

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)

NIU CONSTRUCTION, INC. )

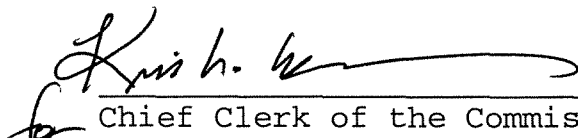
For Voluntary Surrender of )  
Certificate or Permit. )  
\_\_\_\_\_ )

DOCKET NO. 02-0356

ORDER NO. 19805

Filed Nov. 22, 2002

At 8 o'clock A. .M.

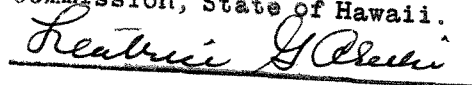
  
Chief Clerk of the Commission

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

2002 NOV 22 P 4:18

RECEIVED

ATTEST: A True Copy  
LEATRICE G. ASAHI  
Clerk, Public Utilities  
Commission, State of Hawaii.



BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)  
NIU CONSTRUCTION, INC. )  
For Voluntary Surrender of )  
Certificate or Permit. )  
\_\_\_\_\_)

Docket No. 02-0356

Order No. 19805

ORDER

I.

By letter filed on September 30, 2002, NIU CONSTRUCTION, INC. (Petitioner) requests commission approval to voluntarily surrender its authority under certificate of public convenience and necessity number 3000-C (CPCN No. 3000-C). Under CPCN No. 3000-C, Petitioner is authorized to transport property by motor vehicle over irregular routes on the island of Kauai in the general commodities and dump truck classifications. As part of its request, Petitioner returned CPCN No. 3000-C to the commission.

In accordance with Hawaii Revised Statutes (HRS) § 271-19, operating authority under a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to grant Petitioner's request to terminate its authority.

II.

THE COMMISSION ORDERS:

1. Petitioner's authority to transport property under CPCN No. 3000-C is terminated, effective from the date of this order.

2. Petitioner shall remove any markings from the vehicles used in its operations, and shall ensure that the vehicle identification cards for the motor vehicle equipment currently registered in its name are removed from the files of the Department of Transportation, Motor Vehicle Safety Office. Petitioner shall comply with the foregoing requirements within 30 days from the date of this order.

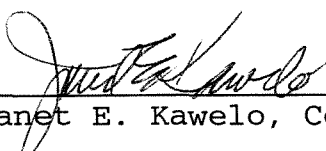
3. If Petitioner fails to comply with the foregoing requirements within the time period specified, it may be subject to penalties pursuant to HRS § 271-27.


4. This docket is closed.

DONE at Honolulu, Hawaii this 22nd day of November,  
2002.

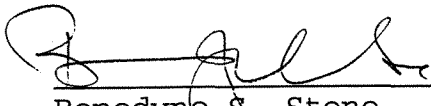
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By   
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

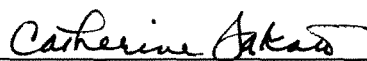
02-0356.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.19805 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

ROBERT L. KEAO  
NIU CONSTRUCTION, INC.  
P. O. Box 1525  
Lihue, HI 96766

  
for Karen Higashi

DATED: November 22, 2002