

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
WAINANI FARMS CORPORATION)
)
To Place Operating Authority on)
Inactive Status.)

DOCKET NO. 2007-0077

DECISION AND ORDER NO. 23368

RECEIVED

2007 APR 16 A 8:34

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

Filed April 13, 2007
At 11 o'clock A.M.

Broderick K. Kane
for Chief Clerk of the Commission

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
WAINANI FARMS CORPORATION) Docket No. 2007-0077
)
To Place Operating Authority on) Order No. 23368
Inactive Status.)
_____)

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5219-C ("Certificate No. 5219-C"), held by WAINANI FARMS CORPORATION ("Petitioner"), on inactive status for a period of twelve (12) months, effective from the date of this Order, pursuant to Hawaii Revised Statutes ("HRS") § 271-19(b).

I.

Request to Place Common Carrier Authority on Inactive Status

On March 23, 2007, Petitioner filed a letter requesting that Certificate No. 5219-C be placed on inactive status. Certificate No. 5219-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Hawaii in the dump truck classification.

Under HRS § 271-19(b), 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 twelve (12) months. In addition, HRS § 271-19(b) provides that inactive status may only be granted for

a cumulative period not to exceed two (2) years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires, it may file, prior to the expiration of the inactive period granted by this Order, a request to extend its inactive status for up to one (1) additional year.

II.

Orders

THE COMMISSION ORDERS:


1. Petitioner's Certificate No. 5219-C is placed on inactive status for a period of twelve (12) months, effective from the date of this Order.

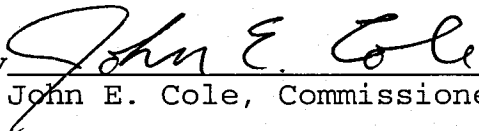
2. Pursuant to HRS § 271-19(b), if Certificate No. 5219-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5219-C, along with the filing of all documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5219-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.

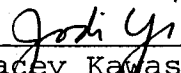
DONE at Honolulu, Hawaii APR 13 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:

for 
Stacey Kawasaki Djou
Commission Counsel


2007-0077.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23368 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

CHRISTIAN SIEBER, PRESIDENT
WAINANI FARMS CORPORATION
193 Kinoole Street
Hilo, HI 96720



for Karen Higashi

DATED: APR 13 2007