

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
IVAN SILVA, dba)
ALOHA TRUCKING)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 04-0276

DECISION AND ORDER NO. 21479

Filed November 29, 2004
At 11 o'clock A .M.

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

2004 NOV 30 A 8:23

RECEIVED

for *Bruce K. Kane*
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

Bruce K. Kane

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
IVAN SILVA, dba)
ALOHA TRUCKING)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 04-0276
Decision and Order No. **21479**

DECISION AND ORDER

I.

Application for Common Carrier Authority

On September 17, 2004, IVAN SILVA, dba ALOHA TRUCKING ("Applicant"), filed an application requesting a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities and dump truck classifications. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

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 HRS 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 operating authority, as set forth in the application, should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted a certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities and dump truck classifications.

2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff, paying a fee of \$20 for motor carrier gross revenues, and filing the appropriate insurance documents.

3. Applicant shall comply with the foregoing requirements within one hundred and twenty (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 under this decision and order until he has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii NOV 29 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

04-0276.cs

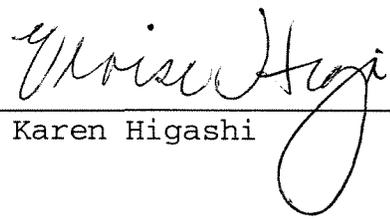
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21479 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

IVAN SILVA, dba
ALOHA TRUCKING
91-634 Makalea Street
Ewa Beach, HI 96706

DATED: **NOV 29 2004**



Karen Higashi