BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
ROBACK TRUCKING, LLC )
) DOCKET NO. 2006-0500
For a Motor Carrier Certificate or )
Permit. )

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DECISION AND ORDER NO. 23323

Filed March 27, 2007
At 2 o'clock P.M.

Karen Higashik
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
ROBACK TRUCKING, LLC) Docket No. 2006-0500
For a Motor Carrier Certificate or) Decision and Order No. 23323
Permit.)

DECISION AND ORDER

By this Decision and Order, the commission grants ROBACK TRUCKING, 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 Maui in the general commodities and dump truck classifications, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

By application filed on December 28, 2006, and amended on January 11, 2007, Applicant requests 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 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 MAR 27 2007.

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

2006-0500.cp
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23323 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

ROBACK TRUCKING, LLC
c/o ANTHONY ROBACK
60 Alapio Place
Makawao, HI 96786

DATED: MAR 27 2007

Karen Higaishi