BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

DAVID T. HARRIS, dba PROTOCOL TRANSPORT SERVICE

To Place Operating Authority on Inactive Status.

DOCKET NO. 04-0282

ORDER NO. 22384

Filed April 12, 2006
At 1:30 o'clock P.M.

Karen Digost
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)

DAVID T. HARRIS, dba )
PROTOCOL TRANSPORT SERVICE )

To Place Operating Authority on)
Inactive Status. )

Docket No. 04-0282
Order No. 22384

ORDER

By this Order, the commission places certificate
of public convenience and necessity no. 1258-C ("Certificate
No. 1258-C"), held by DAVID T. HARRIS, dba PROTOCOL TRANSPORT
SERVICE ("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 September 27, 2004, Petitioner filed a letter
requesting that Certificate No. 1258-C be placed on inactive
status.¹ Certificate No. 1258-C authorizes Petitioner to

¹Prior to Petitioner’s request, the Commission ordered
Petitioner, by Order No 21256, filed on September 7, 2004, in
Docket No. 04-0215, to appear before the commission on October 6,
2004, to show cause why Certificate No. 1258-C should not be
revoked for failure to file an annual financial report ("AFR")
and pay an annual motor carrier gross revenue fee ("Fee") for the
year 2003. On September 27, 2004, Petitioner filed his 2003 AFR,
paid his Fee, and paid $55.18 in penalties and interest that the
commission had assessed. By Decision and Order No. 22362, filed
on March 30, 2006, Order No. 21256 was vacated.
transport passengers by motor vehicle over irregular routes on the island of Oahu in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer’s seating capacity of 17 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 up to one (1) additional year.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner’s Certificate No. 1258-C is placed on inactive status for a period of twelve (12) months, effective from the date of this Order.

2. Pursuant to HRS § 271-19(b), if Certificate No. 1258-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. 1258-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. 1258-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.

DONE at Honolulu, Hawaii APR 12 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By (EXCUSED) Wayne H. Kimura, Commissioner

By Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djo
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22384 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

DAVID T. HARRIS, dba
PROTOCOL TRANSPORT SERVICE
2511 Kapiolani Boulevard, #11
Honolulu, HI 96826

DATED: APR 12 2006

Karen Higashi