BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
CASUGZ AND SON ENTERPRISES, INC. ) DOCKET NO. 2009-0036
)
For a Motor Carrier Certificate or )
Permit.

ORDER VACATING THE DECISION AND ORDER FILED ON MAY 21, 2009

F I L E D
OCT 13 2009
Public Utilities Commission
ORDER VACATING THE DECISION AND ORDER FILED ON MAY 21, 2009

By this Order, the commission vacates the Decision and Order filed on May 21, 2009, and closes this docket.

I.

Application for Common Carrier Authority

By Decision and Order filed on May 21, 2009, the commission approved the application of CASUGZ AND SON ENTERPRISES, INC. ("Applicant") for a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the dump truck 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 May 21, 2009. The commission, thus, determines that the Decision and Order filed on May 21, 2009 should be vacated.

III.

Order

THE COMMISSION ORDERS:

The Decision and Order filed on May 21, 2009, is vacated and this docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii  

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  

2009-0036 cp
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

ULULANI T. NAEOLE-CASUGA, PRESIDENT
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