

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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In the Matter of the Application of)
MID-PACIFIC EXPRESS, LTD.)
For Extension of Motor Carrier)
Certificate.)
_____)

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

DOCKET NO. 03-0112

DECISION AND ORDER NO. 20289

Filed July 1, 2003
At 12:00 o'clock P .M.

Karen Higashi
Chief Clerk of the Commission

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)
MID-PACIFIC EXPRESS, LTD.)
For Extension of Motor Carrier)
Certificate.)
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Docket No. 03-0112
Decision and Order No. 20289

DECISION AND ORDER

I.

MID-PACIFIC EXPRESS, LTD. ("Applicant") is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 17 passengers. By an application filed on April 30, 2003, Applicant seeks commission approval to extend its authority under certificate of public convenience and necessity number 401-C ("Certificate No. 401-C") by adding the 1-to-7 passenger classification and removing the 17 passenger seat limitation in the 8-to-25 passenger classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for smaller vehicles in the 1-to-7 passenger classification and for larger vehicles with between 18 and 25 seating capacity in the 8-to-25 passenger classification.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist 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.

Based upon our review of the record, we find 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. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for an extension of its authority should be granted.

III.

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications.

2. Applicant shall surrender Certificate No. 401-C, and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.

3. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff, registering and marking the

appropriate motor vehicles, and complying with the safety requirements of the Motor Vehicle Safety Office, Department of Transportation, State of Hawaii.

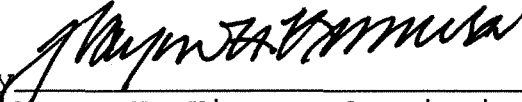
4. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

5. Applicant shall not commence operations utilizing motor vehicles in the 1-to-7 passenger classification and motor vehicles with between 18 and 25 seating capacity in the 8-to-25 passenger classification until it has received written confirmation from the commission that all requirements have been met.


DONE at Honolulu, Hawaii this 1st day of July, 2003.

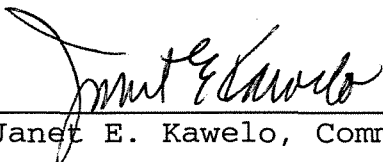
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Bedyne S. Stone
Commission Counsel

By 
Janet E. Kawelo, Commissioner

03-0112.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20289 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

MID-PACIFIC EXPRESS, LTD.
2474 Aha Aina Place
Honolulu, HI 96821



Karen Higashi

DATED: July 1, 2003