BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
)
K. GOMES, INC., dba )
K & C TRUCKING )
)
To Place Operating Authority on)
Inactive Status.
)

DOCKET NO. 2006-0149

ORDER NO. 22606

Filed July 14, 2006
At 12 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI

[Signature]
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Request of)

K. GOMES, INC., dba K & C TRUCKING

To Place Operating Authority on)
Inactive Status.

Docket No. 2006-0149
Order No. 22606

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5161-C ("Certificate No. 5161-C"), held by K. GOMES, INC., dba K & C TRUCKING ("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 June 2, 2006, Petitioner filed a letter requesting commission approval to voluntarily surrender its authority under Certificate No. 5161-C. Certificate No. 5161-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Hawaii in the specific commodities (construction materials and equipment) and dump truck classifications.

On June 30, 2006, Petitioner filed a letter requesting that Certificate No. 5161-C be placed on inactive status.
As it appears that it is Petitioner’s intention to place Certificate No. 5161-C on inactive status, the commission will treat Petitioner’s request of June 2, 2006 to voluntarily surrender Certificate No. 5161-C as moot.

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. 5161-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. 5126-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. 5161-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. 5161-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 JUL 14 2006

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By (EXCUSED) Wayne H. Kimura, Commissioner

By John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22606 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

K. GOMES, INC., dba
K & C TRUCKING
75-5708 Hienaloli Road
Kailua-Kona, HI 96740

DATED: JUL 14 2006

Karen Higashi