

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)  
KONA CINDER & SOIL, INC. )  
To Place Operating Authority on )  
Inactive Status. )  
\_\_\_\_\_ )

DOCKET NO. 03-0378

ORDER NO. 22041

Filed Sept. 21, 2005  
At 8 o'clock A.M.

Karen Higashi.  
Chief Clerk of the Commission

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

2005 SEP 23 A 8:42

RECEIVED

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

K. Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Request of)	)	
KONA CINDER & SOIL, INC.	)	Docket No. 03-0378
	)	
To Place Operating Authority on)	)	Order No. 22041
Inactive Status.	)	
_____	)	

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5107-C ("Certificate No. 5107-C"), held by KONA CINDER & SOIL, INC. ("Petitioner"), on inactive status for an additional one (1)-year period, until August 13, 2006.

I.

Request to Extend Inactive Status

On August 8, 2005, Petitioner filed a letter requesting that the inactive status of its Certificate No. 5107-C be extended for an additional year. By Order No. 21302, filed on August 13, 2004, in this docket, Certificate No. 5107-C was placed on inactive status until August 13, 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 its inactive status for

an additional year. We conclude that Petitioner's request should be granted.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 5107-C is placed on inactive status for an additional one (1)-year period, until August 13, 2006.

2. If Certificate No. 5107-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. 5107-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. 5107-C shall be revoked.

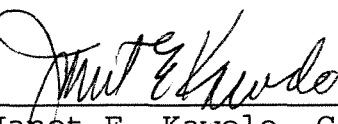
3. Petitioner shall not transfer its inactive certificate unless Petitioner can first establish good cause to the commission for the transfer, and the commission has approved the request to transfer.

DONE at Honolulu, Hawaii SEP 21 2005.

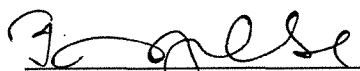
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

03-0378.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22041 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

KONA CINDER & SOIL, INC.  
P. O. Box 4088  
Kailua-Kona, HI 96745

  
\_\_\_\_\_  
Karen Higashi

DATED: SEP 21 2005