

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of))	
HOANG HUU PHAM)	Docket No. 03-0133
)	
To Place Operating Authority on))	Order No. 20256
Inactive Status.)	
_____)	

ORDER

I.

By letter filed on May 13, 2003, HOANG HUU PHAM (Petitioner) requests commission approval to voluntarily surrender his authority under certificate of public convenience and necessity number 1525-C (Certificate No. 1525-C). By letter filed on May 15, 2003, Petitioner requests that Certificate No. 1525-C be placed on inactive status. As it appears that Petitioner's intent is to only request commission approval to place Certificate No. 1525-C on inactive status rather than surrender Certificate No. 1525-C, the commission will disregard Petitioner's request of May 13, 2003 to surrender Certificate No. 1525-C. Certificate No. 1525-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 he may file, prior to the expiration of the inactive period granted by this order, a request to extend his inactive status for up to one additional year.

II.

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 1525-C is placed on inactive status for one year, effective from the date of this order.

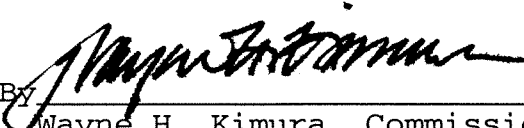
2. If Certificate No. 1525-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this order, it shall be declared abandoned and revoked. Petitioner may reactivate the certificate at any time prior to the expiration of the inactive period by filing 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.

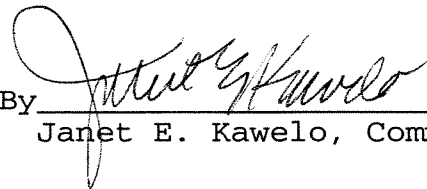
3. Petitioner shall not transfer his inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii this 25th day of June, 2003.

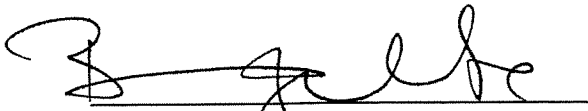
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

03-0133.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.20256 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

HOANG HUU PHAM
2018 Iholena Street
Honolulu, HI 96817



Karen Higashi

DATED: June 25, 2003