

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
 LANCE NOBUO NISHIKI, dba )  
 ENVISAGE CONCEPT )  
 )  
 To Transfer a Motor Carrier )  
 Certificate or Permit and to )  
 Extend Operating Authority. )  
 \_\_\_\_\_ )

DOCKET NO. 04-0142

DECISION AND ORDER NO. 21308

Filed August 17, 2004  
At 10 o'clock A.M.

Karen Higashi  
Chief Clerk of the Commission

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

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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) ) LANCE NOBUO NISHIKI, dba ) ENVISAGE CONCEPT ) ) To Transfer a Motor Carrier ) Certificate or Permit and to ) Extend Operating Authority. ) _____ )	Docket No. 04-0142  Decision and Order No. <b>21308</b>
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DECISION AND ORDER

I.

Application to Transfer and Extend Common Carrier Authority

LANCE NOBUO NISHIKI, dba ENVISAGE CONCEPT ("Transferor"), is the holder of certificate of public convenience and necessity number 1756-C ("Certificate No. 1756-C"). Certificate No. 1756-C authorizes the transportation of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification. On June 7, 2004, Transferor filed an application seeking commission approval to transfer Certificate No. 1756-C to PREMIER LIMOUSINE SERVICE LLC ("Transferee") and to extend the operating authority under Certificate No. 1756-C to include the 8-to-25 passenger classification. Transferee represents that if the authority is extended as requested, it can meet customer demand for motor vehicles with a seating capacity of 8-to-25 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 the proposed transfer, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). By a statement filed on June 9, 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. 1756-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 Hawaii Revised Statutes ("HRS") § 271-18, and should, therefore, be approved.

The commission also finds that the proposed expansion of authority is required by the present and future public convenience and necessity and that Transferee 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. Accordingly, we conclude that the request for an expansion of authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 1756-C to Transferee is approved.

2. The request to extend the authority under Certificate No. 1756-C is approved. Transferee is authorized to operate as a common carrier of passengers over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications.

3. 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.

4. Transferor shall surrender Certificate No. 1756-C, and an amended certificate reflecting the authority granted by this decision and order shall be issued to the Transferee.


5. 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.

6. Transferor and Transferee shall comply with the requirements set forth herein within one hundred and twenty (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.

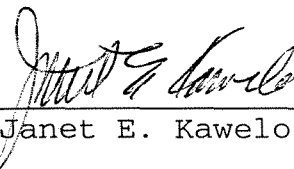
7. Transferee shall not commence operations until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii AUG 17 2004.

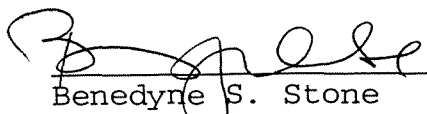
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

04-0142.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21308 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

LANCE NOBUO NISHIKI, dba  
ENVISAGE CONCEPT  
914 12<sup>th</sup> Avenue  
Honolulu, HI 96816

PREMIER LIMOUSINE SERVICE LLC  
1777 Ala Moana Boulevard, Suite 224  
Honolulu, HI 96815

  
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Karen Higashi

DATED: AUG 17 2004