# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of)

CHARLES PAUL DURKEE

To Place Operating Authority on)
Inactive Status.

)

DOCKET NO. 03-0392

ORDER NO. 21699

Filed March 18, 2005
At 2:30 o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public

Chief Clerk, Public Utilities Commission, State of Hawaii.

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Docket No. 03-0392 Order No. 21699

#### **ORDER**

By this Order, the commission places certificate of public convenience and necessity no. 5126-C ("Certificate No. 5126-C"), held by CHARLES PAUL DURKEE ("Petitioner"), on inactive status for an additional one-year period, until March 25, 2006.

I.

## Request to Extend Inactive Status

On March 3, 2005, Petitioner filed a letter requesting that the inactive status of his Certificate No. 5126-C be extended for an additional year. By Order No. 20866, filed on March 25, 2004, in this docket, Certificate No. 5126-C was placed on inactive status until March 25, 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. 5126-C is placed on inactive status for an additional one-year period, until March 25, 2006.
- 2. If Certificate No. 5126-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. 5126-C, along with the filing of all documents necessary for reactivation must be completed prior to the expiration of the inactivity period, or Certificate No. 5126-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.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

Kawelo, Commissioner

APPROVED AS TO FORM:

Commission Counsel

03-0392.eh

### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21699 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

CHARLES PAUL DURKEE c/o CHARLES P. WHITNEY 75-797 Keaolani Drive Kailua-Kona, HI 96740

Karen Higashi

DATED: MAR 1 8 2005