BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

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In the Matter of the Request of)

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ANDREW PALIKA NESTING, dba OHI'A REPUBLIC TRUCKING

To Place Operating Authority on) Inactive Status.) DOCKET NO. 04-0031

<u>ORDER NO. 21683</u>

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Filed March 10, 2005 At _____O o'clock _A .M. Karin This Chief Clerk of the Commission

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

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

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In the Matter of the Request of) ANDREW PALIKA NESTING, dba)

OHI'A REPUBLIC TRUCKING

To Place Operating Authority on) Inactive Status.) Docket No. 04-0031 Order No. 21683

<u>ORDER</u>

By this Order, the commission places certificate of public convenience and necessity no. 5181-C ("Certificate No. 5181-C"), held by ANDREW PALIKA NESTING, dba OHI'A REPUBLIC TRUCKING ("Petitioner"), on inactive status for an additional one-year period, until March 29, 2006.

I.

Request to Extend Inactive Status

On February 10, 2005, Petitioner filed a letter requesting that the inactive status of his Certificate No. 5181-C be extended for an additional year. By Order No. 20874, filed on March 29, 2004, in this docket, Certificate No. 5181-C was placed on inactive status until March 29, 2005.

The commission notes that pursuant to Hawaii Revised Statutes § 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.

II.

<u>Orders</u>

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 5181-C is placed on inactive status for an additional one-year period, until March 29, 2006.

2. If Certificate No. 5181-C is not reactivated prior to the expiration of the period of inactivity, it shall be declared abandoned and revoked. The request to reactivate Certificate No. 5181-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. 5181-C shall be revoked.

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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MAR 1 0 2005

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

ho P. Calito By.

Carlito P. Caliboso, Chairman

MUHA & MMM By

Wayne H. Kimura, Commissioner

By

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S Stone Commission Counsel

04-0031.cs

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I hereby certify that I have this date served a copy of the foregoing Order No.21683 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

ANDREW PALIKA NESTING, dba OHI'A REPUBLIC TRUCKING P. O. Box 849 Kamuela, HI 96743

Karen Higa

DATED:

MAR 1 0 2005

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