BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In	the	Matt	er of	the	App	lication	of)
		HAWA	IKI N	UI V	A'A	LLC)
	a mit		Carr	ier (Cert	ificate	or)

ORDER VACATING DECISION AND ORDER NO. 24076

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Docket No. 2007-0375

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Docket No. 2007-0375

ORDER VACATING DECISION AND ORDER NO. 24076

By this Order, the commission vacates Decision and Order No. 24076 and closes this docket.

I.

Application for Common Carrier Authority

By Decision and Order No. 24076, filed on March 6, 2008, the commission approved the application of HAWAIKI NUI VA'A LLC ("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 Kauai in the 8-to-25 passenger classification, limited to providing transportation services in conjunction with its kayak tours. 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 March 6, 2008, which reiterated the commission's requirements and specified July 6, 2008, as the deadline for compliance.

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. 24076. The commission, thus, determines that Decision and Order No. 24076 should be vacated.

III.

Order

THE COMMISSION ORDERS:

Decision and Order No. 24076 is vacated and this docket is closed unless otherwise ordered by the commission.

^{&#}x27;Applicant failed to provide a tariff.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

Jøhn E. Cole, Commissioner

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2007-0375.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

HAWAIKI NUI VA'A LLC c/o CATHERINE PETERS 4-369A Kuhio Highway Kapaa, HI 96746