BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

HAWAIKI NUI VA'A LLC)

For a Motor Carrier Certificate or Permit.)

DOCKET NO. 2007-0375

ORDER VACATING ORDER FILED ON JUNE 17, 2009
In the Matter of the Application of)

HAWAIIKI NUI VA’A LLC ) Docket No. 2007-0375
)
For a Motor Carrier Certificate or )
Permit.

ORDER VACATING ORDER FILED ON JUNE 17, 2009

By this Order, the commission vacates the Order filed on June 17, 2009, and reinstates Decision and Order No. 24076, in the matter of HAHAIIKI NUI VA’A LLC (“Petitioner”).

I.

Background

On November 6, 2007, Petitioner filed an application requesting 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. By Decision and Order No. 24076, filed on March 6, 2008, the commission granted Petitioner’s request, upon condition that Petitioner file certain required documents with the commission. By Order filed on June 17, 2009, the commission vacated Decision and Order No. 24076 for Petitioner’s failure to comply with the commission’s requirements set forth in Decision and Order No. 24076.
On June 19, 2009, Petitioner filed a timely motion for reconsideration of the Order filed on June 17, 2009, stating that Petitioner's non-compliance was due to the concerns for a family member's health. On June 19, 2009, Petitioner submitted its tariff, which completed all the requirements requested by Decision and Order No. 24076.

II.

Findings and Conclusions

The commission finds that Petitioner has fully complied, although belatedly, with the requirements set forth in Decision and Order No. 24076, and, thus, finds good cause in this particular instance to reconsider and set aside Order No. 24076.

III.

Orders

THE COMMISSION ORDERS:

1. The Order filed on June 17, 2009 is vacated.

2. Decision and Order No. 24076 is reinstated.
DONE at Honolulu, Hawaii        JUN 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

2007-0375.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:

CATHALINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
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