

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
NIEN VAN PHAM)
To Place Operating Authority on)
Inactive Status.)

DOCKET NO. 2007-0037

ORDER NO. 23268

Filed Feb. 20, 2007
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

Karen Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
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In the Matter of the Request of)
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NIEN VAN PHAM)
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To Place Operating Authority on)
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Docket No. 2007-0037
Order No. 23268

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 1204-C ("Certificate No. 1204-C"), held by NIEN VAN PHAM ("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 February 8, 2007, Petitioner filed a letter requesting that Certificate No. 1204-C be placed on inactive status. Certificate No. 1204-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger 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, 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. 1204-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. 1204-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. 1204-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. 1204-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 FEB 20 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

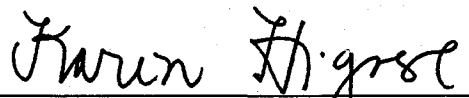
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23268 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

NIEN VAN PHAM
1020 Liliha Street, #16G
Honolulu, HI 96817



Karen Higashi

DATED: FEB 20 2007