

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
RENEE LEILANI NAUKA, dba)
EKOLU TRUCKING & EQUIPMENT RENTALS)
)
To Transfer a Motor Carrier)
Certificate or Permit and to)
Extend Operating Authority.)
_____)

DOCKET NO. 2007-0225

DECISION AND ORDER NO. 23856

Filed NOV. 29, 2007
At 11 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED

2007 NOV 30 A 0 28

DIV. OF CONSUMER AFFAIRS
DEPT. OF BUSINESS, LAND
CONSERVATION AND
STATE UTILITIES

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

K. Higashi

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In the Matter of the Application of)
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EKOLU TRUCKING & EQUIPMENT RENTALS)
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_____)

Docket No.2007-0225
Decision and Order No. 23856

DECISION AND ORDER

By this Decision and Order, the commission approves the request to (1) transfer certificate of public convenience and necessity number 2231-C ("Certificate No. 2231-C") from RENEE LEILANI NAUKA, dba EKOLU TRUCKING & EQUIPMENT RENTALS ("Transferor"), to EKOLU SERVICES LLC ("Transferee"), and (2) extend the authority under Certificate No. 2231-C to include the general commodities classification on the island of Oahu, subject to certain conditions, as described herein.

I.

Application to Transfer and Extend Common Carrier Authority

Transferor holds Certificate No. 2231-C, which authorizes Transferor to transport property by motor vehicle over irregular routes on the island of Oahu in the dump truck classification. On August 10, 2007, Transferor filed an application seeking commission approval to transfer

Certificate No. 2231-C to Transferee and to extend the operating authority under Certificate No. 2231-C to include the general commodities classification on the island of Oahu.

Transferor served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by the proposed transfer and extension of authority, 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

Upon review of Transferor's application, the commission finds that Transferee is fit, willing, and able to perform the services presently performed by Transferor, and that the proposed transfer of Certificate No. 2231-C is just and reasonable and will be consistent with the public interest. Accordingly, the commission concludes that the proposed transfer is in accordance with Hawaii Revised Statutes ("HRS") § 271-18, and should, therefore, be approved.

The commission also finds that the proposed expansion of authority is required by the present and future public convenience and necessity and that Transferee 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. Accordingly, we conclude that the request for an expansion of authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 2231-C to Transferee is approved.

2. The request to extend the authority under Certificate No. 2231-C is approved. Transferee is authorized 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. Transferee shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, paying a fee of \$20 for motor carrier gross revenues and filing the appropriate insurance documents.

4. Transferor shall file with the commission her annual financial report for the period of operation from January 1, 2007, to the effective date of this Decision and Order, and shall pay the associated motor carrier gross revenue fee.

5. Transferor and Transferee 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.

Transferee 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 NOV 29 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

By Leslie H. Kondo
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

2007-0225.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23856 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

RENEE LEILANI NAUKA, dba
EKOLU TRUCKING & EQUIPMENT RENTALS
92-566 Awawa Street
Kapolei, HI 96707

EKOLU SERVICES LLC
c/o RENEE LEILANI NAUKA
92-566 Awawa Street
Kapolei, HI 96707



Karen Higashi

DATED: **NOV 29 2007**