

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MASAKAZU ZAYASU)
For Amendment of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 03-0169

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2003 SEP 10 P 12:55

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

DECISION AND ORDER NO. 20415

Filed Sept. 9, 2003
At 8:00 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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MASAKAZU ZAYASU) Docket No. 03-0169
For Amendment of Motor Carrier) Decision and Order No. 20415
Certificate.)
_____)

DECISION AND ORDER

I.

MASAKAZU ZAYASU ("Applicant") is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification. By an application filed on June 10, 2003, Applicant seeks commission approval to amend his authority under certificate of public convenience and necessity number 954-C ("Certificate No. 954-C") by (1) removing the 1-to-7 passenger classification, and (2) adding the 8-to-25 passenger classification. Applicant represents that if his authority is amended as requested, he can meet customer demand for motor vehicles with a seating capacity of 8-to-25 passengers.

Applicant 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 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.

Based upon our review of the record, we find that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes ("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 an amendment of his authority should be granted.

Furthermore, pursuant to HRS § 271-19, a certificate of public convenience and necessity may be terminated upon application of the holder. Thus, the commission finds good cause to grant Applicant's request to terminate his authority in the 1-to-7 passenger vehicle classification.

III.

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification. Applicant's authority in the 1-to-7 passenger classification shall terminate upon written notification from the commission that all requirements for the amended operating authority have been met.

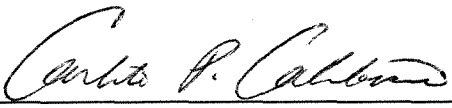
2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff and filing the appropriate insurance documents.

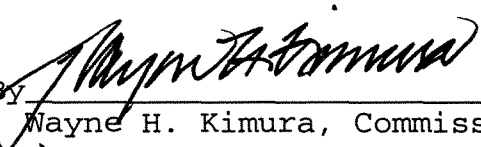
3. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

4. Applicant shall not commence operations in the 8-to-25 passenger classification until he has received written confirmation from the commission that all requirements have been met.

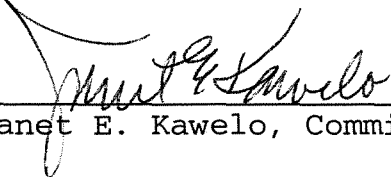
DONE at Honolulu, Hawaii this 9th day of September, 2003.

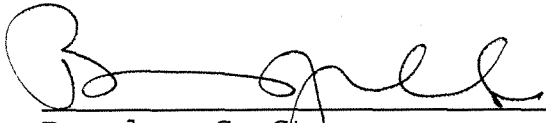
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By 
Janet E. Kawelo, Commissioner


Benedyne S. Stone
Commission Counsel

03-0169.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20415 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

MASAKAZU ZAYASU
1655 Makaloa Street, #2011
Honolulu, HI 96814



Karen Higashi

DATED: September 9, 2003