BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
WESTERN MOTOR TARIFF BUREAU, INC.
DOCKET NO. 02-0360
To Increase Rates and Charges on
Behalf of Motor Carriers of
Property Authorized to Operate
in the Dump Truck Classification
on the Island of Oahu, and
Participating in WMTB's Dump
Truck Tariff No. 2-B.
WMTB Rate Notice No. 4320-2-B.

ORDER NO. 19948

Filed Jan. 7, 2003
At 12:00 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
To Increase Rates and Charges on )
Behalf of Motor Carriers of )
Property Authorized to Operate )
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on the Island of Oahu, and )
Participating in WMTB's Dump )
Truck Tariff No. 2-B. )
WMTB Rate Notice No. 4320-2-B.

ORDER

I.

By Decision and Order No. 19918, filed on December 20, 2002, the commission denied WESTERN MOTOR TARIFF BUREAU, INC.'s (WMTB) Rate Notice No. 4320-2-B. In accordance with Hawaii Administrative Rules (HAR) §§ 6-61-15, 6-61-21, 6-61-22, and 6-61-137, the deadline for WMTB to timely file a motion for reconsideration was January 2, 2003.

By letter filed on January 2, 2003, WMTB seeks an extension of time, until January 10, 2003, "to properly prepare a petition for reconsideration." WMTB makes its request in accordance with HAR § 6-61-23(a)(1). Among other things, WMTB states that it "got the docket on December 26, 2002[,]" and due to the holiday schedule, "we did not have the time to meet with the committee and get an attorney to work on this."
Upon review, the commission finds that WMTB has not met its burden under HAR § 6-61-23(a)(1). Accordingly, the commission will deny WMTB's request for an extension of time.¹

II.

THE COMMISSION ORDERS:

1. WMTB's request for an extension of time, filed on January 2, 2003, to file a petition for reconsideration, is denied.

2. This docket is closed.

DONE at Honolulu, Hawaii this 7th day of January, 2003.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By__Wayne H. Kimura, Chairman__

By__Janet E. Kawelo, Commissioner__

APPROVED AS TO FORM:

By__Michael Azama__
Commission Counsel

02-0360.s1

¹At the same time, the commission makes clear that WMTB is not precluded from filing a new rate notice, after it addresses the concerns raised by the commission in Decision and Order No. 19918.
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19948 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

WESTERN MOTOR TARIFF BUREAU, INC.
P. O. Box 30268
Honolulu, HI 96820

DATED: January 7, 2003