BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

RODNEY EVERETT WILBUR, dba
R & C HAULING

To Sell, Lease, Assign, Mortgage or
Otherwise Dispose of, or Encumber
The Whole or Any Part of Its
Property, Certificate, or Permit.

ORDER VACATING DECISION AND ORDER NO. 24192
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

RODNEY EVERETT WILBUR, dba ) Docket No. 2007-0405
R & C HAULING)

To Sell, Lease, Assign, Mortgage or)
Otherwise Dispose of, or Encumber )
The Whole or Any Part of Its )
Property, Certificate, or Permit. )

ORDER VACATING DECISION AND ORDER NO. 24192

By this Order, the commission vacates Decision and
Order No. 24192 and closes this docket.

I.

Application to Transfer Common Carrier Authority

On May 8, 2008, in Decision and Order No. 24192,
the commission approved the transfer of certificate of
public convenience and necessity number 5192-C from
RODNEY EVERETT WILBUR, dba R & C HAULING ("Transferor"), to
R & C HAULING LLC ("Transferee"). We also: (1) ordered
Transferor and Transferee, 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 Transferor and Transferee that
failure to timely comply with the commission's requirements would
constitute cause for the commission to vacate the Decision and Order. We served Transferor and Transferee 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.

II.

Findings and Conclusions

The one hundred and twenty (120)-day time period has passed, and Transferee has not complied with the requirements set forth in Decision and Order No. 24192. The commission, thus, determines that Decision and Order No. 24192 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 24192 is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii       JAN 22 2009.

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

2007-0405.cp
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

RODNEY EVERETT WILBUR, dba  
R & C HAULING  
c/o CASSIE WILBUR  
P. O. Box 911  
Mountain View, HI  96771

R & C HAULING LLC  
c/o CASSIE WILBUR  
P. O. Box 911  
Mountain View, HI  96771

DOUGLAS HALSTED, ESQ.  
ATTORNEY AT LAW  
899 Ululani Street, Suite 4  
Hilo, HI  96720