BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
KAI'S TRUCKING, LLC
For Extension of Motor Carrier Certificate.

DOCKET NO. 2008-0256

DECISION AND ORDER
In the Matter of the Application of)

KAI'S TRUCKING, LLC ) Docket No. 2008-0256
)                                      )

DECISION AND ORDER

By this Decision and Order, the commission authorizes KAI'S TRUCKING, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 5200-C ("Certificate No. 5200-C") to include the general commodities classification on the island of Hawaii, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the dump truck classification. On October 3, 2008, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 5200-C to include the general commodities classification on the island of Hawaii.
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, the commission finds 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. The commission also finds that the proposed service is required by the present and future public convenience and necessity. Accordingly, the commission concludes that Applicant's request for an extension of its authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the general commodities and dump truck classifications.
2. Within one hundred and twenty (120) days after service of this Decision and Order, Applicant shall:

   a. Complete and submit the enclosed insurance forms: (a) Motor Carrier Cargo Certificate of Insurance (MCB-8), and (b) Motor Carrier Cargo Insurance Endorsement (MCB-9). The forms should include the policy number and be completed and signed by Applicant's insurance agent or company; or they will be rejected.

   b. File an amended tariff that reflects Applicant's new authority in the general commodities classification on the island of Hawaii.

   c. Complete and submit the enclosed "Vehicle Inventory List" form. Applicant shall list all vehicles that it intends to use in the proposed operation. The vehicles utilized must be registered under the name of the limited liability company. If Applicant chooses to lease any vehicle, it is required to complete and submit a "Motor Vehicle Equipment Lease" form. The form is available on the commission’s website at www.hawaii.gov/budget/puc.

   d. Submit a copy of the current Certificate of Registration or ownership document for all vehicles listed on the Vehicle Inventory List.

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 may constitute cause for this commission to vacate this Decision and Order.

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1An explanation of the cargo insurance coverage requirements is attached to this Decision and Order.
4. Applicant shall not commence operations in the general commodities classification until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii  DEC 22 2008.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

By Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel

2008-0256.laa
CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

KAI’S TRUCKING, LLC
c/o PENNY MONTIBON
1950 Kaumana Drive
Hilo, HI 96720

ROY K. NAKAMOTO, ESQ.
NAKAMOTO, OKAMOTO AND YAMAMOTO
187 Kapiolani Street
Hilo, HI 96720