

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)  
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  )  
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  )  
For Voluntary Surrender of  
Certificate or Permit.  
\_\_\_\_\_)

DOCKET NO. 04-0163

ORDER NO. 21209

RECEIVED

2004 AUG -4 P 3:47

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

Filed August 4, 2004  
At 11 o'clock A.M.

Karen Higuel.  
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)	)	
NOH HYON KWAK	)	Docket No. 04-0163
For Voluntary Surrender of	)	
Certificate or Permit.	)	Order No. <b>21209</b>
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ORDER

I.

Request to Surrender Common Carrier Authority

On July 7, 2004, NOH HYON KWAK ("Petitioner") filed a letter requesting commission approval to voluntarily surrender his authority under certificate of public convenience and necessity number 1573-C ("Certificate No. 1573-C"). Under Certificate No. 1573-C, Petitioner is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification. As part of his request, Petitioner submitted a notarized statement stating that the original Certificate No. 1573-C was lost.

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 passengers under Certificate No. 1573-C is terminated, effective from the date of this order.

2. Petitioner shall remove any markings from the vehicles used in his operations. Petitioner shall comply with the foregoing requirement within 15 days from the date of this order.

3. If Petitioner fails to comply with the foregoing requirement 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 4th day of August, 2004.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By Wayne H. Kimura  
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone  
Benedyne S. Stone  
Commission Counsel

By Janet E. Kawelo  
Janet E. Kawelo, Commissioner

04-0163.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21209 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

NOH HYON KWAK  
725 Kapiolani Boulevard, #1701  
Honolulu, HI 96813

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

DATED: AUG 04 2004