

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of )  
 )  
 OWEN L. AIONA, JR., dba )  
 AIONA )  
 )  
 To Place Operating Authority on )  
 Inactive Status. )  
 \_\_\_\_\_ )

DOCKET NO. 2009-0173

ORDER PLACING CERTIFICATE NO. 5170-C ON INACTIVE STATUS

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

PUBLIC UTILITIES  
COMMISSION

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FILED

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of) )  
OWEN L. AIONA, JR., dba ) Docket No. 2009-0173  
AIONA ) )  
To Place Operating Authority on) )  
Inactive Status. ) )  
\_\_\_\_\_)

ORDER PLACING CERTIFICATE NO. 5170-C ON INACTIVE STATUS

By this Order, the commission places certificate of public convenience and necessity no. 5170-C ("Certificate No. 5170-C"), held by OWEN L. AIONA, JR., dba AIONA ("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 July 31, 2009, Petitioner filed a letter requesting that Certificate No. 5170-C be placed on inactive status. Certificate No. 5170-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Hawaii 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. 5170-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. 5170-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. 5170-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. 5170-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 SEP - 3 2009.

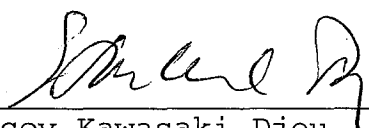
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

2009-0173.sl

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

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