

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
WESTERN MOTOR TARIFF BUREAU, INC.)
On Behalf of Alpha Transfer Service) Corporation; Hawaii China Travel) Service, Inc.; Korean Tour Guide) Service Center, Inc., dba Vivi's) Transportation; Pan-Pac Group Inc.,) dba Four Seasons Holiday, Co.;) Polynesian Adventure Tours, Inc.;) Robert's Tours & Transportation,) Inc.; and V.I.P. Car Rentals, Inc.,) dba V.I.P. Trans. WMTB Rate Notice) No. 4367-8-C.)

Docket No. 03-0238

ORDER NO. 20396

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

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Filed August 26, 2003
At 10:00 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

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WESTERN MOTOR TARIFF BUREAU, INC.)
On Behalf of Alpha Transfer Service) Corporation; Hawaii China Travel) Service, Inc.; Korean Tour Guide) Service Center, Inc., dba Vivi's) Transportation; Pan-Pac Group Inc.,) dba Four Seasons Holiday, Co.;) Polynesian Adventure Tours, Inc.;) Robert's Tours & Transportation,) Inc.; and V.I.P. Car Rentals, Inc.,) dba V.I.P. Trans. WMTB Rate Notice) No. 4367-8-C.)

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ORDER

I.

On August 8, 2003, WESTERN MOTOR TARIFF BUREAU, INC. ("WMTB"), filed Rate Notice No. 4367-8-C, on behalf of seven member carriers that participate in WMTB's Passenger Carrier Tariff No. 8-C: (1) Alpha Transfer Service Corporation; (2) Hawaii China Travel Service, Inc.; (3) Korean Tour Guide Service Center, Inc., dba Vivi's Transportation; (4) Pan-Pac Group Inc., dba Four Seasons Holiday, Co.; (5) Polynesian Adventure Tours, Inc. ("PAT, Inc."); (6) Robert's Tours & Transportation, Inc. ("Robert's Tours"); and (7) V.I.P. Car Rentals, Inc., dba V.I.P. Trans. All seven passenger carriers are authorized to operate on the island of Oahu.

The seven member carriers seek to flag into the recent five per cent, across-the-board increase in Polynesian

Hospitality's rates and charges, authorized by the commission, without any supporting data or justification for the rate increase. The proposed effective date of Rate Notice No. 4367-8-C is October 1, 2003.

II.

WMTB's prior and separate request for a five per cent across-the-board increase in its rates and charges (except limousine rates) for its Oahu-based member carriers that participate in WMTB's Passenger Carrier Tariff No. 8-C is currently pending before the commission. See Docket No. 03-0202. PAT, Inc. and Robert's Tours comprise the two sample carriers utilized by WMTB in the supporting cost study. See Docket No. 03-0202 (cost study, dated July 7, 2003).

On August 7, 2003, the commission issued extensive information requests to WMTB, instructing the two sample carriers to provide the necessary information to support the requested across-the-board increase in the member carriers' rates and charges. See Docket No. 03-0202. To date, WMTB has not responded to the commission's information requests. Instead, it filed Rate Notice No. 4367-8-C, though Docket No. 03-0202 remains pending before the commission.

At the same time, upon thorough consideration, the commission notes its intent to open an investigation to examine the feasibility of establishing a zone of reasonableness for motor carriers of passengers and property, whereby specific percentage increases or decreases in a carrier's rates and

charges within an established zone of reasonableness would be automatically approved, if the requested changes fall within the zone or range authorized by the commission for that carrier's operations.¹ Such a mechanism would help to expedite the rate-making process for regulated motor carriers.


Based on the foregoing reasons, the commission will dismiss without prejudice Rate Notice No. 4367-8-C.


III.

THE COMMISSION ORDERS that WMTB's Rate Notice No. 4367-8-C, filed on August 8, 2003, is dismissed without prejudice.


DONE at Honolulu, Hawaii this 26th day of August, 2003.

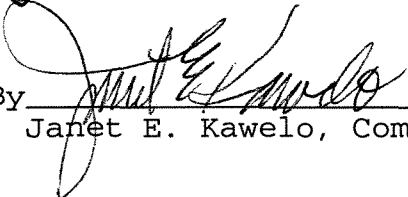
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

By 
Janet E. Kawelo, Commissioner

WMTB43678C.sl

¹See, e.g., Docket No. 01-0255 (zone of reasonableness established for Young Brothers, Limited, a water carrier of property).

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20396 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

ROBERT E. LEWIS
MANAGER
WESTERN MOTOR TARIFF BUREAU, INC.
P. O. Box 30268
Honolulu, HI 96820



Karen Higashi

DATED: August 26, 2003