

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
Marilyn Waiola Napier, dba)
Bar None Equipment Rental)
)
To Place Operating Authority on)
Inactive Status.)
_____)

DOCKET NO. 05-0036

ORDER NO. 21688

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

2005 MAR 11 A 8:14

RECEIVED

Filed March 10, 2005
At 10 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 Request of)
)
 MARILYN WAIOLA NAPIER, dba)
 BAR NONE EQUIPMENT RENTAL)
)
 To Place Operating Authority on)
 Inactive Status.)
_____)

Docket No. 05-0036

Order No. **21688**

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 2064-C ("Certificate No. 2064-C"), held by MARILYN WAIOLA NAPIER, dba BAR NONE EQUIPMENT RENTAL ("Petitioner"), on inactive status for one year, effective from the date of this Order.

I.

Request to Place Common Carrier Authority on Inactive Status

On February 8, 2005, Petitioner filed a letter requesting that Certificate No. 2064-C be placed on inactive status. Certificate No. 2064-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck and specific commodities (livestock and feed) classifications.

Pursuant to Hawaii Revised Statutes ("HRS") § 271-19, the commission may place a certificate on inactive status upon written request by a motor carrier, and for good cause shown. The inactive period, however, may not exceed 12 months. In addition,

HRS § 271-19 provides that inactive status may only be granted for a cumulative period not to exceed two years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires she may file, prior to the expiration of the inactive period granted by this Order, a request to extend her inactive status for up to one additional year.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 2064-C is placed on inactive status for one year, effective from the date of this Order.

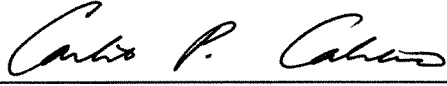
2. If Certificate No. 2064-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this Order, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 2064-C, along with the filing of all required documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 2064-C shall be revoked.

3. Petitioner shall not transfer her inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

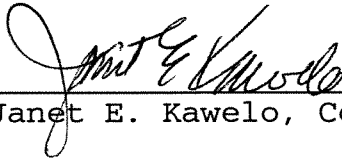
DONE at Honolulu, Hawaii

MAR 10 2005

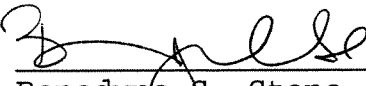
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

05-0036.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21688 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

MARILYN WAIOLA NAPIER, dba
BAR NONE EQUIPMENT RENTAL
94-063 Hulahe Street
Waipahu, HI 96797



Karen Higashi

DATED: MAR 10 2005