

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
PASHA HAWAII TRANSPORT LINES LLC)
For Issuance of a Certificate of)
Public Convenience and Necessity)
and Approval of its Local Tariff)
No. 1 for Service Between and Among)
the Ports of Honolulu, Kahului,)
Hilo and Nawiliwili)

DOCKET NO. 2009-0059

ORDER APPROVING YOUNG BROTHERS,
LIMITED'S PROCEDURAL ORDER, AS MODIFIED

PUBLIC UTILITIES
COMMISSION

2009 AUG 26 P 12:22

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
PASHA HAWAII TRANSPORT LINES LLC) Docket No. 2009-0059
For Issuance of a Certificate of)
Public Convenience and Necessity)
and Approval of its Local Tariff)
No. 1 for Service Between and Among)
the Ports of Honolulu, Kahului,)
Hilo and Nawiliwili)
_____)

ORDER APPROVING YOUNG BROTHERS,
LIMITED'S PROCEDURAL ORDER, AS MODIFIED

By this Order, the commission (1) approves, with modifications, the proposed Procedural Order submitted by YOUNG BROTHERS, LIMITED ("YB") on July 20, 2009 ("YB's proposed order").¹ The commission, however, modifies the Statement of the Issues and the procedural schedule; and (2) declines to adopt the proposed Stipulated Procedural Order filed by PASHA HAWAII TRANSPORT LINES LLC ("Pasha"), on July 20, 2009 ("Pasha's proposed order").

I.

Background

On March 13, 2009, Pasha filed its application for an issuance of a Certificate of Public Convenience and Necessity to

¹The proposed Procedural Order is attached as Exhibit 1 to this Order.

operate as a water carrier pursuant to Hawaii Revised Statutes ("HRS") § 271G-10, and for approval of its Local Tariff No. 1 for service between and among the ports of Honolulu, Kahului, Hilo, and Nawiliwili ("Application").² On May 28, 2009, the commission issued an Order Granting Intervention to YB. Pasha, the Consumer Advocate, and YB are collectively referred to as "the Parties."

II.

Procedural Order (as Modified)

On July 10, 2009, the commission sent a letter to the Parties directing them to submit by July 20, 2009, a Stipulated Procedural Order for the commission's review and approval. If the Parties were unable to stipulate, each Party was to submit their own proposal by the same date.

The Parties could not agree to a procedural order, and on July 20, 2009, both Pasha and YB submitted their own proposed procedural orders. YB stated, among other things, that "[Pasha's proposed order] does not accord YB full party status nor does it allow for the development of a sound record in this proceeding."³ On July 22, 2009, the Consumer Advocate submitted a letter providing its comments to the procedural orders proposed by Pasha and YB ("Consumer Advocate's Comments").

²Pasha served copies of the Application on the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"), an ex officio party to all dockets before the commission pursuant to HRS § 269-51 and Hawaii Administrative Rules § 6-61-62. Copies of the Application were also served on the mayors of the counties in which Pasha proposes to service.

³See Letter filed on July 20, 2009, from YB to the commission.

Upon review, the commission will adopt YB's proposed order with certain modifications described below.

A.

Statement of the Issues

YB proposes four issues for the commission to consider in this docket:

1. Whether [Pasha] is fit, willing and able to properly perform the proposed service and to conform to the provisions of the Hawaii Water Carrier Law, Chapter 271G, Hawaii Revised Statutes, and the requirements, rules, regulations and decisions of the Commission thereunder.
2. Whether [Pasha's] proposed service is or will be required by the present or future public convenience and necessity.
3. Whether [Pasha's] proposed service is consistent with the public interest and transportation policy of the State of Hawaii as set forth in the declaration of policy in Hawaii Revised Statutes § 271G-2.
4. Will [Pasha's] proposed service have an adverse impact upon [YB] or its customers.

YB's proposed order, at 2.

Pasha's proposed order identifies the following issues:

1. Whether [Pasha] is fit, willing, and able to properly perform the service proposed and to conform to the applicable laws.
2. Whether [Pasha's] proposed service is or will be required by the present or future public convenience and necessity.

See Pasha's Proposed Order, at 2.

The Consumer Advocate states:

Pasha has apparently faithfully identified the points contained in [HRS] § 271G-10(c) as its proposed issues. YB has also proposed to include those same points, but has also proposed the inclusion of two additional issues.

. . . .

The Consumer Advocate contends that it is reasonable to include the [third] issue of whether the proposed service is consistent with the public interest. The Consumer Advocate contends that this issue is inherent in every Commission decision.

. . . .

[T]he Consumer Advocate asserts that the [fourth] issue proposed by YB is unnecessary.

Consumer Advocate's Comments, at 2.

The commission notes that the first and second issues proposed by YB and Pasha are generally similar and agrees that those are the issues necessary for the commission's consideration of Pasha's Application. With respect to the first issue, the commission adopts the more specific language proposed by YB. Pasha's and YB's second issues (other than Pasha utilizing "Pasha Hawaii" and YB using "Applicant") are exactly the same. The commission finds that the third and fourth issues proposed by YB are subsumed within the first two issues or otherwise unnecessary; therefore, the commission declines to adopt YB's proposed third or fourth issue.

Accordingly, Section .I, titled "Statement of the Issues" in YB's proposed order shall be replaced with the following:

I. Statement of Issues

1. Whether Pasha is fit, willing and able to properly perform the proposed service and to conform to the provisions of the Hawaii Water Carrier Law, Chapter 271G, Hawaii Revised Statutes, and the requirements, rules, regulations and decisions of the Commission thereunder.
2. Whether Pasha's proposed service is or will be required by the present or future public convenience and necessity.

B.

Schedule of Proceedings

Pasha proposes a procedural schedule with a single round of Information Requests by the Consumer Advocate to Pasha, completed by August 20, 2009, Statements of Position by the Consumer Advocate and YB, filed on September 8, 2009, and Pasha's Reply Statements of Position, filed on September 22, 2009.⁴

YB, by contrast, proposes numerous additional procedural steps. More specifically, YB proposes that: (1) the Parties file testimonies, exhibits and Workpapers; (2) the Consumer Advocate and YB be allowed two rounds of information requests to Pasha; (3) Pasha be allowed two rounds of information requests to the Consumer Advocate and YB; (4) the commission hold an evidentiary hearing; and (5) the Parties file post-hearing briefs.⁵

⁴Pasha's proposed order, at 2.

⁵YB's proposed order, Exhibit "A," at 2.

In comparing Pasha's and YB's proposed schedules, the Consumer Advocate notes, "there is a significant difference in the proposed time to be allowed and the general scope of activities to be allowed. Pasha has proposed a schedule that is rather compressed, and YB has proposed a schedule that might result in a schedule approaching or exceeding 12 months."⁶ The Consumer Advocate did not offer its own schedule, but commented that: (1) certain deadlines have conflicting deadlines with other dockets; (2) at minimum, a round of discovery and a round of supplemental information requests or "rolling" discovery should be permitted; (3) Pasha's schedule does not allow YB to submit information requests although YB is an intervenor; (4) although the Consumer Advocate has filed a Preliminary Statement of Position, it will file a Statement of Position later, as opposed to a supplemental statement of position; (5) Pasha "may desire" a round of information requests to be served on YB and the Consumer Advocate; and (6) "the Consumer Advocate contends that an evidentiary hearing may not be necessary since the record can be built through the discovery process and the statements of positions to be filed by YB and the Consumer Advocate and reply statement to be filed by Pasha."⁷

The commission finds neither Pasha's Procedural Order nor YB's Procedural Order to be reasonable. Pasha's proposed order does not allow any discovery by YB or contemplate any

⁶Consumer Advocate's Comments, at 2.

⁷Consumer Advocate's Comments, at 3.

information requests by Pasha to the Consumer Advocate or YB. The commission agrees with the Consumer Advocate that the schedule should allow for supplemental information requests as well as the filing of the Consumer Advocate's Statement of Position. On the other hand, YB's proposed order will unnecessarily delay the commission's decision on the Application. The commission does not agree with YB's apparent position that the testimonies are required for the commission to consider the Application. Statements of positions, supported by affidavits or declarations, as appropriate, are sufficient. Likewise, at present, the commission is not inclined to hold an evidentiary hearing on Pasha's Application.

After review and careful consideration of Pasha's Procedural Order and YB's Procedural Order as well as the Consumer Advocate's Comments, the commission issues the following schedule for this docket, which shall governs this proceeding unless otherwise ordered by the commission and replace Exhibit A to YB's proposed order:

	Procedural Steps	Date
1.	Pasha Application filed	March 13, 2009
2.	Consumer Advocate's filing of Preliminary Statement of Position	April 2, 2009
3.	Consumer Advocate and YB's Information Requests ("IRs") to Pasha	September 4, 2009
4.	Pasha Responses to Consumer Advocate and YB's IRs	September 18, 2009

	Procedural Steps	Date
5.	"Rolling" IRs amongst all Parties	September 18, 2009 to September 30, 2009
6.	Consumer Advocate's Statement of Position	October 9, 2009
7.	YB's Statement of Position	October 9, 2009
8.	Pasha's IRs to Consumer Advocate and/or YB	October 23, 2009
9.	Consumer Advocate and/or YB's Responses to Pasha's IRs	November 6, 2009
10.	Pasha's Reply Statement of Position	November 20, 2009
11.	Commission Decision and Order	.

III.

Order

THE COMMISSION ORDERS:

A. Young Brothers, Limited's proposed procedural order filed on July 20, 2009, attached hereto as Exhibit 1, is approved as modified.

B. The issues in this docket are as follows:

1. Whether Pasha is fit, willing and able to properly perform the proposed service and to conform to the provisions of the Hawaii Water Carrier Law, Chapter 271G, Hawaii Revised Statutes, and the requirements, rules, regulations and decisions of the Commission thereunder.
2. Whether Pasha's proposed service is or will be required by the present or future public convenience and necessity.

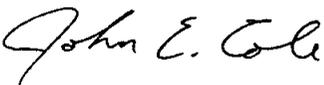
C. The Procedural Schedule governing this docket is as follows:

	Procedural Steps	Date
1.	Pasha Application filed	March 13, 2009
2.	Consumer Advocate's filing of Preliminary Statement of Position	April 2, 2009
3.	Consumer Advocate and YB's Information Requests ("IRs") to Pasha	September 4, 2009
4.	Pasha Responses to Consumer Advocate and YB's IRs	September 18, 2009
5.	"Rolling" IRs amongst all Parties	September 18, 2009 to September 30, 2009
6.	Consumer Advocate's Statement of Position	October 9, 2009
7.	YB's Statement of Position	October 9, 2009
8.	Pasha's IRs to Consumer Advocate and/or YB	October 23, 2009
9.	Consumer Advocate and/or YB's Responses to Pasha's IRs	November 6, 2009
10.	Pasha's Reply Statement of Position	November 20, 2009
11.	Commission Decision and Order	

DONE at Honolulu, Hawaii AUG 26 2009 .

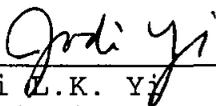
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Jodi L.K. Yi
Commission Counsel

2009-0059.laa

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
PASHA HAWAII TRANSPORT LINES LLC)
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For Issuance of a Certificate of Public)
Convenience and Necessity and Approval of)
its Local Tariff No. 1 for Service Between and)
Among the Ports of Honolulu, Kahului, Hilo)
and Nawiliwili)
_____)

Docket No. 2009-0059

PUBLIC UTILITIES
COMMISSION

2009 JUL 20 P 3:12

FILED

PROCEDURAL ORDER PROPOSED BY
YOUNG BROTHERS, LIMITED

EXHIBIT A

and

CERTIFICATE OF SERVICE

EXHIBIT 1

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)	
PASHA HAWAII TRANSPORT LINES LLC)	Docket No. 2009-0059
For Issuance of a Certificate of Public)	
Convenience and Necessity and Approval of)	
its Local Tariff No. 1 for Service Between and)	
Among the Ports of Honolulu, Kahului, Hilo)	
and Nawiliwili)	
_____)	

PROCEDURAL ORDER PROPOSED BY
YOUNG BROTHERS, LIMITED

Young Brothers, Limited (**YB** or **Young Brothers**) submits this Procedural Order Proposed by Young Brothers, Limited (this **Proposed Procedural Order**) to the Honorable Public Utilities Commission of the State of Hawaii (the **PUC** or **Commission**). This submission is made as instructed by letter dated July 10, 2009, from the Commission to the parties in this proceeding (**PUC letter**).¹ Pursuant to the PUC letter, the parties are to submit a stipulated procedural order by July 20, 2009; if unable to stipulate, each of the parties is to submit its own proposed procedural order by that date. Since the parties could not stipulate to a procedural order, Young Brothers hereby proposes the following provisions for a Procedural Order.

¹ In addition to YB, the parties to this proceeding are the applicant Pasha Hawaii Transport Lines LLC (**Pasha**) and the Division of Consumer Advocacy (the **Consumer Advocate**), who is an *ex officio* party to proceedings before the Commission pursuant to section 269-51, Hawaii Revised Statutes, and section 6-61-62(a), Hawaii Administrative Rules. The Consumer Advocate, YB, Pasha, and any other person granted intervention or participation in this proceeding, as ordered by the Commission, are referred to collectively as the **Parties**, or individually as a **Party**, in this Procedure Order.

I.

STATEMENT OF THE ISSUES

The issues in this proceeding are:

1. Whether Applicant is fit, willing and able to properly perform the proposed service and to conform to the provisions of the Hawaii Water Carrier Law, Chapter 271G, Hawaii Revised Statutes, and the requirements, rules, regulations and decisions of the Commission thereunder.
2. Whether Applicant's proposed service is or will be required by the present or future public convenience and necessity.
3. Whether Applicant's proposed service is consistent with the public interest and transportation policy of the State of Hawaii as set forth in the declaration of policy in Hawaii Revised Statutes §271G-2.
4. Will Applicant's proposed service have an adverse impact upon Young Brothers or its customers.

II.

SCHEDULE OF PROCEEDINGS

Parties shall adhere to the schedule of proceedings set forth in the Regulatory Schedule attached to this Procedural Order as Exhibit "A." (**Regulatory Schedule**) Notwithstanding the above, the Regulatory Schedule may be amended (1) as may be agreed in writing by the Parties and approved by the Commission or (2) upon the Commission's own motion.

III.

MISCELLANEOUS MATTERS TO FACILITATE AND EXPEDITE THE ORDERLY CONDUCT OF THESE PROCEEDINGS

A Party to this proceeding may submit information requests to another Party within the time schedule specified in this Procedural Order. To the extent practical, Parties will cooperate by informally resolving questions regarding information requests and responses to attempt to work out problems with respect to understanding the scope or meaning of information requests, or with respect to the availability of information. If a Party is unable to provide the information requested within the prescribed time period, it should so indicate to the inquiring Party as soon as possible. Parties shall then endeavor to agree upon a later date for submission of the requested information. If Parties are unable to agree, the responding Party may seek approval for the late submission from the Commission upon a showing of good cause. It is then within the Commission's discretion to approve or disapprove such late filings and take any additional action that may be appropriate, such as extending the date for the inquiring Party to act.

In lieu of responses to information requests that would require the reproduction of voluminous documents or materials, the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the Party responding to the information request may make the diskette or such electronic medium available to the other Party and the Commission. Subject to objections that may be raised and to the extent practicable, the electronic files for spreadsheets will contain all formulae intact, and will not be entirely converted to values prior to submission.

A Party shall not be required, in a response to an information request, to provide data that are already on file with the Commission or otherwise part of the public record, or that may be stipulated to pursuant to Part IV below. The responding Party shall, in lieu of production of a document in the public record, include in its response to the information request an identification

of the document with reasonable specificity sufficient to enable the requesting Party to locate and copy the document. In addition, a Party shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

A Party may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a Party claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the Party shall: (1) provide information reasonably sufficient to identify the confidential information withheld from the response, without disclosing privileged or protected information; (2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the Party if the information were disclosed); and (3) state whether the Party is willing to provide the confidential information pursuant to a protective order governing this docket. A Party seeking production of documents notwithstanding a Party's claim of confidentiality, may file a motion to compel production with the Commission.

The responses of each Party to information requests shall adhere to a uniform system of numbering agreed upon by Parties. For example, the first information request submitted by the Consumer Advocate in this docket shall be referred to and designated as "CA-IR-1", and a response to this information request shall be referred to and designated as "Response to CA-IR-1".

Each response shall be provided on a separate page and shall recite the entire question asked and set forth the response and reference to any attached responsive document, indicating the name of the respondent for each response.

IV.

MATTERS OF PUBLIC RECORD

To reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that a Party has filed with the Commission, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to water transportation matters, and specified parts of the record in previous Commission dockets shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and Parties and further provided that any Party has the right to explain, qualify, or conduct examination with respect to the identified document. The Commission can rule on whether the identified document can be admitted into evidence when a Party proffers such document for admission as evidence in this proceeding.

From time to time, the Parties may stipulate in writing that such documents, or any portion of such documents, may be introduced into evidence in this proceeding.

V.

COPIES OF PLEADINGS, BRIEFS, AND OTHER DOCUMENTS

Public Utilities Commission 465 South King Street, First Floor Honolulu, HI 96813	Original plus 8 copies
Division of Consumer Advocacy Department of Commerce & Consumer Affairs 335 Merchant Street, Room 326 Honolulu, HI 96813	2 copies
Pasha Hawaii Transport Lines LLC 677 Ala Moana Boulevard, Suite 700 Honolulu, HI 96813	1 copy
Clifford K. Higa, Esq. Bruce Nakamura, Esq. Kobayashi, Sugita, & Goda	1 copy

999 Bishop Street, Suite 2600
Honolulu, HI 96813

P. Roy Catalani 1 copy
Vice President, Strategic Planning & Government Affairs
Young Brothers, Limited
P. O. Box 3288
Honolulu, HI 96801

Craig I. Nakanishi, Esq. 1 copy
Devon I. Peterson, Esq.
Rush Moore LLP
737 Bishop Street, Suite 2400
Honolulu, HI 96813

All pleadings, briefs, and other documents required to be filed with the Commission shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Section 6-61-15, Hawaii Administrative Rules (**HAR**). Copies of all filings shall be sent to the other Parties by hand delivery or by U.S. mail, postage prepaid.

In addition, if available, a Party shall provide copies of its filings to the other Party via diskette or e-mail in a standard electronic format that is readily available to the Parties. The Parties agree to use, as much as practicable, Word 97, Word 2000, Word 2003, or Word 2007 as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in an electronic format, a Party shall not be required to convert such workpapers, documentation, or exhibits into an electronic format. Also, existing documents produced in response to requests need not be converted to Word 97/Word 2000/Word 2003/Word 2007 as long as the applicable format is identified. In the event a copy of a filing is delivered to a Party via diskette or e-mail, unless otherwise agreed to by such Party, the same number of copies of such filing, information request, or information request response must still be delivered to such Party by hand delivery or via facsimile as provided in Part V above.

VI.

COMMUNICATIONS

Section 6-61-29, Hawaii Administrative Rules, concerning *ex parte* communications is applicable to any communications between a Party and the Commission. However, a Party may communicate with Commission counsel through its own counsel or designated official only as to matters of process and procedure.

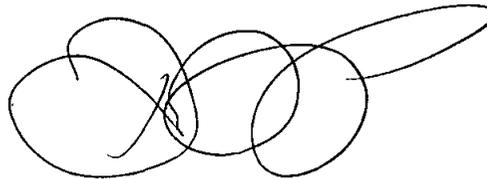
Communications between the Parties shall either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on other Parties as provided in Part V above.

VII.

GENERAL

The foregoing procedures shall be applied in a manner consistent with the orderly conduct of this proceeding. This Procedural Order shall control the subsequent course of the proceeding, unless modified by the Parties in writing and approved by the Commission, or upon the Commission's own motion.

DATED: Honolulu, Hawaii, July 20, 2009



Craig I. Nakanishi
Devon I. Peterson

Attorneys for
Young Brothers, Limited

APPROVED AND SO ORDERED AT HONOLULU, HAWAII _____

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By _____
Carlito P. Caliboso, Chair

By _____
John E. Cole, Commissioner

By _____
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Michael Azama
Commission Counsel

Docket No. 2009-0059, *In re Pasha Hawaii Transport Lines*, Application for Issuance of a Certificate of Public Convenience and Necessity and Approval of its Local Tariff No. 1 for Service Between and Among the Ports of Honolulu, Kahului, Hilo and Nawiliwili,
PROCEDURAL ORDER

EXHIBIT "A"
PROCEDURAL SCHEDULE²
Docket No. 2009-0059

<u>DATE</u>	<u>PROCEDURAL STEPS</u>
1. Friday, March 13, 2009	Application filed with the Commission
2. Thursday, April 2, 2009	Preliminary Statement of Position filed by Consumer Advocate
3. Tuesday, April 7, 2009	Protective Order issued by the Commission
4. Monday, April 27, 2009	Deadline for motions for intervention or participation
5. To be determined	Stipulation by the Parties or, in the alternative, Order by the Commission, confirming or clarifying that YB is a "qualified party" under the April 7, 2009 Protective Order
	Copy of Application, including any confidential information, served by Pasha upon YB, or amended Protective Order filed
6. 4 weeks thereafter	Pasha testimonies, exhibits, and workpapers filed
7. 4 weeks thereafter	Consumer Advocate and YB information requests (<i>IRs</i>) to Pasha
8. 3 weeks thereafter	Response to IRs from Pasha to the Consumer Advocate and YB
9. 2 weeks thereafter	Supplemental IRs to Pasha from the Consumer Advocate and YB
10. 2 weeks thereafter	Response to Supplemental IRs from Pasha to the Consumer Advocate and YB
11. 4 weeks thereafter	Consumer Advocate and YB testimonies, exhibits, and workpapers filed
12. 4 weeks thereafter	Pasha information requests to Consumer Advocate and YB

² This Regulatory Schedule assumes that the only parties in this proceeding are Pasha, the Consumer Advocate, and Young Brothers. An amended Procedural Order, including an amended Regulatory Schedule, will be submitted, if required by the addition of other parties or participants to this proceeding.

	<u>DATE</u>	<u>PROCEDURAL STEPS</u>
13	3 weeks thereafter	Response to IRs from the Consumer Advocate and YB to Pasha
14	2 weeks thereafter	Supplemental IRs to the Consumer Advocate and YB from Pasha
	2 weeks thereafter	Response to Supplemental IRs from Consumer Advocate and YB to Pasha
11.	6 weeks thereafter	Pre-hearing conference held
12.	Subject to call of Commission	Evidentiary hearing held
13.	6 weeks after transcripts	Simultaneous opening briefs by Parties
14.	3 weeks thereafter	Simultaneous reply briefs by Parties

CERTIFICATE OF SERVICE

The foregoing Procedural Order was served on the date of filing by mail, postage prepaid and properly addressed to the following:

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

CLIFFORD K. HIGA, ESQ.
BRUCE NAKAMURA, ESQ.
KOBAYASHI, SUGITA & GODA
999 Bishop Street, Suite 2600
Honolulu, Hawaii 96813-4430

REGGIE MALDONADO
GENERAL MANAGER
PASHA HAWAII TRANSPORT LINES LLC
677 Ala Moana Boulevard, Suite 700
Honolulu, Hawaii 96813

CRAIG I. NAKANISHI, ESQ.
DEVON I. PETERSON
RUSH MOORE LLP
737 Bishop Street, Suite 2400
Honolulu, HI 96813

P. ROY CATALANI
VICE PRESIDENT, STRATEGIC PLANNING & GOVERNMENT AFFAIRS
YOUNG BROTHERS, LIMITED
P. O. Box 3288
Honolulu, HI 96801

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

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Attorneys for Pasha Hawaii Transport Lines LLC

REGGIE MALDONADO
GENERAL MANAGER
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P. ROY CATALANI
VICE PRESIDENT OF STRATEGIC PLANNING
AND GOVERNMENT AFFAIRS
YOUNG BROTHERS, LIMITED
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Honolulu, Hawaii 96801

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DEVON I. PETERSON, ESQ.
RUSH MOORE LLP
737 Bishop Street, Suite 2400
Honolulu, Hawaii 96813

Attorneys for YOUNG BROTHERS, LIMITED