

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
SURF N' SEA)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2006-0455

ORDER NO. 23598

Filed August 13, 2007
At 11 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED
2007 AUG 14 A 8:05
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
SURF N' SEA)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 2006-0455
Order No. 23598

ORDER

By this Order, the commission orders that the application filed by SURF N' SEA ("Applicant") on November 16, 2006, is dismissed without prejudice and this docket is closed.

I.

Application for Common Carrier Authority

On November 16, 2006, Applicant 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 Oahu in the 1-to-7 passenger classification.

By a notice of dismissal dated February 12, 2007, 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 information. 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. On February 22, 2007, Applicant filed an objection to our dismissal, stating that it was gathering the requested information and would submit the required documents within thirty (30) days. Applicant, however, did not submit the required documents within thirty (30) days.

II.

Findings and Conclusions

Upon review, as Applicant has not submitted the required documents, we find that there is good cause to dismiss the application in this docket.

III.

Orders

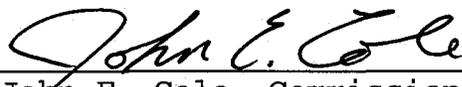
THE COMMISSION ORDERS:

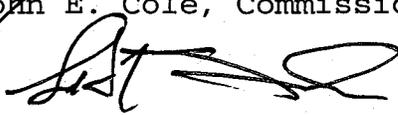
The application filed by Applicant on November 16, 2006, is dismissed without prejudice and this docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii AUG 13 2007.

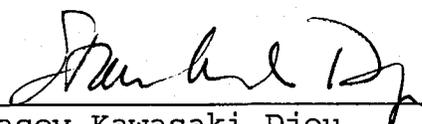
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner


By
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2006-0455.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23598 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

SURF N SEA INC.
c/o ROBERT J. GREEN
62-595 Kamehameha Highway
Haleiwa, HI 96712



Karen Higashi

DATED: AUG 13 2007