

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
GOOD HAWAII, INC.)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2008-0245

ORDER REINSTATING AND AMENDING
THE DECISION AND ORDER FILED ON DECEMBER 22, 2008

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

PUBLIC UTILITIES
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FILED

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In the Matter of the Application of)
GOOD HAWAII, INC.) Docket No. 2008-0245
For a Motor Carrier Certificate or)
Permit.)

ORDER REINSTATING AND AMENDING
THE DECISION AND ORDER FILED ON DECEMBER 22, 2008

By this Order, the commission vacates the Order filed on May 21, 2009, and reinstates and amends the Decision and Order filed on December 22, 2008, in the matter of GOOD HAWAII, INC. ("Petitioner").

I.

Background

On October 10, 2008, Petitioner filed an application requesting a certificate of public convenience and necessity ("Certificate") to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications. By Decision and Order filed on December 22, 2008, the commission granted Petitioner's request, upon condition that Petitioner file certain required documents with the commission. By Order filed on May 21, 2009, the commission vacated the Decision and Order filed on December 22, 2008, for Petitioner's failure to comply with the commission's requirements set forth in the Decision and Order.

II.

Motion for Reconsideration

On May 22, 2009, Petitioner filed a timely motion for reconsideration of the Order filed on May 21, 2009, stating that it simply did not know what to file after being granted a Certificate. On May 22, 2009 and May 28, 2009, Petitioner filed the requisite documents requested by the Decision and Order filed on December 22, 2008.

The commission finds that Petitioner has fully complied, although belatedly, with the requirements set forth in the Decision and Order filed on December 22, 2008, and, thus, finds good cause in this particular instance to reconsider and set aside the Order filed on May 21, 2009.

III.

Amendment of Common Carrier Authority

On May 29, 2009, Petitioner filed a letter requesting that its authority in the 1-to-7 passenger classification be surrendered. Accordingly, we find good cause to grant Petitioner's request and amend the Decision and Order filed on December 22, 2008 to reflect such surrender of authority.

IV.

Orders

THE COMMISSION ORDERS:

1. The Order filed on May 21, 2009, is vacated.
2. The Decision and Order filed on December 22, 2008 is reinstated.

3. Petitioner's request to surrender its authority in the 1-to-7 passenger classification is granted.

4. The Decision and Order filed on December 22, 2008 is amended consistent with the terms of this Order. Specifically, ordering paragraph 1 of the Decision and Order is amended as follows:

"Applicant is granted a Certificate to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification."

DONE at Honolulu, Hawaii JUN 17 2009

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

Leslie H. Kondo
Leslie H. Kondo, Commissioner

2008-0245.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
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