER ADVOCACY
DEPT OF COMMERCE AND
CONSUMER A FFAIRS
STATE OF HAWAII

PUBLIC UTILITIES

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

| In | the | e Matt | er o | f the | App1 | ication | of |
|------------|-----|--------|------|-------|-------|---------|----------|
| | | HORIZ | ON H | ANDIT | RANS, | LLC | ; . ; |
| For Per | | | Car: | rier | Certi | ficate | or |

Docket No. 2007-0122

ORDER VACATING DECISION AND ORDER NO. 23568

By this Order, the commission vacates Decision and Order No. 23568 and closes this docket.

I.

Application for Common Carrier Authority

On July 30, 2007, in Decision and Order No. 23568, the commission approved the application of HORIZON HANDITRANS, LLC ("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 Oahu 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 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 July 30, 2007, which reiterated the commission's requirements and specified November 30, 2007, as the deadline for compliance.

On November 2, 2007, Applicant filed a request for a one hundred twenty (120)-day extension of time to comply. The request was approved on November 6, 2007, which allowed Applicant until March 30, 2008 to comply. On March 13, 2008, Applicant filed a request for an additional one hundred twenty (120)-day extension of time to comply. The request was approved on March 14, 2008, which allowed Applicant until July 30, 2008 to comply.

II.

Findings and Conclusions

The extended due date has passed, and Applicant has not complied with the requirements set forth in Decision and Order No. 23568. The commission, thus, determines that Decision and Order No. 23568 should be vacated.

III.

<u>Order</u>

THE COMMISSION ORDERS:

Decision and Order No. 23568 is vacated and this docket is closed unless otherwise ordered by the commission.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By (

Carlito P. Caliboso, Chairman

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hn E. Cale, Commissioner

Ву

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2007-0122.ps

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

HORIZON HANDITRANS, LLC c/o ANTONETTE SARMIENTO 91-219 Naina Place Ewa Beach, HI 96706