

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
 RUBEN KAY, dba)
 KAY TRUCKING)
 To Place Operating Authority on))
 Inactive Status.))

DOCKET NO. 2007-0209

ORDER NO. 23670

Filed Sept. 18, 2007
 At 2:30 o'clock P .M.

Karen Higashi
 Chief Clerk of the Commission

RECEIVED

2007 SEP 19 A 7:59

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.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of))
RUBEN KAY, dba))
KAY TRUCKING))
To Place Operating Authority on))
Inactive Status.))

Docket No. 2007-0209
Order No. 23670

ORDER

By this Order, the commission places certificate of public convenience and necessity no. 5182-C ("Certificate No. 5182-C"), held by RUBEN KAY, dba KAY 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 July 31, 2007, Petitioner filed a letter requesting that Certificate No. 5182-C be placed on inactive status. Certificate No. 5182-C authorizes Petitioner to transport property by motor vehicle over irregular routes on the island of Hawaii in the general commodities and dump truck classifications.

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. 5182-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. 5182-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. 5182-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. 5182-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.

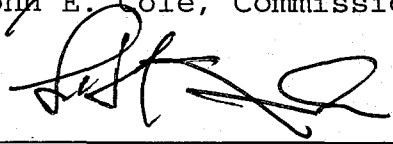
DONE at Honolulu, Hawaii

SEP 18 2007

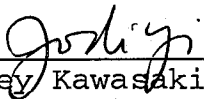
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


for Stacey Kawasaki Djou
Commission Counsel

2007-0209.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23670 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

RUBEN KAY, dba KAY TRUCKING
P. O. Box 810
Keaau, HI 96749



Karen Higashi

DATED: SEP 18 2007