

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII PETROLEUM, INC.)
For Extension of Motor Carrier)
Permit.)
_____)

DOCKET NO. 2007-0096

DECISION AND ORDER NO. 23512

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

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Karen Higashi
Chief Clerk of the Commission

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)
HAWAII PETROLEUM, INC.)
For Extension of Motor Carrier)
Permit.)
_____)

Docket No. 2007-0096
Decision and Order No. 23512

DECISION AND ORDER

By this Decision and Order, the commission authorizes HAWAII PETROLEUM, INC. ("Applicant") to extend its authority under Permit 5819-P to include (1) the transportation of specific commodities (petroleum and petroleum products) over irregular routes on the island of Hawaii pursuant to a contract with Chevron Products Company, a division of Chevron U.S.A., Inc. ("Chevron"), and (2) the authority to transport specific commodities (petroleum and petroleum products) over irregular routes on the island of Hawaii as a contract carrier for other clients in the future, provided that Applicant files executed contracts for such services with the commission prior to the commencement of such services.

I.

Application to Extend Common Carrier Authority

Applicant is authorized to transport specific commodities (liquid fuel products, i.e., gasoline, diesel fuels) over irregular routes on the island of Hawaii as a contract

carrier pursuant to contracts with Tesoro Hawaii Corporation and Mid Pac Petroleum, LLC. On April 11, 2007, Applicant filed an application seeking commission approval to extend its authority under Permit No. 5819-P to include (1) the transportation of specific commodities (petroleum and petroleum products) over irregular routes on the island of Hawaii pursuant to a contract with Chevron, and (2) the authority to transport specific commodities (petroleum and petroleum products) over irregular routes on the island of Hawaii as a contract carrier for other clients in the future, provided that Applicant files executed contracts for such services with the commission prior to the commencement of such services.

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 Hawaii Revised Statutes chapter 271, and the requirements and rules of the commission. We also find that the proposed service will meet the distinct

needs of Chevron, and, pursuant to HRS § 271-13, will be consistent with the public interest and the transportation policy declared in HRS chapter 271. Accordingly, we conclude that Applicant's request for an extension of its contract carrier authority should be granted.

In addition, we find that Applicant should be allowed to provide contract carrier services for other clients in the future without having to file additional applications with the commission, provided that (1) such services are limited to the transportation of specific commodities (petroleum and petroleum products) on the island of Hawaii, and (2) Applicant files executed contracts for such services with the commission prior to the commencement of such services.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Hawaii in the specific commodities (petroleum and petroleum products) classification, pursuant to contracts with Tesoro Hawaii Corporation, Mid Pac Petroleum, LLC, and Chevron.

2. Applicant may provide contract carrier services for other clients in the future, provided that (1) such services are limited to the transportation of specific commodities (petroleum and petroleum products) on the island of Hawaii,

and (2) Applicant files executed contracts for such services with the commission prior to the commencement of such services.

3. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii JUN 22 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By *Carlito P. Caliboso*
Carlito P. Caliboso, Chairman

By *John E. Cole*
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey *Stacey Kawasaki Djou*
Stacey Kawasaki Djou
Commission Counsel

2007-0096.dhi

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23512 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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EXECUTIVE DIRECTOR
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Karen Higashi

DATED: JUN 22 2007