

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KUWAYE TRUCKING, INC.)
For Approval on Short Notice.)
_____)

ORDER NO. 23007

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

Filed Nov. 1, 2006
At 2 o'clock P .M.

Karen Higuel.
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KUWAYE TRUCKING, INC.)
For Approval on Short Notice.)
_____)

ORDER

By this Order, the commission approves on short notice KUWAYE TRUCKING, INC.'s ("Kuwaye Trucking") proposed tariff changes filed on October 26, 2006.¹

I.

Background

Kuwaye Trucking seeks the commission's approval on short notice to add four new delivery areas and rates to its tariff for the transport of bulk cement from Hilo to West Hawaii:

- (1) Hilo to Waimea, \$21.46 per ton weekdays (\$24.07 weekends);
- (2) Hilo to Kawaihae, \$21.46 per ton weekdays (\$24.07 weekends);
- (3) Hilo to Waikoloa, \$25.56 per ton weekdays (\$28.67 weekends);
- and (4) Hilo to Kona, \$28.97 per ton weekdays (\$32.49 weekends).

Kuwaye Trucking makes its request pursuant to Hawaii Revised

¹Kuwaye Trucking is a common carrier authorized to transport property in the general commodities, household goods, and dump truck classifications over irregular routes on the island of Hawaii. See Certificate of Public Convenience and Necessity No. 5034-C.

Statutes § 271-21(c) and Hawaii Administrative Rules § 6-63-18, with a proposed effective date of November 1, 2006.

In support of its request for approval on short notice, Kuwaye Trucking explains that Hawaiian Cement's West Hawaii cement plant is situated on Kawaihae Pier, and its barge delivers materials (i.e., sand) to Kawaihae Pier used by Hawaiian Cement to produce cement in bulk.²

Because of the resulting damage to the Kawaihae Pier due to the 6.7-magnitude earthquake west of the island of Hawaii on October 15, 2006:³ (A) Hawaiian Cement's barge is unable to replenish Kawaihae Terminal's inventory of cement; (B) Hawaiian Cement's Kawaihae Terminal will exhaust its bulk cement inventory in October 2006; and (C) West Hawaii bulk cement customers will have no cement available from the Kawaihae Terminal. To address this shortage of bulk cement in West Hawaii, Hawaiian Cement has "initiated a cement allocation for the Island of Hawaii and will be drawing bulk cement out of [its] Hilo Terminal (to service both Hilo and West Hawaii customers)." ⁴

Hawaiian Cement requests Kuwaye Trucking's services in transporting bulk cement from Hilo to Hawaiian Cement's West

²See also Hawaiian Cement's letter, dated October 20, 2006, attached as Exhibit III to Kuwaye Trucking's filing.

³See In re Investigation of Hawaiian Elec. Co., Inc., Hawaii Elec. Light Co., Inc., and Maui Elec. Co., Ltd., Docket No. 2006-0431, Order No. 22986, filed on October 27, 2006, at 2 (6.7-magnitude earthquake west of the island of Hawaii on October 15, 2006, and a number of reported smaller earthquakes).

⁴Hawaiian Cement's letter, dated October 20, 2006, at 1.

Hawaii customers due to the cement operator's inability to operate its West Hawaii cement plant at full capacity.⁵

As Kuwaye Trucking proposes to add four new delivery areas and rates to its tariff for the transport of bulk cement from Hilo to West Hawaii in order to alleviate the shortage of bulk cement inventory in the West Hawaii area due to the damage caused to the Kawaihae Pier from the October 15, 2006 earthquake, the commission finds good cause to grant Kuwaye Trucking's request for approval on short notice.⁶

II.

Orders

THE COMMISSION ORDERS:

1. Kuwaye Trucking's proposed tariff changes filed on October 26, 2006, are approved on short notice, to be effective from November 1, 2006.
2. Kuwaye Trucking shall promptly file its corrected tariff sheets with the appropriate issued and effective dates.

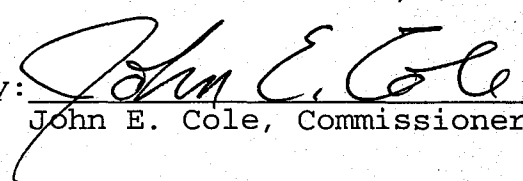
⁵In follow-up information, Hawaiian Cement states that: (1) the Department of Transportation, Harbors Division, is limiting its Kawaihae barge to 800 tons (i.e., sand) instead of the 1,500 ton capacity, in order to avoid any further damage to the Kawaihae Pier; and thus (2) its West Hawaii cement plant is presently operating at fifty percent (50%) of its normal capacity.

⁶Kuwaye Trucking's proposed tariff page includes an inadvertent typographical error, "\$25/56" instead of "\$25.56." Kuwaye Trucking shall promptly file its revised tariff sheets, correcting this inadvertent error.


DONE at Honolulu, Hawaii NOV - 1 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

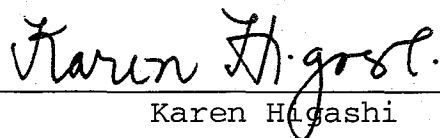
Kuwaye Short Notice.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23007 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

WAYNE KUWAYE
PRESIDENT
KUWAYE TRUCKING, INC.
P. O. Box 707
Hilo, HI 96720



Karen Higashi

DATED: NOV - 1 2006