

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
CHARLES PAUL DURKEE )  
To Sell, Lease, Assign, Mortgage or )  
Otherwise Dispose of, or Encumber )  
The Whole or Any Part of Its )  
Property, Certificate, or Permit. )

DOCKET NO. 03-0024

ORDER NO. 20456

RECEIVED  
2003 SEP 19 P 2:54  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed September 19, 2003  
At 9:00 o'clock A.M.

Stan J. Hill  
Chief Clerk of the Commission

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.  
Stan J. Hill  
Acting Administrative Director

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
CHARLES PAUL DURKEE ) Docket No. 03-0024  
To Sell, Lease, Assign, Mortgage or ) Order No. 20456  
Otherwise Dispose of, or Encumber )  
The Whole or Any Part of Its )  
Property, Certificate, or Permit. )  

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ORDER


By Decision and Order No. 20146, filed on April 23, 2003, we approved the transfer of Certificate No. 5126-C from CHARLES PAUL DURKEE ("Transferor") to WHITNEY PACIFIC CORPORATION ("Transferee"). We also: (1) ordered Transferor and Transferee, as a condition to our approval of the application, to submit certain documents within 120 days of the issuance of the decision and order; and (2) notified Transferor and Transferee that failure to timely comply with the commission's requirements would constitute cause for the commission to void the decision and order. We served Transferee and Transferor 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. Additionally, we sent a letter to Transferor and Transferee, dated April 23, 2003, which reiterated the commission's requirements and specified August 23, 2003, as the deadline for compliance.

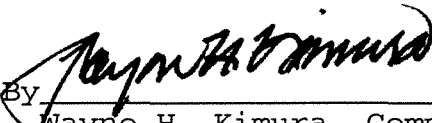
The 120-day time period has passed, and Transferee and Transferor have not complied with the requirements set forth under Decision and Order No. 20146. The commission, thus, determines that Decision and Order No. 20146 should be voided.

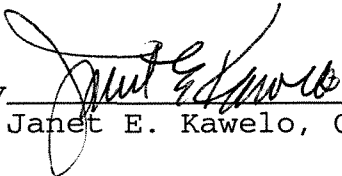
THE COMMISSION ORDERS that Decision and Order No. 20146 is voided and this docket is closed.

DONE at Honolulu, Hawaii this 19th day of September, 2003.

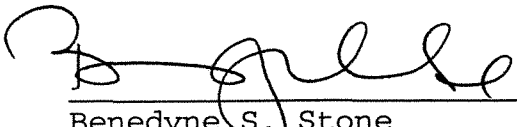
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
\_\_\_\_\_  
Carlito P. Caliboso, Chairman

By   
\_\_\_\_\_  
Wayne H. Kimura, Commissioner

By   
\_\_\_\_\_  
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Benedyne S. Stone  
Commission Counsel

03-0024.cs

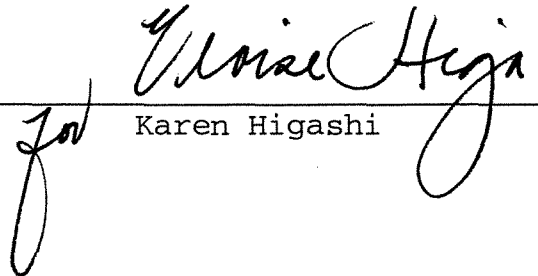
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20456 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

CHARLES PAUL DURKEE  
76-6293 Kupuna Street  
Kailua-Kona, HI 96740

WHITNEY PACIFIC CORPORATION  
76-6293 Kupuna Street  
Kailua-Kona, HI 96740

  
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Karen Higashi

DATED: September 19, 2003