

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
HAWAIIAN PACIFIC WATERSPORTS, INC.)
 dba PLANET OCEAN WATERWORKS)
)
To Place Operating Authority on)
 Inactive Status.)
_____)

DOCKET NO. 04-0310

ORDER NO. 21459

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

2004 NOV 18 A 8:06

RECEIVED

Filed Nov. 15, 2004
At 11 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.

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Docket No. 04-0310

Order No. **21459**

ORDER

I.

Request to Place Common Carrier Authority on Inactive Status

On October 27, 2004, HAWAIIAN PACIFIC WATERSPORTS, dba PLANET OCEAN WATERWORKS ("Petitioner"), filed a letter requesting that certificate of public convenience and necessity no. 5704-C ("Certificate No. 5704-C") be placed on inactive status. Certificate No. 5704-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 8-to-25 passenger classification.

Under 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. If Petitioner so desires it may file, prior to the expiration of the inactive period granted by this order, a request to extend its inactive status for up to one additional year.

II.

Orders

THE COMMISSION ORDERS:


1. Petitioner's Certificate No. 5704-C is placed on inactive status for one year, effective from the date of this order.

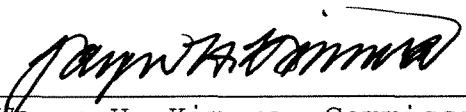
2. If Certificate No. 5704-C is not reactivated prior to the expiration of the period of inactivity, i.e., within one year from the date of this order, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5704-C, along with the filing of all required documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5704-C shall be revoked.


3. Petitioner shall not transfer its 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 NOV 15 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

04-0310.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21459 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

HAWAIIAN PACIFIC WATERSPORTS, INC.
dba PACIFIC OCEAN WATERSPORS
200 Kanoelehua Avenue
Hilo, HI 96720



Karen Higashi

DATED: NOV 15 2004