BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

A & S HAULING, LLC

DOCKET NO. 2009-0002

To Sell, Lease, Assign, Mortgage or
Otherwise Dispose of, or Encumber
The Whole or Any Part of Its
Property, Certificate, or Permit.

ORDER DISMISSING APPLICATION

FILED
OCT 13 2009
Public Utilities Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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A & S HAULING, LLC

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Property, Certificate, or Permit.

Docket No. 2009-0002

ORDER DISmissing APPLICATION

By this Order, the commission dismisses the application
filed by A & S HAULING, LLC ("Applicant") on January 7, 2009, and
closes this docket.

I.

Application to Transfer Common Carrier Authority

On January 7, 2009, Applicant filed an application
seeking commission approval to transfer certificate of public
convenience and necessity no. 5232-C to A & S Hauling, Inc.,
pursuant to Hawaii Revised Statutes ("HRS") § 271-18.

By a notice of dismissal dated September 3, 2009,
we informed Applicant of our intent to dismiss the application
without prejudice because of Applicant's failure to respond to
the commission's request for a Tax Clearance Certificate issued
by the State of Hawaii Department of Taxation in the name of
Applicant. Applicant was further advised that any objection to
the dismissal of its application must be submitted in writing and
filed not later than ten (10) days from the date of the notice, and that if an objection was not filed, the commission would issue an order dismissing the application.

II. Findings and Conclusions
   Applicant did not object to the dismissal of its application within the ten (10)-day time period. We, thus, find that there is good cause to dismiss the application in this docket.

III. Order
   THE COMMISSION ORDERS:
   The application filed by Applicant on January 7, 2009, is dismissed without prejudice and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii OCT 13 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

2009-0002.iaa
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

A & S HAULING, LLC
c/o WENDELL K. APAO, JR.
P. O. Box 2159
Pahoa, HI  96778