

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KALAKA NUI, INC.)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 01-0116

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

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RECEIVED

ORDER NO. 19513

Filed August 14, 2002
At 8:00 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

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 Application of))	
KALAKA NUI, INC.))	Docket No. 01-0116
For Extension of Motor Carrier))	
Certificate.))	Order No. 19513
_____))	

ORDER

I.

By Decision and Order No. 18851, filed on August 21, 2001, the commission approved the application of KALAKA NUI, INC. (Applicant) for an extension of its authority under certificate of public convenience and necessity number 2060-C (Certificate No. 2060-C) to include the general commodities and dump truck classifications on the islands of Kauai, Maui, and Hawaii.¹ By Order No. 19127, filed on December 31, 2001, we voided Decision and Order No. 18851, for Applicant's failure to comply with the requirements set forth in Decision and Order No. 18851.²

¹By Decision and Order No. 18851, the commission also denied Applicant's request to extend Certificate No. 2060-C to include the general commodities and dump truck classifications on the islands of Lanai and Molokai.

²Applicant did not provide evidence that it had established a place of business on the islands of Kauai, Maui, and Hawaii.

On January 7, 2002, Applicant filed a motion for reconsideration of Order No. 19127.³ By Order No. 19182, filed on February 4, 2002, Applicant's motion for reconsideration was granted and Order No. 19127 was vacated, subject to the condition that Applicant provide evidence, to the commission's satisfaction, and consistent with the terms of ordering paragraph 3 of Decision and Order No. 18851, that it has established a place of business on the islands of Kauai, Maui, and Hawaii.

On March 13, 2002, Applicant submitted the compliance documents required for the islands of Kauai and Hawaii, but as pertaining to the island of Maui, Applicant stated that due to unforeseen circumstances it was unable to comply with the requirements set forth in Decision and Order No. 18851. Applicant represents that it intends to re-apply to extend its license to include the island of Maui at a later date. Thus, we find good cause to amend Decision and Order No. 18851 to exclude Applicant's expansion of operations to the island of Maui in the general commodities and dump truck classifications.

II.

THE COMMISSION ORDERS:

Decision and Order No. 18851 is amended to exclude Applicant's extension of authority under Certificate No. 2060-C to the island of Maui in the general commodities and dump truck

³Applicant asked for a reconsideration of Order No. 19127 on the basis that it misunderstood the time frame within which it was to comply with Decision and Order No. 18851.

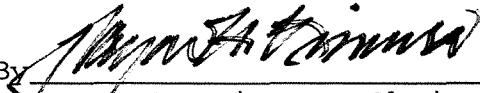
classifications. Specifically, ordering paragraph 2 in Decision and Order No. 18851 is amended as follows:

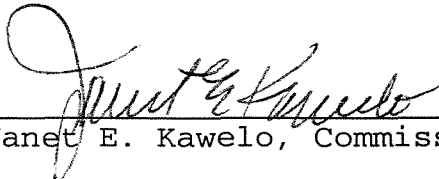
"2. Applicant is authorized to operate as a common carrier of property (1) on the island of Oahu in the general commodities (excluding break bulk and delivery) and dump truck classifications, and (2) on the islands of Kauai and Hawaii in the general commodities and dump truck classifications."

In all other respects, Decision and Order No. 18851 remains unchanged.

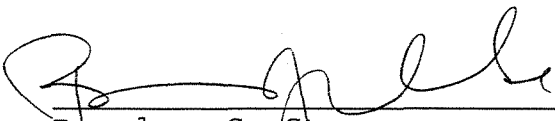
DONE at Honolulu, Hawaii this 14th day of August, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

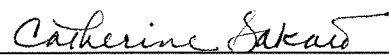
01-0116.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19513 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

KALAKA NUI, INC.
92-111 Ulele Place
Kapolei, HI 96707



Catherine Sakato

DATED: August 14, 2002