

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
CABRAL'S EXCAVATION, LLC)
To Place Operating Authority on))
Inactive Status.)
_____)

Docket No. 03-0233

Order No. 21381

ORDER

I.

Request to Extend Inactive Status

On August 10, 2004, CABRAL'S EXCAVATION, LLC ("Petitioner") filed a letter requesting that the inactive status of its certificate of public convenience and necessity no. 4079-C ("Certificate No. 4079-C") be extended for an additional year. By Order No. 20450, filed on September 18, 2003, in this docket, Certificate No. 4079-C was placed on inactive status until September 18, 2004.

The commission notes that pursuant to Hawaii Revised Statutes § 271-19, the commission may grant inactive status for a cumulative period not to exceed two years over the life of the certificate. We find that there is good cause to grant Petitioner's request for an extension of its inactive status for an additional year. We conclude that Petitioner's request should be granted.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 4079-C is placed on inactive status for an additional one-year period, until September 18, 2005.

2. If Certificate No. 4079-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 4079-C, along with the filing of all required documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 4079-C shall be revoked.

3. Petitioner shall not transfer its 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 SEP 29 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
03-0233.cs

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21381 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

CABRAL'S EXCAVATION, LLC
1370 Olinda Road
Makawao, HI 96768



Karen Higashi

DATED: SEP 29 2004