

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
SANBORN TRUCKING & EXCAVATION LLC )  
For Extension of Motor Carrier )  
Certificate. )  
\_\_\_\_\_ )

DOCKET NO. 2008-0088

DECISION AND ORDER

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

PUBLIC UTILITIES  
COMMISSION

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FILED

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OF THE STATE OF HAWAII

In the Matter of the Application of)  
SANBORN TRUCKING & EXCAVATION LLC )  
For Extension of Motor Carrier )  
Certificate. )  
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Docket No. 2008-0088

DECISION AND ORDER

By this Decision and Order, the commission authorizes SANBORN TRUCKING & EXCAVATION LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 5152-C ("Certificate No. 5152-C") to include the general commodities classification on the island of Hawaii, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of property by motor vehicle over irregular routes on the island of Hawaii in the specific commodities (heavy equipment) and dump truck classifications. On May 13, 2008, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 5152-C to include the general commodities classification on the island of Hawaii.

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"). On May 14, 2008, the Consumer Advocate informed the commission that it will not be participating in this proceeding.

On July 17, 2008, Edwin Deluz Trucking & Gravel, LLC ("EDT&G") filed a motion to intervene. By letter filed on September 5, 2008, EDT&G withdrew its motion to intervene.

## II.

### Findings and Conclusions

Based upon our review of the record, the commission finds 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. The commission also finds that the proposed service is required by the present and future public convenience and necessity. Accordingly, the commission concludes that Applicant's request for an extension of its authority should be granted.

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 general commodities and dump truck classifications.<sup>1</sup>

2. Within one hundred and twenty (120) days after service of this Decision and Order, Applicant shall:

a. File a Western Motor Tariff Bureau, Inc. ("WMTB") tariff scope sheet that reflects Applicant's new authority in the general commodities classification on the island of Hawaii.<sup>2</sup>

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 may constitute cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence operations in the general commodities classification until it has received written confirmation from the commission that all requirements have been met.

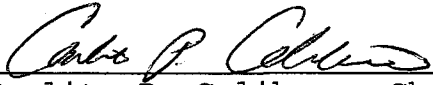
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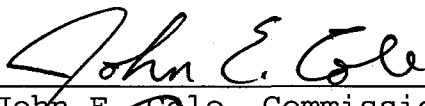
<sup>1</sup>Applicant's specific commodities authority is subsumed under its general commodities authority.

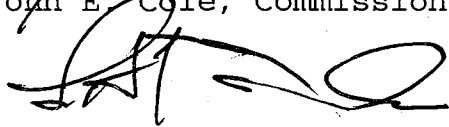
<sup>2</sup>WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

DONE at Honolulu, Hawaii OCT 23 2008.

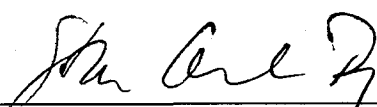
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

  
Stacey Kawasaki Djou  
Commission Counsel

2008-0088.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

SANBORN TRUCKING & EXCAVATION LLC  
c/o JASON H.N. SANBORN  
2916 C Ainaola Drive  
Hilo, HI 96720-3519