BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

WAINANI FARMS CORPORATION

To Place Operating Authority on
Inactive Status.

DOCKET NO. 2007-0077

DECISION AND ORDER NO. 23368

Filed April 13, 2007
At 11 o'clock A.M.

for 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)
WAINANI FARMS CORPORATION ) Docket No. 2007-0077
To Place Operating Authority on) Order No. 23368
Inactive Status. )

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5219-C ("Certificate No. 5219-C"), held by WAINANI FARMS CORPORATION ("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


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
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. 5219-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. 5219-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. 5219-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. 5219-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 13 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

for

Stacey Kawasaki Djou
Commission Counsel

2007-0077:eh
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23368 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

CHRISTIAN SIEBER, PRESIDENT
WAINANI FARMS CORPORATION
193 Kinoole Street
Hilo, HI 96720

DATED: APR 13 2007