

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 Oahu, and)
Participating in WMTB's Dump)
Truck Tariff No. 2-B.)
WMTB Rate Notice No. 4320-2-B.)

DOCKET NO. 02-0360

ORDER NO. 19948

Filed Jan. 7, 2003
At 12:00 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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

2003 JAN -7 P 4:04

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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. 02-0360
To Increase Rates and Charges on) Order No. 19948
Behalf of Motor Carriers of)
Property Authorized to Operate)
in the Dump Truck Classification)
on the Island of Oahu, and)
Participating in WMTB's Dump)
Truck Tariff No. 2-B.)
WMTB Rate Notice No. 4320-2-B.)

ORDER

I.

By Decision and Order No. 19918, filed on December 20, 2002, the commission denied WESTERN MOTOR TARIFF BUREAU, INC.'s (WMTB) Rate Notice No. 4320-2-B. In accordance with Hawaii Administrative Rules (HAR) §§ 6-61-15, 6-61-21, 6-61-22, and 6-61-137, the deadline for WMTB to timely file a motion for reconsideration was January 2, 2003.

By letter filed on January 2, 2003, WMTB seeks an extension of time, until January 10, 2003, "to properly prepare a petition for reconsideration." WMTB makes its request in accordance with HAR § 6-61-23(a)(1). Among other things, WMTB states that it "got the docket on December 26, 2002[,]" and due to the holiday schedule, "we did not have the time to meet with the committee and get an attorney to work on this."

Upon review, the commission finds that WMTB has not met its burden under HAR § 6-61-23(a)(1). Accordingly, the commission will deny WMTB's request for an extension of time.¹

II.


THE COMMISSION ORDERS:

1. WMTB's request for an extension of time, filed on January 2, 2003, to file a petition for reconsideration, is denied.
2. This docket is closed.


DONE at Honolulu, Hawaii this 7th day of January, 2003.

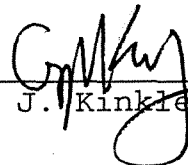
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

By 
Gregg J. Kinkley, Commissioner

02-0360.sl

¹At the same time, the commission makes clear that WMTB is not precluded from filing a new rate notice, after it addresses the concerns raised by the commission in Decision and Order No. 19918.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19948 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



Karen Higashi

DATED: January 7, 2003