

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
TOMMY JON)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0003

ORDER NO. 21552

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

Filed Jan. 20, 2005
At 11 o'clock A .M.

Karen Higashi.
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))	
TOMMY JON)	Docket No. 05-0003
)	
For a Motor Carrier Certificate or))	Order No. 21552
Permit.)	
_____)	

ORDER

By this order, the commission dismisses the application of TOMMY JON ("Applicant"), filed on January 4, 2005, requesting a certificate of public convenience and necessity ("Certificate").

I.

Application for Common Carrier Authority

On January 4, 2005, Applicant filed an application requesting a Certificate to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification.

The commission notes that Applicant previously was the holder of Certificate No. 1486-C, which was placed on inactive status for a one (1)-year period until April 29, 2004, by Order No. 20160, filed on April 29, 2003, in docket no. 03-0055. By Order No. 20981, filed on May 14, 2004, Certificate No. 1486-C was revoked because it was not reactivated prior to the expiration of the period in inactivity, i.e., prior to April 29, 2004.

II.

Findings and Conclusions

Hawaii Revised Statutes ("HRS") § 271-19(c) provides that "[n]o person whose certificate or permit is revoked shall be eligible to apply for a new certificate or permit until the expiration of two years." Two years have not expired since the revocation of Applicant's Certificate on May 14, 2004, thus, the commission finds that Applicant's application filed on January 4, 2005 should be dismissed.

III.

Orders

THE COMMISSION ORDERS that the application filed by Applicant on January 4, 2005, is dismissed and this docket is closed.

DONE at Honolulu, Hawaii JAN 20 2005.

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

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21552 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

TOMMY JON
1617 Kapiolani Blvd., #701
Honolulu, HI 96814



Karen Higashi

DATED: JAN 20 2005