BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

VAN CHI DANG

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

DOCKET NO. 04-0005

DECISION AND ORDER NO. 20938

Filed April 30, 2004
At 8:00 o'clock A.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
DECISION AND ORDER

I.

Application to Transfer Common Carrier Authority

On January 7, 2004, VAN CHI DANG ("Transferor") filed an application seeking commission approval to transfer certificate of public convenience and necessity number 1401-C ("Certificate No. 1401-C") to DANG’S, INC., dba DANG’S LIMOUSINE SERVICE ("Transferee"), pursuant to Hawaii Revised Statutes ("HRS") § 271-18. Under Certificate No. 1401-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 Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer’s seating capacity of 17 passengers.

Transferor 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"). By a statement filed on April 5, 2004, the Consumer Advocate indicated that it will not participate in this proceeding. No persons moved to intervene in this docket.

II.

Findings and Conclusions

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. 1401-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.

Orders

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 1401-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 surrender Certificate No. 1401-C, and an amended certificate reflecting the transfer authorized by this decision and order shall be issued to Transferee.

4. Transferor shall file with the commission his annual financial report for the period of operation from January 1, 2004, to the effective date of this decision and order, and shall pay the associated motor carrier gross revenue fee.

5. 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.

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

DONE at Honolulu, Hawaii this 30th day of April, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Carlito P. Caliboso, Chairman

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

By
Wayne H. Kimura, Commissioner

By
Janet E. Kawelo, Commissioner

04-0005.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20938 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

VAN CHI DANG
1411 Auld Lane
Honolulu, HI  96817

DANG'S, INC., dba
DANG'S LIMOUSINE SERVICE
1411 Auld Lane
Honolulu, HI  96817

DATED: April 30, 2004