## BEFORE THE PUBLIC UTILITIES COMMISSION

#### OF THE STATE OF HAWAII

In the Matter of the Request of)

KHALED D. SALAMEH, dba MAHALO TRANS AND TOUR

To Place Operating Authority on) Inactive Status. ) DOCKET NO. 05-0283

<u>ORDER NO.</u> 22185

2005 DEC 14 A 8: RECEIVED 80

Filed <u>December 12</u>, 2005 At <u>10:45</u> o'clock <u>A</u>.M.

morlee K. Kane Chief Clerk of the Commission

ATTEST: A True Copy BROOKE K. KANE Administrative Director Public Utilities Commission State of Hawaii

Kane

## BEFORE THE PUBLIC UTILITIES COMMISSION

## OF THE STATE OF HAWAII

Inactive Status.

Docket No. 05-0283 Order No. 22185

## <u>ORDER</u>

By this Order, the commission places certificate of public convenience and necessity no. 1491-C ("Certificate No. 1491-C"), held by KHALED D. SALAMEH, dba MAHALO TRANS AND TOUR ("Petitioner"), on inactive status for a period of twelve (12) months, effective from the date of this Order, pursuant to Hawaii Revised Statutes ("HRS") § 271-19(b).

I.

## Request to Place Common Carrier Authority on Inactive Status

On November 8, 2005, Petitioner filed a letter requesting that Certificate No. 1491-C be placed on inactive status. Certificate No. 1491-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers.

Under HRS § 271-19(b), 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 twelve (12) months. In addition, HRS § 271-19(b) provides that inactive status may only be granted for a cumulative period not to exceed two (2) years over the life of the certificate.

The commission finds that there is good cause to grant Petitioner's request. If Petitioner so desires, he may file, prior to the expiration of the inactive period granted by this Order, a request to extend his inactive status for an additional one hundred and twenty-two (122)-day period.<sup>1</sup>

# II.

## <u>Orders</u>

#### THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 1491-C is placed on inactive status for a period of twelve (12) months, effective from the date of this Order.

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<sup>&</sup>lt;sup>1</sup>By Order No. 16985, filed on May 18, 1999, in Docket No. 99-0121, Certificate No. 1491-C was placed on inactive status for a period of one year, until May 17, 2000. Pursuant to Petitioner's request, Certificate No. 1491-C was reactivated on October 29, 1999, by Order No. 17320, thus leaving one (1) year and two hundred and one (201) days available to Petitioner if he desired to place Certificate No. 1491-C on inactive status for a cumulative period of two (2) years. By Order No. 19169, filed on January 31, 2002, in Docket No. 99-0121, Certificate No. 1491-C was placed on inactive status for a period of one year, until January 30, 2003. Pursuant to Petitioner's request, Certificate No. 1491-C was reactivated on April 19, 2002, thus leaving one (1) year and one hundred and twenty-two (122) days available to Petitioner if he desires to place Certificate No. 1491-C on inactive status for a cumulative period of two years.

2. Pursuant to HRS § 271-19(b), if Certificate No. 1491-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. 1491-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. 1491-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

Bv

Carlito P. Caliboso, Chairman

(EXCUSED) Bv Wayne H. Kimura, Commissioner Bν Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel <sup>05-0283.rpr</sup>

## CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22185 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

KHALED D. SALAMEH, dba MAHALO TRANS & TOUR P. O. Box 29342 Honolulu, HI 96820

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DATED: DEC 1 2 2005