

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
ALTON DALE KAONO, dba)
AL TONS TRUCKING)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 03-0381

DECISION AND ORDER NO. 20947

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DEPT. OF COMMERCE, TOURISM AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed April 30, 2004
At 2:00 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.
K. Higashi

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In the Matter of the Application of)
ALTON DALE KAONO, dba)
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Docket No. 03-0381
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DECISION AND ORDER

I.

Application for Common Carrier Authority

By an application filed on October 29, 2003, ALTON DALE KAONO, dba AL TONS TRUCKING ("Applicant"), requests a certificate of public convenience and necessity to operate as a common carrier of property in the general commodities, household goods, and specific commodities classifications, on the island of Hawaii. 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.

On December 30, 2003, Big Isle Moving & Draying, Inc. filed a motion to intervene ("Motion to Intervene") in the instant proceeding. By Order No. 20841, filed on March 9, 2004, the

commission denied Big Isle Moving & Draying, Inc.'s Motion to Intervene.

II.

Findings and Conclusions

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 in the general commodities and household goods classifications should be granted.

With respect to Applicant's request to operate as a common carrier of property in the specific commodities classification, the commission notes that the transportation of specific commodities is allowed under Applicant's general commodities authority, when granted. We, thus, find that Applicant's request to operate in the specific commodities classification is unnecessary, and should be dismissed as moot.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant's request to operate as a common carrier of property by motor vehicle on the island of Hawaii in the specific commodities classification is dismissed.

2. Applicant is granted a certificate to operate as a common carrier of property in the general commodities and household goods classifications, on the island of Hawaii.

3. 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, and filing the appropriate insurance documents.

4. 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.

5. Applicant shall not commence operations under this decision and order until he has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 30th day of April, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By Wayne H. Kimura
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Benedyne S. Stone
Commission Counsel

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

03-0381.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20947 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

ALTON DALE KAONO, dba
AL TONS TRUCKING
P. O. Box 452
Kamuela, HI 96743



Karen Higashi

DATED: April 30, 2004