BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
ALAN VARES EQUIPMENT, INC.
For a Motor Carrier Certificate or Permit.

DOCKET NO. 2008-0011

DECISION AND ORDER NO. 24132

Filed April 7, 2008
At 1 o’clock P.M.

Chief Clerk of the Commission

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

[Signature]
By this Decision and Order, the commission grants ALAN VARES EQUIPMENT, INC. ("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 Maui in the general commodities and dump truck classifications, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

On January 24, 2008, 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 Maui in the general commodities and dump truck classifications. The application was filed 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, the commission
finds 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. 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 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 Maui 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) Uniform Motor Carrier Bodily
Injury and Property Damage Certificate of Insurance (WC-3539), (b) Uniform Motor Carrier Bodily Injury and Property Damage Liability Endorsement (WC-3538), (c) Motor Carrier Cargo Certificate of Insurance (MCB-8), and (d) 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.¹

b. File a tariff in accordance with Hawaii Administrative Rules, Chapter 6-63. As the application indicates that Applicant will be participating in the tariff published by the Western Motor Tariff Bureau, Inc. ("WMTB"), Applicant shall submit an executed Rate and Tariff Agreement or a tariff scope sheet confirming Applicant's membership in the tariff bureau.²

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.

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.

¹An explanation of the liability and cargo insurance coverage requirements is attached to this Decision and Order.

²WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.
DONE at Honolulu, Hawaii APR - 7 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

2008-0011.cp
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 24132 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

ALAN VARES EQUIPMENT INC.
P. O. Box 1261
Kula, HI 96790

DATED: APR - 7 2008

Karen Higashi