BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

FL TRANSPORTATION, INC.

DOCKET NO. 2006-0314

For a Motor Carrier Certificate or Permit.

DECISION AND ORDER NO. 22932

Filed Oct. 10, 2006
At 12 o'clock P.M.

Karen Higashl
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHL
DECISION AND ORDER

By this Decision and Order, the commission grants FL TRANSPORTATION, INC. ("Applicant") a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to its contract with Frito-Lay, Inc., subject to certain conditions, as described herein.

I. Application for Contract Carrier Authority

On July 21, 2006, Applicant filed an application requesting a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to a contract with Frito-Lay, Inc. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-13.

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 will meet the distinct needs of Frito-Lay, Inc., and, pursuant to HRS § 271-13, will be consistent with the public interest and the transportation policy declared in HRS chapter 271. 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 permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to its contract with Frito-Lay, Inc.

2. Applicant shall comply with all of the commission’s requirements for contract carriers by motor vehicle 2006-0314.
including, but not limited to, 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 vacate 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 OCT 10 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel

2006-0314
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22932 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

FL TRANSPORTATION, INC.
c/o KIMBERLY E. BREWER
7701 Legacy Drive, Mail Drop 4A-164
Plano, TX  75024-4099

SUSAN Y. CHAO
ASSISTANT SECRETARY
IN-HOUSE LAW DEPARTMENT
FL TRANSPORTATION, INC.
7701 Legacy Drive, Mail Drop 3A-441
Plano, TX  75024-4099

DATED:  OCT 10 2006

Karen Higashi