

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
CAREY HAWAII, LLC )  
For Extension of Motor Carrier )  
Certificate. )  
\_\_\_\_\_ )

DOCKET NO. 05-0044

DECISION AND ORDER NO. 21814

RECEIVED  
2005 MAY 13 A 7:56  
DIV. OF CONSUMER AGENCY  
DEPT. OF CONSUMER AGENCY  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed May 11, 2005  
At 10 o'clock A .M.

Karen Higashi.  
Chief Clerk of the Commission

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)  
CAREY HAWAII, LLC )  
For Extension of Motor Carrier )  
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Docket No. 05-0044  
Decision and Order No. 21814

DECISION AND ORDER

By this Decision and Order, the commission authorizes CAREY HAWAII, LLC ("Applicant") to extend its authority under certificate of public convenience and necessity number 1765-C ("Certificate No. 1765-C") to include the 1-to-7 and 8-to-25 passenger classifications on the island of Maui, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of passengers by motor vehicle over irregular routes (1) on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications, and (2) on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 passenger classification. On February 14, 2005, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 1765-C to include the 1-to-7 and 8-to-25 passenger classifications on the island of Maui. Applicant represents that if its authority is extended as

requested, it can meet customer demand for its services on the island of Maui.

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, 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 islands of Oahu and Maui in the 1-to-7 and 8-to-25 passenger

classifications, and on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 passenger classification.

2. Applicant shall surrender Certificate No. 1765-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 a lawful tariff.


4. Applicant shall comply with the foregoing requirements 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.

5. Applicant shall not commence operations on the island of Maui until it has received written confirmation from the commission that all requirements have been met.

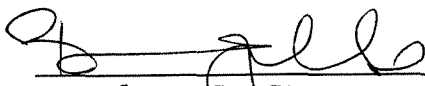
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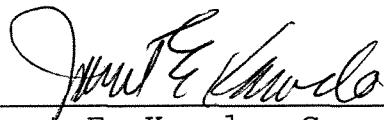
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

By   
Janet E. Kawelo, Commissioner

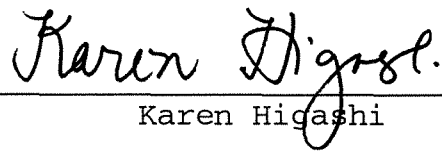
05-0044.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21814 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

CAREY HAWAII, LLC  
333 Waipalani Road  
Haiku, HI 96708

  
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Karen Higashi

DATED: **MAY 11 2005**