

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KEOPUKA TRUCKING, LLC)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2009-0149

DECISION AND ORDER

RECEIVED

2009 SEP -2 A 9:25

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

PUBLIC UTILITIES
COMMISSION

2009 SEP -1 P 12:10

FILED

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 services, and to conform to HRS Chapter 271 and the requirements and rules of the commission. The commission also finds that the proposed services are required by the present and future public convenience and necessity. Accordingly, the commission concludes 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 (heavy machinery and equipment, small parcels, dry bulk product, produce, gravel, items not for resale, and items for resale) classification, the commission notes that the transportation of these specific commodities is allowed under Applicant's general commodities and dump truck authority when granted. The commission, thus, finds 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 Hawaii in the specific commodities (heavy machinery and equipment, small parcels, dry bulk product, produce, gravel, items not for resale, and items for resale) 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 Hawaii in the general commodities and dump truck classifications.

3. 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.¹

¹An explanation of the liability and cargo insurance coverage requirements is attached to this Decision and Order.

4. Applicant shall comply with the foregoing requirement 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.

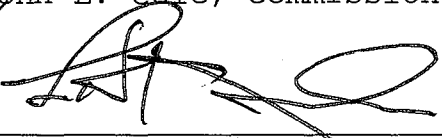
5. Applicant shall not commence operations under this Decision and Order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii SEP - 1 2009.

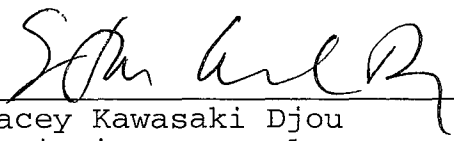
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0149.cp

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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