BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

ELITE TRUCKING & SERVICES, LLC

DOCKET NO. 05-0042

For a Motor Carrier Certificate or
Permit.

DECISION AND ORDER NO. 21832

Filed May 19, 2005
At 10 o'clock A.M.

Karen Higashii
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
DECISION AND ORDER

By this Decision and Order, the commission grants ELITE TRUCKING & SERVICES, LLC ("Applicant") a certificate of public convenience and necessity ("Certificate") to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification, subject to certain conditions, as described herein.

I. Application for Common Carrier Authority

By an application filed on February 10, 2005, and amended on March 2, 2005, Applicant requests a Certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification.\(^1\) The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

\(^{1}\)By Decision and Order No. 21527, filed on January 4, 2005, in Docket No. 04-0336, Applicant was granted temporary authority to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the specific commodities (hauling prestress concrete pieces) classification pursuant to its contract with Rocky Mountain Prestress.
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. 
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, as set forth in the application, should be granted.

III. 
Orders

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 Oahu 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 and paying a fee of $20 for motor carrier gross revenues.

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 constitutes cause for this commission to void this Decision and Order.

4. Applicant shall not commence operations as a common carrier of property in the general commodities classification until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii MAY 19 2005.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By Wayne H. Kimura, Commissioner

By Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21832 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

ELITE TRUCKING & SERVICES LLC
c/o ANGELA ADAMS
316 Uluniu Street, Apt. #1
Kailua, HI 96734

DATED: MAY 19 2005

Karen Higashi