

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
IVAN I. KOZINSKIY, dba )  
SUPERIOR TRUCKING CO. )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 2007-0088

DECISION AND ORDER NO. 23547

Filed July 16, 2007

At 2:20 o'clock P.M.

Karen Higashi.  
Chief Clerk of the Commission

RECEIVED

2007 JUL 17 A 9:31

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

ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Karen Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
IVAN I. KOZINSKIY, dba )  
SUPERIOR TRUCKING CO. )  
For a Motor Carrier Certificate or )  
Permit. )  
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Docket No. 2007-0088  
Decision and Order No. 23547

DECISION AND ORDER

By this Decision and Order, the commission grants IVAN I. KOZINSKIY, dba SUPERIOR TRUCKING CO. ("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 Hawaii in the dump truck classification, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

On April 4, 2007, Applicant filed an application requesting a Certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii 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 Hawaii 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 vacate this Decision and Order.

4. Applicant shall not commence operations under this Decision and Order until he has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii JUL 16 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

By Leslie H. Kondo  
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

*Stacey*  
Stacey Kawasaki Djou  
Commission Counsel

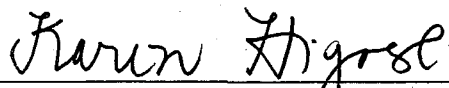
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23547 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

IVAN I. KOZINSKIY, dba  
SUPERIOR TRUCKING CO.  
P. O. Box 174  
Papaaaloa, HI 96780

  
\_\_\_\_\_  
Karen Higashi

DATED: JUL 16 2007