

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
RDK/LB, LLC, dba)
MAUI DIRT WORX)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0219

DECISION AND ORDER NO. 22208

Filed December 30, 2005
At 9 o'clock A .M.

Brooke K. Kane
for Chief Clerk of the Commission

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

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ATTEST: A True Copy
BROOKE K. KANE
Administrative Director
Public Utilities Commission
State of Hawaii

Brooke K. Kane

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In the Matter of the Application of)
RDK/LB, LLC, dba)
MAUI DIRT WORX)
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Docket No. 05-0219
Decision and Order No. 22208

DECISION AND ORDER

By this Decision and Order, the commission grants RDK/LB, LLC, dba MAUI DIRT WORX ("Applicant"), a certificate of public convenience and necessity ("Certificate") to operate as a common carrier of property by motor vehicle over irregular routes on the island of Maui in the dump truck classification, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

By application filed on August 30, 2005, and amended on September 27, 2005, Applicant requests a Certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Maui in the dump truck classification. 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 Maui in the dump truck classification.

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 it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii DEC 30 2005.

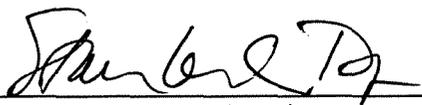
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

05-0219.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22208 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

RDK/LB, LLC, dba
MAUI DIRT WORX
c/o ROBERT D. KRON
P. O. Box 11602
Lahaina, HI 96761

DATED: DEC 30 2005



for Karen Higashi