BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

WITH HAWAII, INC.

For Extension of Motor Carrier Certificate.

DOCKET NO. 03-0248

DECISION AND ORDER NO. 20825

Filed ______________, 2004

At ____ o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
In the Matter of the Application of

WITH HAWAII, INC.

For Extension of Motor Carrier Certificate.

Docket No. 03-0248

Decision and Order No. 20825

DECISION AND ORDER

I.

Application to Extend Common Carrier Authority

WITH HAWAII, INC. ("Applicant") is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers. By application filed on September 5, 2003, and amended on September 11, 2003, Applicant seeks commission approval to extend its authority under certificate of public convenience and necessity number 931-C ("Certificate No. 931-C") by removing the 15 passenger seat limitation in the 8-to-25 passenger classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for motor vehicles with increased seating capacity.

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.

Findings and Conclusions

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 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 extension of its authority should be granted.

III.

Orders

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 1-to-7 and 8-to-25 passenger classifications.

2. Applicant shall surrender Certificate No. 931-C, and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.
3. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing the appropriate insurance documents.

4. 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.

5. Applicant shall not commence operations utilizing motor vehicles with seating capacity exceeding 15 passengers until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 27th day of February, 2004.

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. 20825 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

WITH HAWAII, INC.
1750 Kalakaua Avenue, #907
Honolulu, HI    96826

Dated: February 27, 2004

[Signature]
Karen Higashi