BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

)

In the Matter of the Request of)) LOSEANO K. RABE, SR., dba

RABE & SONS TRUCKING

To Place Operating Authority on) Inactive Status.) DOCKET NO. 01-0404



<u>ORDER NO. 19854</u>

Filed December 5, 2002 At 10:00 o'clock A .M. Arrin

Chief Clerk of the Commission

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

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Docket No. 01-0404 Order No. 19854

<u>ORDER</u>

I.

By letter received by the commission on November 22, 2002, LOSEANO K. RABE, SR., dba RABE & SONS TRUCKING (Petitioner), requests that the inactive status of his certificate of public convenience and necessity no. 2011-C (Certificate No. 2011-C) be extended for an additional year. By Order No. 19002, filed on November 7, 2001, in this docket, Certificate No. 2011-C was placed on inactive status until November 7, 2002.

The commission notes that under Hawaii Revised Statutes (HRS) § 271-19, the commission may grant inactive status for a cumulative period not to exceed two years over the life of the certificate. We find that there is good cause to grant Petitioner's request for an extension of his inactive status for an additional year. We conclude that Petitioner's request should be granted.

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 2011-C is placed on inactive status for an additional one-year period, until November 7, 2003.

2. If Certificate No. 2011-C is not reactivated prior to the expiration of the period of inactivity, 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.

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2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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H. Kimura, Chairman Wayne

By

Kawelo, Commissioner Janet Ε.

By (RECUSED) Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone Commission Counsel

01-0404.cs

I hereby certify that I have this date served a copy of the foregoing <u>Order No. 19854</u> 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

LOSEANO K. RABE, SR., dba RABE & SONS TRUCKING 94-1074 Hanauna Street Waipahu, HI 96797

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DATED: December 5, 2002