BEFORE 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. 20794

Filed ______, 2004
At ______ o'clock ______.M.

KAREN DIGST
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
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
) Order No. 20794
To Place Operating Authority on) Inactive Status.
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ORDER

I.

Introduction


II.

Request to Extend Inactive Status of Dump Truck Authority

By Order No. 19744, filed on October 29, 2002, in this docket, Petitioner’s dump truck authority under Certificate No. 2021-C was placed on inactive status until October 29, 2003.

The commission notes that pursuant to 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 to extend the inactive status of his dump truck authority for an additional year. We conclude that Petitioner’s request should be granted.

III.

Request to Reactivate General Commodities Authority

By Order No. 19744, filed on October 29, 2002, Petitioner’s general commodities authority under Certificate No. 2021-C was placed on inactive status until October 29, 2003.¹

Pursuant to HRS § 271-19(b), a certificate may be reactivated upon fulfilling the requirements for reactivation. Order No. 19744 informed the Petitioner that these requirements included, but were not limited to, the filing of appropriate insurance documents and the publication of a lawful tariff. Order No. 19744 further stated that if Certificate No. 2021-C was not reactivated prior to the expiration of the period of inactivity, the commission would deem it abandoned and revoked.

By letter dated December 3, 2003, the commission requested that Petitioner submit the following: (1) proof of insurance; (2) a lawful tariff; (3) a vehicle inventory list; and (4) certificates of registration or ownership. Petitioner was advised that failure to submit the above documents within 30 days of the date of the letter could result in the revocation of his

¹By 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.
general commodities authority under Certificate No. 2021-C pursuant to HRS § 271-19(b).

The 30-day time period has passed and the commission has not received the requested documents. We, thus, find that there is good cause to revoke Petitioner’s general commodity authority.

IV. Orders

THE COMMISSION ORDERS:

1. Petitioner’s general commodity authority under Certificate No. 2021-C is revoked.

2. Petitioner’s dump truck authority under Certificate No. 2021-C is placed on inactive status for an additional one-year period, until October 29, 2004.

3. If Petitioner’s dump truck authority under Certificate No. 2021-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. Petitioner may reactivate his dump truck authority 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.

4. Petitioner shall not transfer his inactive dump truck authority 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 5th day of February, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

Wayne H. Kimura, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

02-0348.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20794 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 973
Kaneohe, HI 96744

DATED: February 5, 2004

Karen Higashi