

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
CONCRETE CORING CO. OF HAWAII, INC.)
For Temporary Common Carrier)
Authority.)
_____)

DOCKET NO. 05-0067

DECISION AND ORDER NO. 21796

Filed May 2, 2005
At 11 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED
2005 MAY -3 A 8:02
DIV. OF CONSUMER PROTECTION
DEPT. OF COMMERCE, TOURISM AND
CONSUMER AFFAIRS
STATE OF HAWAII

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)
CONCRETE CORING CO. OF HAWAII, INC.)
For Temporary Common Carrier)
Authority.)
_____)

Docket No. 05-0067
Decision and Order No. 21796

DECISION AND ORDER

By this Decision and Order, the commission denies the request of CONCRETE CORING CO. OF HAWAII, INC. ("Applicant") for temporary authority to operate as a common carrier of property by motor vehicle in the general commodities and dump truck classifications over irregular routes on the island of Hawaii.

I.

Application for Temporary Common Carrier Authority

On March 16, 2005, Applicant filed an application requesting temporary authority to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the general commodities and dump truck classifications. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-16. Applicant currently is the holder of certificate of public convenience and necessity number 2115-C, which authorizes Applicant to transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck classification.

II.

Findings and Conclusions

For a grant of temporary operating authority pursuant to HRS § 271-16, an applicant must satisfy two conditions. First, the applicant must establish that there is "an immediate and urgent need" for the proposed service. Second, the applicant must demonstrate "[an] absence of carrier service capable of meeting the need between points or in the territory where the temporary service will be instituted." See In re Robert's Tours & Transportation, Inc., Decision and Order No. 15274, Docket No. 96-0437 (December 23, 1996). Moreover, the commission may, at its discretion, grant temporary authority without hearings or other proceedings. HRS §271-16.

Based upon our review of the application, we find that Applicant does not meet the criteria for temporary authority set forth in HRS § 271-16. Applicant has not demonstrated that there is an immediate and urgent need for its motor carrier service, nor has it shown that no other motor carrier is able to provide the motor carrier service proposed by Applicant. Thus, the commission concludes that Applicant's request for a temporary motor carrier certificate should be denied.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant's request for temporary authority to operate as a common carrier of property by motor vehicle over

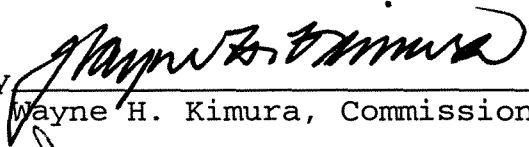
irregular routes on the island of Hawaii in the general commodities and dump truck classifications is denied.

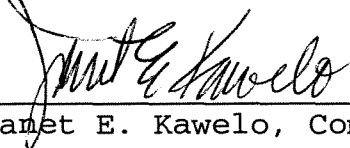
2. This docket is closed.

DONE at Honolulu, Hawaii MAY - 2 2005 .


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

05-0067.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21796 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

CONCRETE CORING CO. OF HAWAII, INC.,
c/o JOHN R. NEFF
99-1026 Iwaena Street
Aiea, HI 96701



Karen Higashi

DATED: MAY - 2 2005