

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. 20840

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

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Filed March 9, 2004
At 8:00 o'clock A .M.

Karen Higote.
Chief Clerk of the Commission

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)	
Inactive Status.)	Order No. 20840
_____)	

ORDER

I.

Background

By Order No. 19872, filed on December 12, 2002, certificate of public convenience and necessity no. 421-C ("Certificate No. 421-C"), held by NICHIEI U.S.A., INC. ("Petitioner"), was placed on inactive status until December 12, 2003.

Order No. 19872 informed Petitioner that if Certificate No. 421-C was not reactivated prior to the expiration of the period of inactivity, i.e., prior to December 12, 2003, the commission would deem it to be abandoned and revoked.

By letter filed with the commission on January 14, 2004, Petitioner requested that the commission reactivate Certificate No. 421-C. By letter dated January 15, 2004, the commission requested certain documents from Petitioner necessary to the reactivation of Certificate No. 421-C. These documents were filed with the commission by Petitioner on February 10, 2004.

Hawaii Revised Statutes § 271-19(b) provides, in relevant part, that Petitioner's Certificate No. 421-C may be reactivated "within the approved period" by fulfilling the requirements for renewal, or such certificate shall be declared abandoned, and revoked by the commission.

Certificate No. 421-C was not reactivated within the statutorily approved period, i.e., the requirements for renewal were not satisfied by December 12, 2003. We, thus, find that there is good cause to deny Petitioner's January 14, 2004 request and to revoke Certificate No. 421-C.

II.


Orders

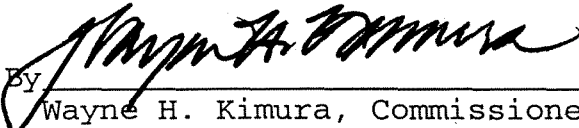
THE COMMISSION ORDERS:

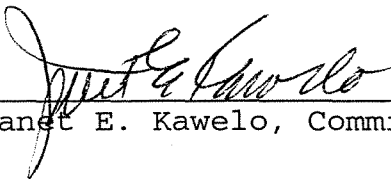
1. Petitioner's request to reactivate Certificate No. 421-C is denied.
2. Certificate No. 421-C is revoked.
3. This docket is closed.

DONE at Honolulu, Hawaii this 9th day of March, 2004.


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

02-0366.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20840 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: March 9, 2004