

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
NA KANE TRUCKING, INC.)
)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 2007-0428

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

ORDER VACATING DECISION AND ORDER NO. 24119

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DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII~~

PUBLIC UTILITIES
COMMISSION

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FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
NA KANE TRUCKING, INC.) Docket No. 2007-0428
For Extension of Motor Carrier)
Certificate.)
_____)

ORDER VACATING DECISION AND ORDER NO. 24119

By this Order, the commission vacates Decision and Order No. 24119 and closes this docket.

I.

Extension of Common Carrier Authority

On March 31, 2008, in Decision and Order No. 24119, the commission approved the application of NA KANE TRUCKING, INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 2209-C to include (1) the specific commodities (construction materials) classification on the island of Oahu, and (2) the dump truck and specific commodities (heavy machinery and equipment, construction materials) classifications on the islands of Maui and Hawaii. 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.

On June 30, 2008, Applicant filed a request for an "exemption or extension" to comply with the requirements set forth in Decision and Order No. 24119. A six (6)-month extension of time to comply with our requirements was approved on July 14, 2008, which allowed Applicant until January 31, 2009 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. 24119. The commission, thus, determines that Decision and Order No. 24119 should be vacated.

III.

Order

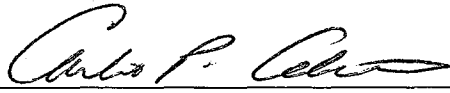
THE COMMISSION ORDERS:

Decision and Order No. 24119 is vacated and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii

APR - 3 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

2007-0428.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

MICHAEL S. ORTIZ, PRESIDENT
NA KANE TRUCKING, INC.
P. O. Box 70031
Kapolei, HI 96709