BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
DRAGAN RNIC, dba
RESORTS LIMOUSINE SERVICE)
)
For Extension of Motor Carrier
Certificate.)
)

DOCKET NO. 04-0179

INTERIM DECISION AND ORDER NO. 21434

Filed Nov. 1, 2004
At 11 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
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DRAGAN RNIC, dba RESORTS LIMOUSINE SERVICE ) Docket No. 04-0179
)
For Extension of Motor Carrier Certificate.
) Interim Decision and Order No.21434

INTERIM DECISION AND ORDER

I.

Application to Extend Common Carrier Authority

DRAGAN RNIC, dba RESORTS LIMOUSINE SERVICE
("Applicant"), is 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 8-to-25 passenger classification, limited to utilizing limousines with a maximum manufacturer’s seating capacity of 10 passengers. On July 22, 2004, Applicant filed an application seeking commission approval to extend his authority under certificate of public convenience and necessity number 5710-C ("Certificate No. 5710-C") by (1) adding the 1-to-7 and 8-to-25 passenger classifications on the island of Kauai, and (2) removing the "limited to utilizing limousines with a maximum manufacturer’s seating capacity of 10 passengers" restriction in the 8-to-25 passenger classification on the island of Hawaii.

Applicant 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 ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding.

On August 18, 2004, Jack’s Tours, Inc. ("Movant") filed a motion to intervene ("Motion to Intervene") and requested a hearing concerning Applicant’s proposed extension of services on the island of Hawaii. On October 1, 2004, the commission issued a Notice of Hearing which notified Applicant and Movant that a hearing on Movant’s Motion to Intervene would be heard on November 23, 2004, 9:00 a.m., at 688 Kinoole Street, #106-B, Hilo, Hawaii. As there was no motion for intervention filed concerning Applicant’s proposed services on the island of Kauai, this order will address Applicant’s request for authority on the island of Kauai.

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 for the island of Kauai, and to conform to Hawaii Revised Statutes chapter 271 and the requirements and rules of the commission. We also find that the proposed service for the island of Kauai is required by the present and future public convenience and necessity.

Accordingly, we conclude that Applicant’s request for an extension of his authority to include the island of Kauai 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 Kauai in the 1-to-7 and 8-to-25 passenger classifications.

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.

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

4. Applicant shall not commence operations on the island of Kauai until he has received written confirmation from the commission that all requirements have been met.
DONE at Honolulu, Hawaii ___NOV - 1 2004_____.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By (EXCUSED) Wayne H. Kimura, Commissioner

By Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone
Commission Counsel

04-0179.rpr
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Interim Decision and Order No. 21434 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

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

Dated: Nov - 1 2004

Karen Higashi