

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)  
                  ) )  
          NICHIEI U.S.A., INC.      ) )  
                  ) )  
To Place Operating Authority on) )  
Inactive Status.                  ) )  
\_\_\_\_\_)

DOCKET NO. 02-0366

ORDER NO. 19872

Filed Dec. 12, 2002  
At 12:00 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

2002 DEC 12 P 4: 17

RECEIVED

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 Request of)	)	
NICHIEI U.S.A., INC.	)	Docket No. 02-0366
To Place Operating Authority on)	)	Order No. 19872
Inactive Status.	)	
_____	)	

ORDER

I.

By letter filed on October 7, 2002, NICHIEI U.S.A., INC. (Petitioner) requests that certificate of public convenience and necessity no. 421-C (Certificate No. 421-C) be placed on inactive status. Certificate No. 421-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification.

Under Hawaii Revised Statutes (HRS) § 271-19, the commission may place a certificate on inactive status upon written request by a motor carrier, and for good cause shown. The inactive period, however, may not exceed 12 months. In addition, HRS § 271-19 provides that inactive status may only be granted for a cumulative period not to exceed two years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires it may file, prior to the expiration of the inactive period granted by this order, a request to extend its inactive status for up to one additional year.

## II.

### THE COMMISSION ORDERS:


1. Petitioner's Certificate No. 421-C is placed on inactive status for one year, effective from the date of this order.

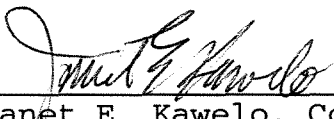
2. If Certificate No. 421-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this order, it shall be declared abandoned and revoked. Petitioner may reactivate the certificate at any time prior to the expiration of the inactive period by filing a request to reactivate with the commission, and fulfilling the requirements for motor carriers including, but not limited to, filing of appropriate insurance documents and publication of a lawful tariff.


3. Petitioner shall not transfer its inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii this 12th day of December,  
2002.


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By   
Gregg V. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

02-0366.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19872 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

NICHIEI U.S.A., INC.  
440 Olohana Street, #500  
Honolulu, HI 96815

  
\_\_\_\_\_  
Karen Higashi

DATED: December 12, 2002