

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
KAHULUI TRUCKING & STORAGE, INC.)
 dba A & B FLEET SERVICES)
)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 2009-0184

DECISION AND ORDER

FILED

2009 NOV 13 P 12:25

PUBLIC UTILITIES
COMMISSION

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OF THE STATE OF HAWAII

In the Matter of the Application of))
KAHULUI TRUCKING & STORAGE, INC.) Docket No. 2009-0184
dba A & B FLEET SERVICES))
For Extension of Motor Carrier))
Certificate.))
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DECISION AND ORDER

By this Decision and Order, the commission authorizes KAHULUI TRUCKING & STORAGE, INC., dba A & B FLEET SERVICES ("Applicant"), to extend its authority under certificate of public convenience and necessity number 4005-C ("Certificate No. 4005-C") to include the general commodities and dump truck classifications 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 Maui in the general commodities and dump truck classifications. On August 14, 2009, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 4005-C to include the general commodities and dump truck classifications 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"). 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 Maui and Hawaii in the general commodities and dump truck classifications.

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) Motor Carrier Cargo Certificate of Insurance (MCB-8), and (b) 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
- b. File a Western Motor Tariff Bureau, Inc. ("WMTB") tariff scope sheet that reflects Applicant's new authority in the general commodities and dump truck classifications on the island of Hawaii.²
- 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 on which it was granted authority to operate, i.e., 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.
- e. Provide the address of its physical facilities/base yard on the island of Hawaii.

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

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


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

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

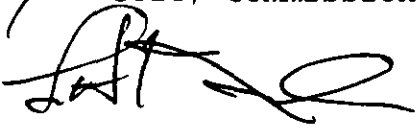
4. Applicant shall not commence operations on the island of Hawaii until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii NOV 13 2009.

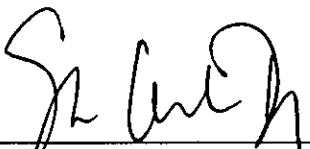
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2009-0184.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:

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

KAHULUI TRUCKING & STORAGE, INC., dba
A & B FLEET SERVICES
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Hilo, HI 96720