BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

E & A PRODUCE, INC. )

For a Motor Carrier Certificate or )
Permit. )

DOCKET NO. 02-0205

DECISION AND ORDER NO. 19726

Filed Oct. 24, 2002
At 11:00 o'clock A.M.

Karen Higashic
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
E & A PRODUCE, INC. ) Docket No. 02-0205
) Decision and Order No. 19726
For a Motor Carrier Certificate or )
Permit. )

DECISION AND ORDER

I.

By an application filed on August 2, 2002, E & A PRODUCE, INC. (Applicant) requests a certificate of public convenience and necessity to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the general commodities 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.

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.

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 general commodities 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, filing the appropriate insurance
documents, registering and marking the appropriate motor vehicles,
and complying with the safety requirements of the
Motor Vehicle Safety Office, Department of Transportation, State of
Hawaii.

3. Applicant shall comply with the foregoing
requirements within 120 days after service of this decision and
order. Failure to comply within the time specified constitutes
cause for this commission to void 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.
DONE at Honolulu, Hawaii this 24th day of October, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By
Wayne H. Kimura, Chairman

By
Janet E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19726 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

E & A PRODUCE, INC.
c/o EDUARDO & ANITA ANTONIO
P. O. Box 700
Pahoa, HI 96778

DATED: October 24, 2002

[Signature]

Catherine Sakato