

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
To Increase Rates and Charges)
on Behalf of Motor Carriers)
Participating in WMTB's Passenger)
Carrier Tariff No. 8-C, Island)
of Oahu.)
WMTB Rate Notice No. 4322-8-C.)

DOCKET NO. 02-0362

ORDER NO. 19782

Filed Nov. 19, 2002
At 8:00 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

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

2002 NOV 19 P 4: 10

RECEIVED

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))	
WESTERN MOTOR TARIFF BUREAU, INC.))	Docket No. 02-0362
To Increase Rates and Charges))	Order No. 19782
on Behalf of Motor Carriers))	
Participating in WMTB's Passenger))	
Carrier Tariff No. 8-C, Island))	
of Oahu.))	
WMTB Rate Notice No. 4322-8-C.))	
_____))	

ORDER

I.

Section III of Amended Prehearing Order No. 19736, filed on November 7, 2002, sets forth the schedule of proceedings for the above-captioned docket. The commission issued its amended prehearing order following the granting of intervenor status to the Polynesian Cultural Center.¹

By letter dated and filed on November 14, 2002, Applicant WESTERN MOTOR TARIFF BUREAU, INC. (WMTB) requests commission approval to issue information requests to the Polynesian Cultural Center.² Presently, Amended Prehearing Order No. 19736 authorizes the Polynesian Cultural Center to issue information requests to WMTB, but not *vice versa*.

WMTB, as the applicant, has the requisite burdens of proof and persuasion in this proceeding. The Polynesian Cultural

¹See Order No. 19741, filed on October 29, 2002.

²By letter dated November 15, 2002, the commission forwarded copies of WMTB's request to the Division of Consumer Advocacy and Polynesian Cultural Center, respectively.

Center opposes WMTB's request for a general rate increase. The commission finds that WMTB's request to conduct discovery upon the Polynesian Cultural Center is reasonable.

The commission will amend section III of Amended Prehearing Order No. 19736, by adding the following descriptions and dates:

- 3A. WMTB's submission of IRs to PCC: by November 29, 2002.
- 4A. PCC's responses to WMTB's IRs: by December 11, 2002.

II.

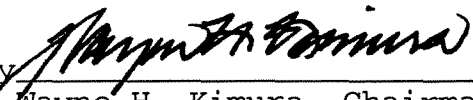
THE COMMISSION ORDERS:

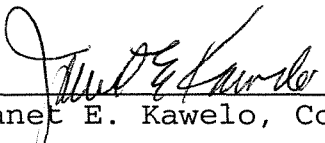
1. WMTB's request to conduct discovery upon the Polynesian Cultural Center, dated and filed on November 14, 2002, is granted.


2. Section III of Amended Prehearing Order No. 19736, filed on November 7, 2002, is hereby amended, consistent with the terms of the instant order. In all other respects, Amended Prehearing Order No. 19736 remains unchanged.

DONE at Honolulu, Hawaii this 19th day of November,
2002.

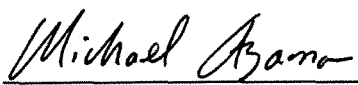
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By 
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

02-036205.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19782 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

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Attorneys for PC SERVICES, INC. and
POLYNESIAN CULTURAL CENTER



Karen Higashi

DATED: November 19, 2002