

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
On Behalf of EXCAVATION TECH, LLC,)
For Authority to Implement Tariff)
Changes on Short Notice.)
WMTB Rate Notice No. 4317-2-B.)
_____)

DOCKET NO. 02-0224

ORDER NO. 19532

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

2002 AUG 22 P 2:45

RECEIVED

Filed August 22, 2002
At 8:30 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

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In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
On Behalf of EXCAVATION TECH, LLC,)
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WMTB Rate Notice No. 4317-2-B.)

Docket No. 02-0224

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ORDER

I.

By Rate Notice No. 4317-2-B, filed on August 15, 2002, WESTERN MOTOR TARIFF BUREAU, INC. (WMTB), on behalf of EXCAVATION TECH, LLC (Excavation Tech), seeks commission approval on short notice of certain changes to WMTB's tariff. WMTB makes its request in accordance with Hawaii Revised Statutes § 271-21 and Hawaii Administrative Rules § 6-63-18. The proposed effective date of the rate notice is August 29, 2002.

Excavation Tech is duly authorized to transport property in the general commodities and dump truck classifications on the island of Hawaii. It seeks to flag into WMTB's specific commodity rate to haul coal from Hilo harbor to Hilo Coast Power Company's (HCPC) independent power producing facility in Pepeekeo.

The next shipment of coal, approximately 10,000 tons, is expected to arrive in Hilo harbor on August 29, 2002. The existing property carriers authorized to haul coal are also working in Kona, and thus, are unable to assign enough trucks to

unload and haul the coal to HCPC's facility. It is projected that 400 round trips will be needed to haul the 10,000 tons of coal.

Approval on short notice is requested "because the coal barge is coming into Hilo Harbor on August 29th and coal must be hauled immediately to Hilo Coast Power Company."

Upon review, the commission finds good cause to grant the request for approval on short notice.


II.

THE COMMISSION ORDERS that WMTB Rate Notice No. 4317-2-B, filed on August 15, 2002, is approved on short notice, to be effective from August 29, 2002.


DONE at Honolulu, Hawaii this 22nd 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:

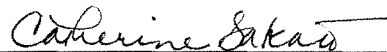

Michael Azama
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19532 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

WESTERN MOTOR TARIFF BUREAU, INC.
P. O. Box 30268
Honolulu, HI 96820



Catherine Sakato

DATED: August 22, 2002