

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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|----------------------------------|---|--------------------|
| In the Matter of the Request of) |) | |
| JAMES H. DE VIS-NORTON, |) | |
| dba KIMO EQUIPMENT |) | Docket No. 03-0405 |
| |) | |
| For Voluntary Surrender of |) | Order No. 20769 |
| Certificate or Permit. |) | |
| _____ |) | |

ORDER

I.

Request to Surrender Common Carrier Authority

On December 4, 2003, JAMES H. DE VIS-NORTON, dba KIMO EQUIPMENT, filed a letter requesting commission approval to voluntarily surrender his authority under certificate of public convenience and necessity number 2122-C ("Certificate No. 2122-C"). Under Certificate No. 2122-C, Petitioner is authorized to transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck classification.

In accordance with Hawaii Revised Statutes ("HRS") § 271-19, operating authority under a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to grant Petitioner's request to terminate his authority.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's authority to transport property under Certificate No. 2122-C is terminated, effective from the date of this order.


2. Petitioner shall surrender his certificate and remove any markings from the vehicles used in his operations. Petitioner shall comply with the foregoing requirements within 30 days from the date of this order.


3. If Petitioner fails to comply with the foregoing requirements within the time period specified, he may be subject to penalties pursuant to HRS § 271-27.

4. This docket is closed.


DONE at Honolulu, Hawaii this 16th day of January, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

By 
Janet E. Kawelo, Commissioner

03-0405.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20769 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

JAMES H. DE VIS-NORTON, dba
KIMO EQUIPMENT
2552 Sonoma Place
Honolulu, HI 96822



Karen Higashi

DATED: January 16, 2004