

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
ERWIN & TRINADEAN DECOITE, LLC, dba )  
ERWIN DECOITE & SON'S TRUCKING )  
 )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 05-0237

DECISION AND ORDER NO. 22150

RECEIVED

2005 DEC -2 A 8:15

DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed Dec. 1, 2005

At 9 o'clock A.M.

*Karen Higashi*

Chief Clerk of the Commission

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

*K. Higashi*

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
 )  
 ERWIN & TRINADEAN DECOITE, LLC, dba)  
 ERWIN DECOITE & SON'S TRUCKING )  
 )  
 For a Motor Carrier Certificate or )  
 Permit. )  
 \_\_\_\_\_ )

Docket No. 05-0237

Decision and Order No. 22150

DECISION AND ORDER

By this Decision and Order, the commission grants ERWIN & TRINADEAN DECOITE, LLC, dba ERWIN DECOITE & SON'S TRUCKING ("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 Maui in the general commodities and dump truck classifications, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

On September 19, 2005, Applicant filed an application requesting a Certificate to operate as a common carrier of property by motor vehicle over irregular routes on the island of Maui in the general commodities and dump truck classifications. 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.

### 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 Maui in the general commodities and dump truck classifications.

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, and filing the appropriate insurance documents.

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.

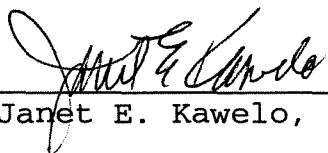
4. Applicant shall not commence operations under this Decision and Order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii DEC - 1 2005.

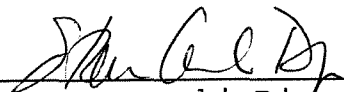
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By (EXCUSED)  
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

05-0237.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22150 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

ERWIN & TRINADEAN DECOITE, LLC, dba  
ERWIN DECOITE & SON'S TRUCKING  
P. O. Box 280  
Makawao, HI 96768

SANDRA-ANN Y.H. WONG, ESQ.  
SANDRA-ANN Y.H. WONG  
ATTORNEY AT LAW, A LAW CORPORATION  
1050 Bishop Street, #514  
Honolulu, HI 96813

  
\_\_\_\_\_  
Karen Higashi

DATED: DEC - 1 2005