

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
HAWAIIAN ROLL OFF SERVICES LLC, dba)
SOUTH KONA HAULING COMPANY)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0320

DECISION AND ORDER NO. 22796

Filed August 24, 2006
At 2 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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

2006 AUG 25 A 8:50

RECEIVED

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)
)
HAWAIIAN ROLL OFF SERVICES LLC, dba)
SOUTH KONA HAULING COMPANY)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 05-0320
Decision and Order No. 22796

DECISION AND ORDER

By this Decision and Order, the commission grants HAWAIIAN ROLL OFF SERVICES LLC, dba SOUTH KONA HAULING COMPANY ("Applicant"), a certificate of public convenience and necessity ("Certificate") 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, limited to serving the areas of North and South Kona, and subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

By application filed on December 15, 2005, and amended on March 1, 2006, Applicant requested a Certificate 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, limited to serving the areas of North and South Kona. 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 in the general commodities and dump truck classifications over irregular routes on the island of Hawaii, limited to serving the areas of North and South Kona.

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.

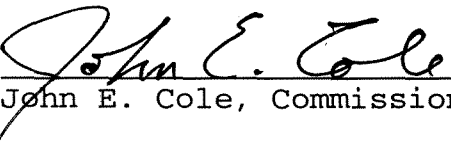
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to vacate this Decision and Order.

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.

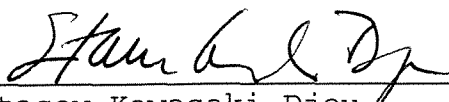
DONE at Honolulu, Hawaii AUG 24 2006 .

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

05-0320.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22796 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

HAWAIIAN ROLL OFF SERVICES LLC, dba
SOUTH KONA HAULING COMPANY
89-1196 Mamalahoa Highway
Captain Cook, HI 96704



Karen Higashi

DATED: AUG 24 2006