BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

ANTONE R. SILVA, dba 
RESORTS LIMOUSINE SERVICE 

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

DOCKET NO. 03-0172

DECISION AND ORDER NO. 20567

Filed October 9, 2003
At 12 o'clock p.m.

for Chief Clerk of the Commission
BEFORE THE PUBLIC UTILITIES COMMISSION
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ANTONE R. SILVA, dba RESORTS LIMOUSINE SERVICE)

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The Whole or Any Part of Its Property, Certificate, or Permit. )

Docket No. 03-0172

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DECISION AND ORDER

I.

On June 16, 2003, ANTONE R. SILVA, dba RESORTS LIMOUSINE SERVICE ("Transferor"), filed an application seeking commission approval to transfer certificate of public convenience and necessity number 5710-C ("Certificate No. 5710-C") to DRAGAN RNIC, dba RESORTS LIMOUSINE SERVICE ("Transferee"), pursuant to Hawaii Revised Statutes ("HRS") § 271-18. Under Certificate No. 5710-C, and pursuant to HRS § 271-12, Transferor is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing limousines with a maximum manufacturer’s seating capacity of 10 passengers.

Transferor served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by Applicant’s proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs.
By a statement filed on June 17, 2003, 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 Certificate No. 5710-C 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 Certificate No. 5710-C to Transferee is approved.

2. Transferee shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff, filing the appropriate insurance documents, and paying a fee of $20 for motor carrier gross revenues.

3. Transferor shall file with the commission his annual financial report for the period of operation from January 1, 2003, to the effective date of this decision and order, and shall pay the associated motor carrier gross revenue fee.
4. Transferor and Transferee shall comply with the requirements set forth herein 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.

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

DONE at Honolulu, Hawaii this 9th 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
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20567 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

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RESORTS LIMOUSINE SERVICE
64-800 Uekione Street
Kamuela, HI  96743

DRAGAN RNIC, dba
RESORTS LIMOUSINE SERVICE
74-5588 Pawai Place, Bldg. C
Kailua-Kona, HI  96740

DATED: October 9, 2003

Karen Higashi