BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

SUPERIOR EQUIPMENT RENTAL & SALES, INC.

To Place Operating Authority on Inactive Status.

DOCKET NO. 04-0289

ORDER NO. 22385

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

Karen Higashi
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)
SUPERIOR EQUIPMENT RENTAL & SALES, INC.)
To Place Operating Authority on) Inactive Status.)

Docket No. 04-0289
Order No. 22385

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 2051-C ("Certificate No. 2051-C"), held by SUPERIOR EQUIPMENT RENTAL & SALES, INC. ("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 29, 2004, Petitioner filed a letter requesting that Certificate No. 2051-C be placed on inactive status.1 Certificate No. 2051-C authorizes Petitioner to

1Prior to Petitioner’s request, the Commission ordered Petitioner, by Order No 21251, filed on September 7, 2004, in Docket No. 04-0210, to appear before the commission on October 6, 2004, to show cause why Certificate No. 2051-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 29, 2004, Petitioner filed its 2003 AFR, paid its Fee, and paid $143.19 in penalties and interest that the commission had assessed. By Decision and Order No. 22361, filed on March 30, 2006, Order No. 21251 was vacated.
transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck classification.

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 it may file, prior to the expiration of the inactive period granted by this Order, a request to extend its inactive status for up to one (1) additional year.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 2051-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. 2051-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. 2051-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. 2051-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 ______ 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 Djou
Commission Counsel

04-0289
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22385 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

SUPERIOR EQUIPMENT RENTAL & SALES, INC.
86-412C Lualualei Homestead Road
Waianae, HI 96792

DATED: APR 12 2006