

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
TAN VAN NGUYEN)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 03-0183

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

2003 OCT -8 P 4: 13

RECEIVED

DECISION AND ORDER NO. 20566

Filed October 8, 2003
At 11 o'clock a .M.

Brooke K. Naggi
for Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
TAN VAN NGUYEN)
For a Motor Carrier Certificate or)
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Docket No. 03-0183
Decision and Order No. 20566

DECISION AND ORDER

I.

By an application filed on June 23, 2003, TAN VAN NGUYEN ("Applicant") requests a certificate of public convenience and necessity 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. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

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 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 operating authority, as set forth in the application, should be granted.

We also find good cause to void Decision and Order No. 20417, filed in this docket on September 9, 2003. Decision and Order No. 20417 was inadvertently filed with an incorrect face sheet. The commission, thus, determines that Decision and Order No. 20417 should be voided and that it should be replaced by this decision and order.

III.

THE COMMISSION ORDERS:

1. Applicant is granted a certificate 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.

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, paying a fee of \$20 for motor carrier gross revenues, and filing the appropriate insurance documents.

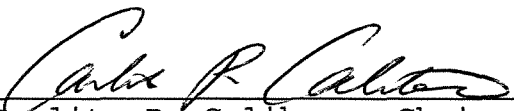
3. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

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

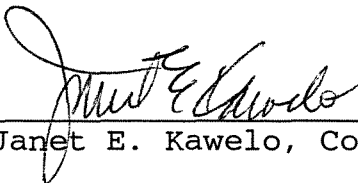
5. Decision and Order No. 20417 is voided and replaced by this decision and order.

DONE at Honolulu, Hawaii this 8th day of October,
2003.

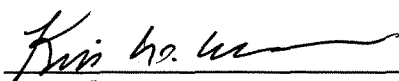
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

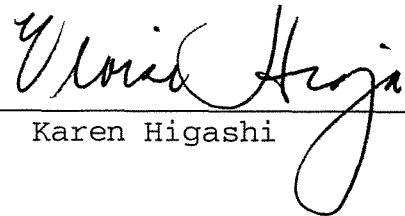
03-0183.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20566 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

TAN VAN NGUYEN
2108 Ahe Street, #5B
Honolulu, HI 96816



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Karen Higashi

DATED: October 8, 2003