BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
WESTSIDE HAULING LLC ) DOCKET NO. 2007-0363)
)
For a Motor Carrier Certificate or )
Permit. )
)

ORDER VACATING DECISION AND ORDER NO. 24024
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
WESTSIDE HAULING LLC ) Docket No. 2007-0363
)
For a Motor Carrier Certificate or )
Permit. )

ORDER VACATING DECISION AND ORDER NO. 24024

By this Order, the commission vacates Decision and
Order No. 24024 and closes this docket.

I.
Application for Common Carrier Authority

On February 8, 2008, in Decision and Order No. 24024,
the commission approved the application of WESTSIDE HAULING LLC
("Applicant") for a certificate of public convenience and
necessity ("certificate") to operate as a common carrier of
property by motor vehicle over irregular routes on the island of
Oahu 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 February 8, 2008, which reiterated the commission’s requirements and specified June 8, 2008, as the deadline for compliance.

On June 12, 2008, Applicant filed a request for an extension of time to comply with the requirements set forth in Decision and Order No. 24024. As the request was filed after the deadline date of June 8, 2008, and Applicant failed to demonstrate the requisite “excusable neglect” required by HAR § 6-61-23(a)(2), Applicant’s request was denied.

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. 24024. The commission, thus, determines that Decision and Order No. 24024 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 24024 is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii  JAN 29 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

2007-0363.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

WESTSIDE HAULING LLC
c/o CHANCE ROMAN
1450 Aala Street, Apt. 803
Honolulu, HI    96817