

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
LEO TRANS. CO., INC.)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 05-0083

DECISION AND ORDER NO. 21948

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

2005 JUL 26 A 8:30

RECEIVED

Filed July 25, 2005
At 2 o'clock P.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))
LEO TRANS. CO., INC.)) Docket No. 05-0083
For Extension of Motor Carrier)) Decision and Order No. 21948
Certificate.))
_____)

DECISION AND ORDER

By this Decision and Order, the commission authorizes LEO TRANS. CO., INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 1166-C ("Certificate No. 1166-C") to include the 1-to-7 passenger classification on the island of Oahu, 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 on the island of Oahu in the 8-to-25 passenger classification. On April 6, 2005, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 1166-C to include the 1-to-7 passenger classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for motor vehicles with a smaller 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. 1166-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.

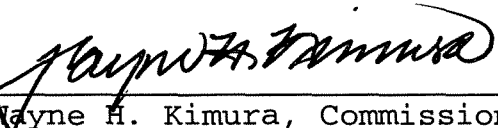
5. Applicant shall not commence operations in the 1-to-7 passenger classification until it has received written confirmation from the commission that all requirements have been met.


6. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii JUL 25 2005.


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

05-0083.en

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21948 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

MELVIN L. MEYERS, PRESIDENT
LEO TRANS CO., INC.
87-154-B Liliana Street
Maili, HI 96792



Karen Higashi

DATED: JUL 25 2005