

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
THE RESEARCH CORPORATION OF THE)
UNIVERSITY OF HAWAI'I, dba)
'IMILOA ASTRONOMY CENTER OF HAWAI'I)
)
For Temporary and Permanent Common)
Carrier Authority.)
_____)

DOCKET NO. 2006-0427

DECISION AND ORDER NO. 23151

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

2006 DEC 20 A 9:48

RECEIVED

Filed Dec. 19, 2006

At 10 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

maximum manufacturer's seating capacity of 15 passengers, and further limited to providing transportation services between Hilo Harbor, the Banyan Drive resorts, and 'Imiloa Astronomy Center of Hawai'i. The application is made pursuant to Hawaii Revised Statutes ("HRS") §§ 271-12 and 271-16. By Interim Decision and Order No. 23021, filed on November 9, 2006, Applicant was granted temporary common carrier authority.

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, we find that Applicant is fit, willing, and able to properly perform the proposed service on a permanent basis, and to conform to HRS 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 permanent operating authority, as set forth in the application, should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted permanent authority to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers, and further limited to providing transportation services between Hilo Harbor, the Banyan Drive resorts, and 'Imiloa Astronomy Center of Hawai'i.

2. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii DEC 19 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Stacey Kawasaki Djou
Commission Counsel

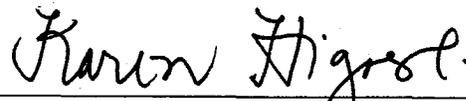
2006-0427.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23151 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

THOMAS L.H. YEH, ESQ.
TSUKAZAKI YEH & MOORE
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Karen Higashi

DATED: DEC 19 2006