

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
CASUGZ AND SON ENTERPRISES, INC.)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2009-0036

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

FILED

OCT 13 2009

Public Utilities Commission

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

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.

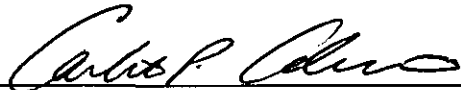
Order

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 OCT 13 2009.

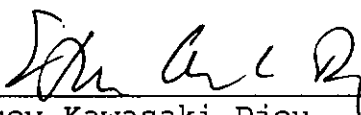
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0036.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
CASUGZ AND SON ENTERPRISES, INC.
89-630 A Haleakala Avenue
Waianae, HI 96792