

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 JAMES JOSEPH LEYDECKER, dba)
 EXPLORE HAWAII ISLAND ADVENTURES)
)
 For a Motor Carrier Certificate or)
 Permit.)
 _____)

DOCKET NO. 2007-0355

ORDER VACATING DECISION AND ORDER NO. 24021

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

PUBLIC UTILITIES
COMMISSION

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FILED

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OF THE STATE OF HAWAII

In the Matter of the Application of)
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 JAMES JOSEPH LEYDECKER, dba)
 EXPLORE HAWAII ISLAND ADVENTURES)
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 For a Motor Carrier Certificate or)
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 _____)

Docket No. 2007-0355

ORDER VACATING DECISION AND ORDER NO. 24021

By this Order, the commission vacates Decision and Order No. 24021 and closes this docket.

I.

Application for Common Carrier Authority

On February 8, 2008, in Decision and Order No. 24021, the commission approved the application of JAMES JOSEPH LEYDECKER, dba EXPLORE HAWAII ISLAND ADVENTURES ("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 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 February 8, 2008, which reiterated the commission's requirements and specified June 8, 2008, as the deadline for compliance.

On May 8, 2008, Applicant filed a request for a ninety (90)-day extension of time to comply. The request was approved on May 9, 2008, which allowed Applicant until September 8, 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. 24021. The commission, thus, determines that Decision and Order No. 24021 should be vacated.

III.


Order

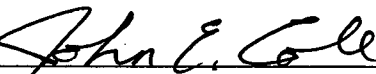
THE COMMISSION ORDERS:


Decision and Order No. 24021 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii OCT - 7 2008.

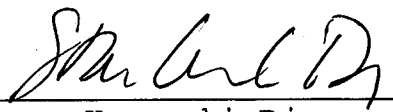
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2007-0355.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
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DIVISION OF CONSUMER ADVOCACY
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