

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
AMAZON CONSTRUCTION CO., INC., dba)
 AMAZON TRUCKING)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 2009-0057

RECEIVED

2009 AUG 20 A 9:21

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

DECISION AND ORDER

FILED

2009 AUG 19 P 12:45

PUBLIC UTILITIES
COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
AMAZON CONSTRUCTION CO., INC., dba) Docket No. 2009-0057
AMAZON TRUCKING)
For Extension of Motor Carrier)
Certificate.)
_____)

DECISION AND ORDER

By this Decision and Order, the commission authorizes AMAZON CONSTRUCTION CO., INC., dba AMAZON TRUCKING ("Applicant"), to extend its authority under certificate of public convenience and necessity number 1483-C ("Certificate No. 1483-C") to include the dump truck classification on the islands of Kauai, Maui, Lanai, Molokai, and 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 Oahu in the dump truck classification. On March 12, 2009, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 1483-C to include the dump truck classification on the islands of Kauai, Maui, Lanai, Molokai, and 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"). On March 20, 2009, the Consumer Advocate informed the commission that it will not participate in this docket.

On April 24, 2009, R. Rego Trucking, LLC filed a motion to intervene in this proceeding and on April 27, 2009, Lanai Trucking, Inc. ("collectively, "Movants") filed a motion to intervene in this proceeding. On June 1, 2009, the commission issued an order denying Movants' motions to intervene.

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 islands of Kauai, Oahu, Maui, Lanai, Molokai, and Hawaii, in the dump truck classification.

2. Within one hundred and twenty (120) days after service of this Decision and Order, Applicant shall:

- a. File a Western Motor Tariff Bureau, Inc. ("WMTB") tariff scope sheet that reflects Applicant's new authority in the dump truck classification on the islands of Kauai, Maui, Lanai, Molokai, and Hawaii.¹
- b. Complete and submit the enclosed "Vehicle Inventory List" form. Applicant shall indicate on which island its motor vehicles will be stationed. Applicant must have at least one motor vehicle permanently stationed on each of the islands in which it was granted authority to operate, i.e., Kauai, Oahu, Maui, Lanai, Molokai, and Hawaii. The vehicles utilized must be registered under the name of the corporation. 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.
- c. Submit a copy of the current Certificate of Registration or ownership document for all vehicles listed on the Vehicle Inventory List.
- d. Provide the addresses of its physical facilities/base yards for the islands of Kauai, Maui, Lanai, Molokai, and Hawaii.

¹WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

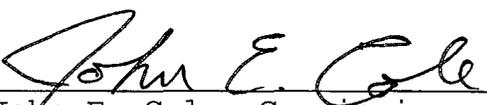
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified may constitute cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence operations in the dump truck classification on the islands of Kauai, Maui, Lanai, Molokai, and Hawaii, until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii AUG 19 2009 .

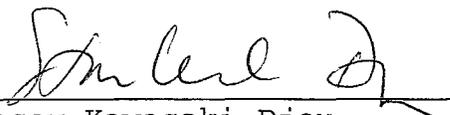
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0057.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

JANE K. ONAGA, PRESIDENT
AMAZON CONSTRUCTION CO., INC., dba
AMAZON TRUCKING
5 Sand Island Access Road, Unit 139
Honolulu, HI 96819