BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of)

SUNSET TRUCKING LLC

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DOCKET NO. 2007-0336

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For a Motor Carrier Certificate or) Permit.)

ORDER VACATING DECISION AND ORDER NO. 23881

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SUNSET TRUCKING LLC

Docket No. 2007-0336

For a Motor Carrier Certificate or) Permit.

ORDER VACATING DECISION AND ORDER NO. 23881

By this Order, the commission vacates Decision and Order No. 23881 and closes this docket.

I.

Application for Common Carrier Authority

On December 7, 2007, in Decision and Order No. 23881, the commission approved the application of SUNSET TRUCKING LLC ("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 Maui in the general commodities and dump truck classifications. 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 7, 2007, which reiterated the commission's requirements and specified April 7, 2007, as the deadline for compliance.

On March 31, 2008, Applicant filed a request for a sixty (60)-day extension to comply. The request was approved on March 31, 2008, which allowed Applicant until June 7, 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. 23881. The commission, thus, determines that Decision and Order No. 23881 should be vacated.

III.

<u>Order</u>

THE COMMISSION ORDERS:

Decision and Order No. 23881 is vacated and this docket is closed unless otherwise ordered by the commission.

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PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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Carlito P. Caliboso, Chairman

By 4 Commissioner John E. Cole, By.

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2007-0336.cp

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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

SUNSET TRUCKING LLC c/o TEO M. ANGEL P. O. Box 85 Puunene, HI 96784