

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
MATTHEW SWAIN, dba)
SWAIN'S TRUCKING)
)
To Place Operating Authority on)
Inactive Status.)
_____)

DOCKET NO. 2009-0118

ORDER PLACING CERTIFICATE NO. 2242-C ON INACTIVE STATUS

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

PUBLIC UTILITIES
COMMISSION

2009 JUN -4 P 1:12

FILED

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In the Matter of the Request of))	
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MATTHEW SWAIN, dba)	Docket No. 2009-0118
SWAIN'S TRUCKING)	
)	
To Place Operating Authority on))	
Inactive Status.)	
_____)	

ORDER PLACING CERTIFICATE NO. 2242-C ON INACTIVE STATUS

By this Order, the commission places certificate of public convenience and necessity no. 2242-C ("Certificate No. 2242-C"), held by MATTHEW SWAIN, dba SWAIN'S TRUCKING ("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 May 27, 2009, Petitioner filed a letter requesting that Certificate No. 2242-C be placed on inactive status. Certificate No. 2242-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Oahu in the general commodities and dump truck classifications.

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:

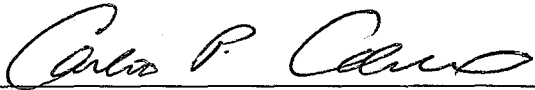
1. Petitioner's Certificate No. 2242-C is placed on inactive status for a period of twelve (12) months, effective from the date of this Order.

2. Pursuant to HRS § 271-19(b), if Certificate No. 2242-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. 2242-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. 2242-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 JUN - 4 2009

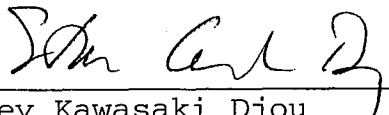
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0118.ps

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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DIVISION OF CONSUMER ADVOCACY
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Honolulu, HI 96809

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