

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
ALOHA K.P., INC., dba)
KONA LIMOUSINE)
)
To Sell, Lease, Assign, Mortgage or)
Otherwise Dispose of, or Encumber)
The Whole or Any Part of Its)
Property, Certificate, or Permit.)
_____)

DOCKET NO. 2009-0051

DECISION AND ORDER

RECEIVED

2009 MAY 29 A 9: 23

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

PUBLIC UTILITIES
COMMISSION

2009 MAY 28 A 11: 34

FILED

vehicles with a maximum manufacturer's seating capacity of 17 passengers.

Transferor 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 the proposed transfer, 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

Upon review of Transferor's application, the commission finds that Transferee is fit, willing, and able to perform the services presently performed by Transferor, and that the proposed transfer of Certificate No. 1262-C is just and reasonable and will be consistent with the public interest. Accordingly, the commission concludes that the proposed transfer is in accordance with HRS § 271-18, and should, therefore, be approved.

III.

Orders

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 1262-C to Transferee is approved.

2. Within one hundred and twenty (120) days after service of this Decision and Order, Transferee shall:

- a. File a tariff in accordance with Hawaii Administrative Rules, Chapter 6-63. As the application indicates that Applicant will be participating in the tariff published by the Hawaii State Certified Common Carriers Association, Inc. ("HSCCCA"), Applicant shall submit a notarized copy of the Power of Attorney and a copy of the official written statement from HSCCCA confirming Applicant's membership in the tariff bureau.¹

3. Within one hundred and twenty (120) days after service of this Decision and Order, Transferor shall:

- a. File its annual financial report for the period of operation from January 1, 2009, to the effective date of this Decision and Order, and pay the associated motor carrier gross revenue fee.

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

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

¹HSCCCA may be contacted at 554-9371 for more information.

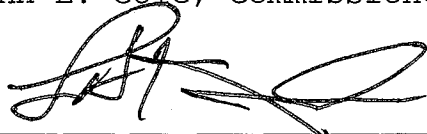
DONE at Honolulu, Hawaii

MAY 28 2009

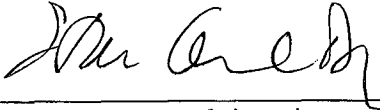
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:



Stacey Kawasaki Djou
Commission Counsel

2009-0051.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
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Honolulu, HI 96809

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