



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of )  
 )  
WAYNE K. BALLESTEROS, dba ) Docket No. 2007-0108  
F&S SERVICES )  
 ) Order No. 23438  
To Place Operating Authority on )  
Inactive Status. )  
\_\_\_\_\_ )

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 2035-C ("Certificate No. 2035-C"), held by WAYNE K. BALLESTEROS, dba F&S SERVICES ("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 April 30, 2007, Petitioner filed a letter requesting that Certificate No. 2035-C be placed on inactive status. Certificate No. 2035-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck and general commodities classifications, excluding break bulk and delivery.

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, he may file, prior to the expiration of the inactive period granted by this Order, a request to extend his inactive status for up to one (1) additional year.

## II.

### Orders

#### THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 2035-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. 2035-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. 2035-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. 2035-C shall be revoked.

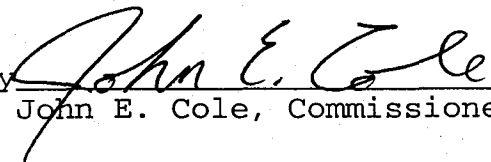
3. Petitioner shall not transfer his inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii

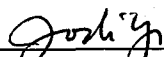
MAY 16 2007

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

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23438 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

WAYNE K. BALLESTEROS, dba  
F&S SERVICES  
48-350 Waiahole Valley Road  
Kaneohe, HI 96744

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

DATED: MAY 16 2007