BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Request of)

DAVID C. LUU

DOCKET NO. 04-0097

To Place Operating Authority on) Inactive Status.)

ORDER NO. 21776

April 26, 2005 2:30 o'clock P.M. Filed At Chief Clerk of Commission the

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

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Docket No. 04-0097 Order No. 21776

<u>ORDER</u>

By this Order, the commission places certificate of public convenience and necessity no. 1297-C ("Certificate No. 1297-C"), held by DAVID C. LUU ("Petitioner"), on inactive status for an additional one (1)-year period, until May 28, 2006.

I.

Request to Extend Inactive Status

On April 12, 2005, Petitioner filed a letter requesting that the inactive status of his Certificate No. 1297-C be extended for an additional year. By Order No. 21016, filed on May 28, 2004, in this docket, Certificate No. 1297-C was placed on inactive status until May 28, 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 (2) 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:

 Petitioner's Certificate No. 1297-C is placed on inactive status for an additional one (1)-year period, until May 28, 2006.

2. If Certificate No. 1297-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. 1297-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. 1297-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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DONE at Honolulu, Hawaii _____ APR 2 6 2005

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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Caliboso, Chairman Carlito P.

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Wayne H. Kimura, Commissioner

By.

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Stone Benedyne ъ .

Commission Counsel

04-0097.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Order No. 21776</u> 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

DAVID CHIEU LUU 1908 Liliha Street, E# Honolulu, HI 96817

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Karen Hig 8 C.

DATED: APR 2 6 2005