BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
COMMODOITY FORWARDERS, INC.
For a Motor Carrier Certificate or Permit.

DOCKET NO. 2008-0314

DECISION AND ORDER
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

COMMODOITY FORWARDERS, INC. ) Docket No. 2008-0314
)
For a Motor Carrier Certificate or )
Permit. )

DECISION AND ORDER

By this Decision and Order, the commission grants COMMODOITY FORWARDERS, INC. ("Applicant") a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the islands of Kauai, Oahu, Maui, and Hawaii, in the general commodities classification, pursuant to a contract with Love’s Bakery, Inc., and subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

By application filed on December 6, 2008, and amended on March 9, 2009, Applicant requests a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the islands of Kauai, Oahu, Maui, and Hawaii, in the general commodities classification, pursuant to a contract with Love’s Bakery, Inc. The application was filed pursuant to Hawaii Revised Statutes ("HRS") § 271-13.
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 HRS chapter 271, and the requirements and rules of the commission. The commission also finds that the proposed service will meet the distinct needs of Love's Bakery, Inc., and, pursuant to HRS § 271-13, will be consistent with the public interest and the transportation policy declared in HRS Chapter 271. Accordingly, the commission concludes 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 permit to operate as a contract carrier of property by motor vehicle over irregular routes on the islands of Kauai, Oahu, Maui, and Hawaii, in the
general commodities classification, pursuant to a contract with Love’s Bakery, Inc.

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

a. Complete and submit the enclosed insurance forms: (a) Uniform Motor Carrier Bodily Injury and Property Damage Certificate of Insurance (WC-3539), (b) Uniform Motor Carrier Bodily Injury and Property Damage Liability Endorsement (WC-3538), (c) Motor Carrier Cargo Certificate of Insurance (MCB-8), and (d) Motor Carrier Cargo Insurance Endorsement (MCB-9). The forms should include the policy number and be completed and signed by Applicant’s insurance agent or company; or they will be rejected.

b. Submit a copy of its executed contract with Love’s Bakery, Inc.

c. Complete and submit the enclosed "Vehicle Inventory List" form. 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., Kauai, 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 available on the commission’s website at 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

"An explanation of the liability and cargo insurance coverage requirements is attached to this Decision and Order."
time specified may constitute 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 1 2 2009________.

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
CERTIFICATE OF SERVICE

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

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EXECUTIVE DIRECTOR
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DIVISION OF CONSUMER ADVOCACY
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