BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
JOHN MICHAEL SESSIONS, dba )
KONA HISTORICAL ADVENTURES )
)
Docket No. 2008-0118
)
)
For a Motor Carrier Certificate or )
Permit. )

ORDER VACATING DECISION AND ORDER FILED ON SEPTEMBER 5, 2008

RECEIVED
2009 APR-5 A 9:26
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND CONSUMER AFFAIRS
STATE OF HAWAII

FILED
2009 APR-3 A 9:50
PUBLIC UTILITIES COMMISSION

In the Matter of the Application of)

JOHN MICHAEL SESSIONS, dba
KONA HISTORICAL ADVENTURES

For a Motor Carrier Certificate or )
Permit. )

ORDER VACATING DECISION AND ORDER FILED ON SEPTEMBER 5, 2008

By this Order, the commission vacates the Decision and Order filed on September 5, 2008, and closes this docket.

I.

Application for Common Carrier Authority

By the Decision and Order filed on September 5, 2008, the commission approved the application of JOHN MICHAEL SESSIONS, dba KONA HISTORICAL 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 8-to-25 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.

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 the Decision and Order filed on September 5, 2008. The commission, thus, determines that the Decision and Order filed on September 5, 2008 should be vacated.

III.

Order

THE COMMISSION ORDERS:

The Decision and Order filed on September 5, 2008, 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
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
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