

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
EMERALD PACIFIC TRUCKING, INC.)
For Extension of Motor Carrier)
Certificate.)

Docket No. 03-0368
Decision and Order No. 20759

DECISION AND ORDER

I.

Application to Extend Common Carrier Authority

EMERALD PACIFIC TRUCKING, INC. ("Applicant") is a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the dump truck classification. On October 17, 2003, Applicant filed an application seeking commission approval to extend its authority under certificate of public convenience and necessity number 5137-C ("Certificate No. 5137-C") to include the general commodities classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for general freight and equipment hauling.

Applicant served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding, and no persons moved to intervene in this docket.

II.

Findings and Conclusions

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes chapter 271 and the requirements and rules of the commission. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for an extension of its authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of property over irregular routes on the island of Hawaii in the general commodities and dump truck classifications.
2. Applicant shall surrender Certificate No. 5137-C, and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.
3. Applicant shall comply with the foregoing requirement within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

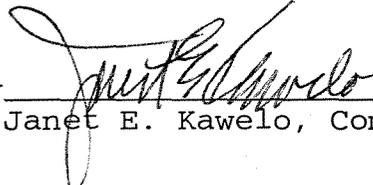
4. Applicant shall not commence operations in the general commodities classification until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 13th day of January, 2004.

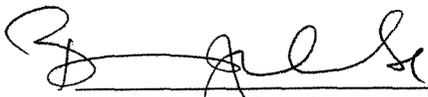
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

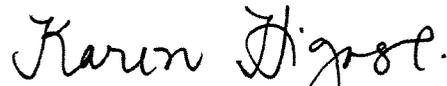
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20759 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

EMERALD PACIFIC TRUCKING, INC.
c/o TERRY BACA
73-1220 Kahi Loop
Kailua-Kona, HI 96740



Karen Higashi

DATED: January 13, 2004