

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
To Increase Rates and Charges)
on Behalf of Motor Carriers of)
Property Authorized to Operate)
in the Dump Truck Classification)
on the Island of Kauai, and)
Participating in WMTB's Dump)
Truck Tariff No. 2-B.)
WMTB Rate Notice No. 4323-2-B.)

DOCKET NO. 02-0363

ORDER NO. 19693

FILED
DEPT. OF COMMERCE AND LAND
OFFICER, HONOLULU
CASE 17-11-11

2002 OCT -3 P 4:19

RECEIVED

Filed Oct. 3, 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)	
WESTERN MOTOR TARIFF BUREAU, INC.)	Docket No.02-0363
To Increase Rates and Charges)	Order No. 19693
on Behalf of Motor Carriers of)	
Property Authorized to Operate)	
in the Dump Truck Classification)	
on the Island of Kauai, and)	
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Truck Tariff No. 2-B.)	
WMTB Rate Notice No. 4323-2-B.)	
_____)	

ORDER

I.

On September 20, 2002, WESTERN MOTOR TARIFF BUREAU, INC. (WMTB) filed Rate Notice No. 4323-2-B, on behalf of motor carriers of property authorized to operate in the dump truck classification on the island of Kauai, and that participate in WMTB's Dump Truck Tariff No. 2-B. Specifically, WMTB seeks a six per cent across-the-board increase in its rates and charges for its Kauai-based member carriers that participate in WMTB's Dump Truck Tariff No. 2-B. WMTB supports its request with a cost study, dated September 20, 2002.

WMTB makes its request in accordance with Hawaii Revised Statutes (HRS) §§ 271-20 and 271-21. The proposed effective date of WMTB's tariff changes is October 21, 2002.

Copies of WMTB's rate notice and cost study were served on the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy (Consumer Advocate).

II.

Upon careful review and consideration, the commission is unable, at this time, to determine, among other things, the justness and reasonableness of the proposed increases in rates and charges. The commission, thus, will: (1) suspend the operation of Rate Notice No. 4323-2-B; (2) investigate the proposed changes pursuant to HRS § 271-20(e); and (3) name the Consumer Advocate as a necessary party to this docket.

III.

THE COMMISSION ORDERS:

1. The tariff changes proposed by WMTB in Rate Notice No. 4323-2-B are suspended for a period of up to five months from the proposed effective date, up to and including March 21, 2003, and placed under investigation.

2. WMTB shall file the appropriate tariff sheets to reflect the suspension ordered by the commission.


3. The Consumer Advocate shall be a party to this proceeding.


4. A scheduling conference will be held at the commission's office. The parties will be notified of the date and time of the conference.

DONE at Honolulu, Hawaii this 3rd day of October,
2002.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By 
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

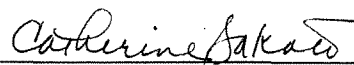
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No.19693 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: October 3, 2002