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
Inactive Status.

ORDER NO. 22817

Filed Sept. 5, 2006
At 1 o'clock p.m.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI

H. 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
) Docket No. 03-0378
To Place Operating Authority on) Order No. 22817
Inactive Status. )

ORDER

By this Order, the commission revokes certificate of public convenience and necessity no. 5107-C ("Certificate No. 5107-C"), held by KONA CINDER & SOIL, INC. ("Petitioner").

I.

Background

By Order No. 22041, filed on September 21, 2005, the commission placed Certificate No. 5107-C on inactive status for a period of one year until August 13, 2006. In the order, the commission informed Petitioner that if Certificate No. 5107-C was not reactivated prior to the expiration of the period of inactivity, i.e., by August 13, 2006, the commission would deem it to be abandoned and revoked, as required by Hawaii Revised Statutes § 271-19(b).
II.

Findings and Conclusions

Certificate No. 5107-C was not reactivated prior to the expiration of the period of inactivity, i.e., by August 13, 2006. We, thus, find that there is good cause to revoke Certificate No. 5107-C.

III.

Orders

THE COMMISSION ORDERS:

1. Certificate No. 5107-C is revoked.

2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii ________

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By ____________________________
Carlito P. Caliboso, Chairman

By ____________________________
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Dijou
Commission Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22817 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

DATED: SEP - 5 2006

Karen Higashi