

7.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
NA KANE TRUCKING, INC. )  
For Extension of Motor Carrier )  
Certificate. )  
\_\_\_\_\_ )

DOCKET NO. 2007-0428

DECISION AND ORDER NO. 24119

Filed March 31, 2008  
At 10 o'clock A.M.

Karen Higash  
Chief Clerk of the Commission

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

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
NA KANE TRUCKING, INC. ) Docket No. 2007-0428  
For Extension of Motor Carrier ) Decision and Order No. 24119  
Certificate. )  
\_\_\_\_\_ )

DECISION AND ORDER

By this Decision and Order, the commission authorizes NA KANE TRUCKING, INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 2209-C ("Certificate No. 2209-C") to include (1) the specific commodities classification (construction materials) on the island of Oahu, and (2) the dump truck and specific commodities (heavy machinery and equipment, construction materials) classifications on the islands of Maui and 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 Oahu in the dump truck and specific commodities (heavy machinery and equipment) classifications. On December 31, 2007, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 2209-C to include (1) the specific commodities (construction materials) classification

on the island of Oahu, and (2) the dump truck and specific commodities (heavy machinery and equipment, construction materials) classifications on the islands of Maui and 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"). 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, 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 islands of Oahu, Maui, and Hawaii, in the dump truck and specific commodities (heavy machinery and equipment, construction materials) classifications.

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

- a. Provide the addresses of its physical facilities/base yards on the islands of Maui and Hawaii.
- b. File a Western Motor Tariff Bureau, Inc. ("WMTB") tariff scope sheet that reflects Applicant's new authority in the (1) specific commodities (construction materials) classification on the island of Oahu, and (2) dump truck and specific commodities (heavy machinery and equipment, construction materials) classifications on the islands of Maui and Hawaii.<sup>1</sup>
- c. Complete and submit the enclosed "Vehicle Inventory List" form. Applicant shall list all vehicles, including trailers, that it intends to use in the proposed operation. Applicant shall indicate on which island its motor vehicles will be stationed. Applicant must have at least one motor vehicle permanently stationed on each of the islands in which it was granted authority to operate, i.e., Oahu, Maui, and Hawaii. The vehicles utilized must be registered under the name of the corporation. If Applicant chooses to lease any vehicle, it is required to complete and submit a "Motor Vehicle Equipment Lease" form. The form is

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<sup>1</sup>WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

available on the commission's website at [www.hawaii.gov/budget/puc](http://www.hawaii.gov/budget/puc).

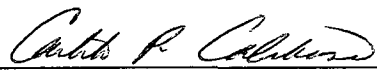
- d. Submit a copy of the current Certificate of Registration or ownership document for all vehicles listed on the Vehicle Inventory List.

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 on the islands of Maui and Hawaii or in the specific commodities (construction materials) classification on the island of Oahu until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii MAR 31 2008.

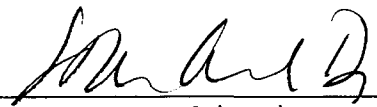
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

APPROVED AS TO FORM:

  
By  
Leslie H. Kondo, Commissioner

  
Stacey Kawasaki Djou  
Commission Counsel

2007-0428.ah

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 24119 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

NA KANE TRUCKING, INC.  
P. O. Box 700351  
Kapolei, HI 96709

  
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Karen Higashi

DATED: MAR 31 2008