

2/5/03

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----
WEST HAWAII EXPRESS, INC., dba
WEST HAWAII FREIGHT SERVICE
To Place Operating Authority
On Inactive Status.

DOCKET NO. 02-0069

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

2003 SEP 10 P 3:34

RECEIVED

ORDER NO. 20423

Filed Sept. 10, 2003
At 10:00 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
WEST HAWAII EXPRESS, INC., dba)
WEST HAWAII FREIGHT SERVICE) Docket No. 02-0069
)
To Place Operating Authority) Order No. 20423
on Inactive Status.)
_____)

ORDER

I.

By Order No. 20349, filed on July 22, 2003, the commission revoked certificate of public convenience and necessity no. 5134-C ("Certificate No. 5134-C") held by WEST HAWAII EXPRESS, INC., dba WEST HAWAII FREIGHT SERVICE ("Movant").¹

By letter filed on July 28, 2003, Movant requested a reconsideration of Order No. 20349 ("Motion for Reconsideration"). Movant asserts that it is now able to produce all of the required documents requested by the commission.

II.

The standard for granting a motion for reconsideration is set forth in Hawaii Administrative Rules § 6-61-137, which provides, in relevant part, that a motion for reconsideration of a

¹Certificate No. 5134-C was revoked due to Movant's failure to submit the materials necessary to reactivate it, which had been placed on inactive status until June 20, 2003, pursuant to Order No. 19423, filed on June 20, 2002.

decision or order must set forth the reasons which the movant considers the decision or order to be unreasonable. Movant has provided to the commission all documents necessary for the reactivation of Certificate No. 5134-C. Accordingly, we find and conclude that Movant's Motion for Reconsideration of Order No. 20349 should be granted. We also find good cause to grant Movant's request to reactivate Certificate No. 5134-C.

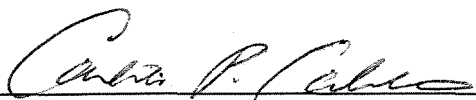
III.

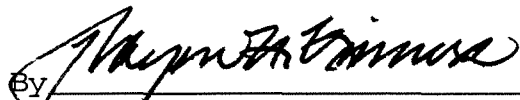
THE COMMISSION ORDERS:

1. Movant's Motion for Reconsideration of Order No. 20349, filed on July 28, 2003, is granted.
2. Effective from the date of this order, Certificate No. 5134-C is reactivated.


DONE at Honolulu, Hawaii this 10th day of September, 2003.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

By 
Janet E. Kawelo, Commissioner

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20423 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

WEST HAWAII EXPRESS, INC., dba
WEST HAWAII FREIGHT SERVICE
P. O. Box 4102
Kailua-Kona, HI 96745



Karen Higashi

DATED: September 10, 2003