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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

ALTICOR INC., fka AMWAY CORPORATION

DOCKET NO. 01-0390

To Sell, Lease, Assign, Mortgage or)
Otherwise Dispose of, or Encumber)
The Whole or Any Part of Its)
Property, Certificate, or Permit.)

DECISION AND ORDER NO. 19859

Filed December 6, 2002

Farin Higner.

Chief Clerk of the Commission

RECEIVED

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DIV. OF CONSUMER ADVOCAT

DEPT. OF COMMERCE AND

CONSUMER AFFAIRS

CONSUMER AFFAIRS

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

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DECISION AND ORDER

I.

September 11, 2001, ALTICOR INC., fka **AMWAY** CORPORATION (Transferor), filed an application seeking commission approval to transfer Permit No. 645-P to ACCESS LOGISTICS LIMITED PARTNERSHIP (Transferee) pursuant to Hawaii Revised Statutes (HRS) § 271-18. Under Permit No. 645-P, Transferor is authorized to operate as a contract carrier of property by motor vehicle in the general commodities classification on the island of Oahu, limited to transporting goods pursuant to its contracts with (1) Smith Corona, (2) Yokohama Tire Corporation, (3) Tremco Roofing Division, (4) Ivac Corporation, (5) Midland Research Laboratories, Inc., and (6) The Hoover Company, and further limited to transporting goods from its warehouse to its customers' distributors and retailers, and to air and water carrier terminals.

Transferor served copies of the application on the Hawaii
Transportation Association, which consists 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). By a statement filed on September 11, 2001, the Consumer Advocate indicated that it will not participate in this proceeding. No persons moved to intervene in this docket.

II.

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 Permit No. 645-P 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.

THE COMMISSION ORDERS:

- 1. Transferor's application to transfer Permit No. 645-P to Transferee is approved.
- 2. Transferor shall surrender Permit 645-P and an amended permit reflecting the authority granted by this decision and order shall be issued to Transferee.
- 3. Transferee shall comply with all of the commission's requirements for contract carriers by motor vehicle including, but not limited to, filing the appropriate insurance documents, paying a fee of \$20 for motor carrier gross revenues, 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 Transferor shall file an annual financial report for its operations covering the period from January 1, 2002, to the date of this decision and order. Transferor shall also pay the appropriate motor carrier gross revenue fee for the period January 1, 2002, to the date of this decision and order.

5. Transferor and Transferee shall comply with the requirements set forth in this decision and order within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for the commission to void this decision and order.

6. Transferee shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 6th day of December, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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Wayne H. Kimura, Chairman	Janez E. Kawelo, Commissioner

APPROVED AS TO FORM:

By (RECUSED)
Gregg J. Kinkley, Commissioner

Benedyne (S) Stone Commission Counsel

01-0390.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No.19859</u> 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

ALTICOR INC., fka AMWAY CORPORATION c/o BOB AIELLO 4444 Malaai Street Honolulu, HI 96818

ACCESS LOGISTICS LIMITED PARTNERSHIP 4444 Malaai Street Honolulu, HI 96818

Twun Highest.

Karen Higashi

DATED: December 6, 2002