BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request	of)			
ALBERT LANOZA, dba BLACKIE'S TRUCKING)))	DOCKET	NO.	02-0348
To Place Operating Authority) on)			
Inactive Status.))			

ORDER NO. 19744

Filed __Oct. 29 At 8:00 o'clock A Chief Clerk of the Commission

> ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public Utilities Commission State of Hawaii.

DEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of)

ALBERT LANOZA, dba BLACKIE'S TRUCKING

To Place Operating Authority on)
Inactive Status.)

Docket No. 02-0348 Order No. 19744

<u>ORDER</u>

I.

By letter filed on September 19, 2002, ALBERT LANOZA, dba BLACKIE'S TRUCKING (Petitioner), requests that certificate public convenience and necessity no. 2021-C No. 2021-C) (Certificate be placed on inactive status. Certificate No. 2021-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.

By Order No. 13117, filed on February 3, 1994, in Docket No. 94-0025, Petitioner's authority to transport general commodities under Certificate No. 2021-C was placed on inactive status for a period of one year.

¹Petitioner failed to reactivate his general commodities authority prior to the expiration of the period of inactivity, and the authority was revoked by Order No. 15252, filed on December 18, 1996, in Docket No. 94-0025. By Order No. 16455, filed on August 6, 1998, in Docket No. 94-0025, the commission rescinded Order No. 15252. Petitioner is presently on active status.

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 for inactive status for an additional year. We conclude that Petitioner's request should be granted.

II.

THE COMMISSION ORDERS:

- 1. Petitioner's Certificate No. 2021-C is placed on inactive status for one year, effective from the date of this order.
- 2. If Certificate No. 2021-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. Petitioner may reactivate the certificate at any time prior to the expiration of the inactive period by filing a request to reactivate with the commission, and fulfilling the requirements for motor carriers including, but not limited to, filing of appropriate insurance documents and publication of a lawful tariff.
- 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 this 29th day of October, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Mayne H. Kimura, Chairman

Janet E. Kawelo, Commissioner

By Gregg J. Kirkley, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone Commission Counsel

02-0348.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.19744 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

ALBERT LANOZA, dba BLACKIE'S TRUCKING P. O. Box 267 Waimanalo, HI 96795

Catherine Sakato

Catherine Sakato

DATED: October 29, 2002