BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

YOUNG BROTHERS, LIMITED

For Approval to: (1) Separate its Intrastate Operations from its Interstate Operations, for Ratemaking Purposes; (2) Increase its General Cargo Loose Rate;

and (3) Increase its Selected

Palletized Cargo Rates.

DOCKET NO. 02-0236

ORDER NO. 19865

Filed Dec. 10 , 2002 Chief Clerk of the

Commission

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

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Docket No. 02-0236 Order No. 19865

ORDER

I.

application filed 30, 2002, By on August YOUNG BROTHERS, LIMITED (Young Brothers) seeks commission approval to: (1) separate its intrastate operations from its interstate operations, for ratemaking purposes; (2) increase by 15 per cent, its general cargo loose rates for both dry and refrigerated cargo; and (3) increase by 4.4 per cent, selected palletized cargo rates for both dry and refrigerated Young Brothers proposes to increase these selected cargo. commodity rates by amending its Local Freight Tariff No. 5-A. Its proposed tariff changes are attached as YB-Exhibit-4 to the application.

Young Brothers' application is supported by its cost of service study filed on June 28, 2002, in Docket No. 01-0255 (cost study).

By position statement filed on October 2, 2002, the Division of Consumer Advocacy (Consumer Advocate) recommended the deferral of the application, or in the alternative, its dismissal without prejudice, as premature. By written response filed on October 7, 2002, Young Brothers opposed the Consumer Advocate's position statement.

By Order No. 19702, filed on October 10, 2002, the commission: (1) suspended the application; and (2) stayed the instant docket, pending the commission's disposition of Young Brothers' cost study, unless ordered otherwise. At the same time, the commission noted that "the application will be subject to dismissal without prejudice, by the commission, at any time, and in any event, no later than April 10, 2003."

By Order No. 19851, filed on December 5, 2002, the commission approved the procedural schedule agreed upon between Young Brothers and the Consumer Advocate in Docket No. 01-0255.

Upon review of the procedural schedule adopted in the cost study docket, the commission will dismiss, without prejudice, the instant application, as premature. Following the commission's adjudication of the cost study in Docket No. 01-0255, Young Brothers will have the opportunity to re-file its application.

II.

THE COMMISSION ORDERS:

1. Young Brothers' application, filed on August 30, 2002, including the proposed tariff changes attached as

YB-Exhibit-4 to the application, is dismissed without prejudice, as premature.

2. This docket is closed.

DONE at Honolulu, Hawaii this 10th day of December, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Wayne H. Kimura, Chairman

Janet E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Michael Azama

Commission Counsel

02-0236.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19865 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

LISA M. K. SAKAMOTO VICE PRESIDENT FINANCE AND GOVERNMENT AFFAIRS YOUNG BROTHERS, LIMITED Pier 40, P. O. Box 3288 Honolulu, HI 96801

J. DOUGLAS ING, ESQ. WRAY H. KONDO, ESQ. WATANABE, ING KAWASHIMA & KOMEIJI First Hawaiian Center 999 Bishop Street, 23rd Floor Honolulu, HI 96813

Catherine Sakato

DATED: December 10, 2002