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.)

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DOCKET NO. 2007-0077

ORDER NO. 24072

Filed March 5, 2008 At 2:30 o'clock P .M.

Furen Hignel. Chief Clerk of the Commission

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

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 Order No. 24072

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 an additional twelve (12)-month period, from April 13, 2008 to April 12, 2009.

I.

Request to Extend Inactive Status

On February 15, 2008, Petitioner filed a letter requesting that the inactive status of its Certificate No. 5219-C be extended for an additional year. By Order No. 23368, filed on April 13, 2007, Certificate No. 5219-C was placed on inactive status until April 12, 2008.

The commission notes that pursuant to Hawaii Revised Statutes § 271-19(b), the commission may grant inactive status for a cumulative period not to exceed two (2) years over the life of the certificate. We find that there is good cause to grant Petitioner's request for an extension of its inactive status for an additional year. We conclude that Petitioner's request should be granted.

II.

<u>Orders</u>

THE COMMISSION ORDERS:

1. Petitioner's Certificate No. 5219-C is placed on inactive status for an additional twelve (12)-month period, from April 13, 2008 to April 12, 2009.

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.

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MAR - 5 2008

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman By_

Βу n E. Cole, Commissioner By

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2007-0077.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 24072 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

WAINANI FARM CORPORATION c/o CHRISTIAN SIEBER 193 Kinoole Street Hilo, HI 96720

Karen Higashi

DATED: MAR - 5 2008