BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HOKULEIA HAULING LLC)
For a Motor Carrier Certificate or)
Permit.

DOCKET NO. 2007-0017

DECISION AND ORDER NO. 23384

Filed April 24, 2007
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
HOKULEIA HAULING LLC ) Docket No. 2007-0017
)
For a Motor Carrier Certificate or ) Decision and Order No. 23384
Permit.)
)

DECISION AND ORDER

By this Decision and Order, the commission grants
HOKULEIA HAULING 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 and dump truck
classifications, subject to certain conditions, as described
herein.

I.

Application for Common Carrier Authority

On January 17, 2007, 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
Oahu in the general commodities, dump truck, and specific
commodities (containers, heavy machinery and equipment)
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 services, and to conform to HRS chapter 271 and the requirements and rules of the commission. We also find that the proposed services are required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant’s request for operating authority in the general commodities and dump truck classifications should be granted.

With respect to Applicant’s request to operate as a common carrier of property in the specific commodities (containers, heavy machinery and equipment) classification, the commission notes that the transportation of containers, and heavy machinery and equipment, is allowed under Applicant’s general commodities authority when granted. We, thus, find that Applicant’s request to operate in the specific commodities classification is unnecessary and should be dismissed.
III.

Orders

THE COMMISSION ORDERS:

1. Applicant's request to operate as a common carrier of property by motor vehicle over irregular routes on the island of Oahu in the specific commodities (containers, heavy machinery and equipment) classification is dismissed.

2. 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 and dump truck classifications.

3. 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.

4. 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.

5. 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  APR 24 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

for Stacey Kawasaki Djou
Commission Counsel

2007-0017.an
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23384 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHarine P. Awakuni  
Executive Director  
Department of Commerce and Consumer Affairs  
Division of Consumer Advocacy  
P. O. Box 541  
Honolulu, Hi  96809

Hokuleia Hauling LLC  
c/o Leigh Polhamus  
P. O. Box 1961  
Waianae, Hi  96792

DATED: APR 24 2007

Karen Higashi