

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)

T J TRUCKING, LLC )

For Extension of Motor Carrier )  
Certificate. )  
\_\_\_\_\_ )

DOCKET NO. 2006-0355

DECISION AND ORDER NO. 23148

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

2006 DEC 20 A 9:48

RECEIVED

Filed Dec. 19, 2006

At 10 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 )  
T J TRUCKING, LLC )  
For Extension of Motor Carrier )  
Certificate. )  
\_\_\_\_\_ )

Docket No. 2006-0355  
Decision and Order No. 23148

DECISION AND ORDER

By this Decision and Order, the commission: 1) authorizes T J TRUCKING, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 3036-C ("Certificate No. 3036-C") to include the dump truck and specific commodities (livestock, heavy machinery and equipment) classifications on the island of Hawaii, subject to certain conditions, as described herein; and 2) terminates Applicant's authority in the dump truck and specific commodities (heavy machinery and equipment) classifications on the island of Kauai.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of property by motor vehicle over irregular routes on the island of Kauai in the dump truck and specific commodities (heavy machinery and equipment) classifications. On August 28, 2006, Applicant filed an application seeking commission approval to extend its authority

under Certificate No. 3036-C to include the dump truck and specific commodities (livestock, heavy machinery and equipment) classifications on the island of Hawaii. On December 8, 2006, Applicant filed an amendment to its application requesting that its authority on the island of Kauai be surrendered upon approval of its current application.

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 Hawaii Revised Statutes 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 an extension of its authority should be granted.

Furthermore, pursuant to HRS § 271-19, a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to

grant Applicant's request to terminate its authority on the island of Kauai in the dump truck and specific commodities (heavy machinery and equipment) classifications.

### III.

#### Orders

##### THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the dump truck and specific commodities (livestock, heavy machinery and equipment) classifications. Applicant's authority in the dump truck and specific commodities (heavy machinery and equipment) classifications on the island of Kauai shall terminate upon written notification from the commission that all requirements for the extended operating authority have been met.


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 providing the location of its physical facilities on the island of Hawaii.

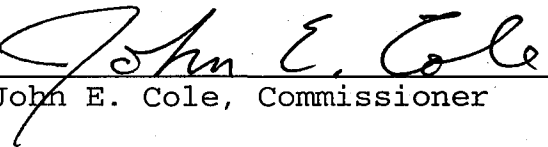
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence operations on the island of Hawaii until it has received written confirmation from the commission that all requirements have been met.


DONE at Honolulu, Hawaii DEC 19 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

2006-0355.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23148 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

T J TRUCKING, LLC  
c/o ARTHUR JOSEPH LORENZO  
P. O. Box 3353  
Lihue, HI 96766

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

DATED: DEC 19 2006