

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAIIAN ISLAND LIMOUSINE, INC.)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 05-0138

DECISION AND ORDER NO. 22132

Filed Nov. 30, 2005
At 10 o'clock A.M.

Karen Higashi.
Chief Clerk of the Commission

RECEIVED

2005 DEC -2 A 8:10

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

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)
HAWAIIAN ISLAND LIMOUSINE, INC.) Docket No. 05-0138
For a Motor Carrier Certificate or) Decision and Order No. 22132
Permit.)
_____)

DECISION AND ORDER

By this Decision and Order, the commission grants HAWAIIAN ISLAND LIMOUSINE, INC. ("Applicant") a certificate of public convenience and necessity ("Certificate") to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 passenger classification, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

On June 6, 2005, Applicant filed an application, pursuant to Hawaii Revised Statutes ("HRS") § 271-12, requesting a Certificate to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 and 8-to-25 passenger classifications. By letter filed on July 25, 2005, Applicant amended its application by deleting the 8-to-25 passenger classification.

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"). On September 28, 2005, the Consumer Advocate informed the commission that it will not be participating in this docket.

On July 13, 2005, Robert's Tours & Transportation, Inc. ("Robert's") and Jack's Tours, Inc. ("Jack's") each filed a motion to intervene. By stipulation and withdrawal, filed on August 5, 2005, by Robert's and on August 15, 2005, by Jack's, Robert's and Jack's withdrew their respective motions to intervene upon Applicant's agreement to amend its application by deleting the 8-to-25 passenger classification.

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 HRS 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 operating authority, as set forth in the application, should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted a Certificate to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 passenger classification.

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, paying a fee of \$20 for motor carrier gross revenues, and filing the appropriate insurance documents.

3. 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.

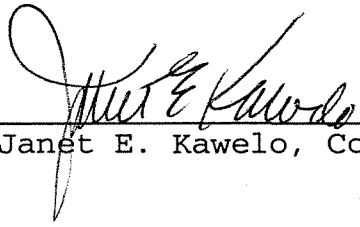
4. Applicant shall not commence operations under this Decision and Order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii NOV 30 2005.

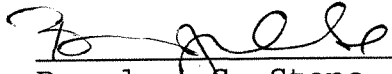
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

05-0138.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22132 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

HAWAIIAN ISLAND LIMOUSINE, INC.
77-299 Kalani Way, Apt. #1
Kailua-Kona, HI 96740

ROBERT'S TOURS & TRANSPORTATION, INC.
ATTN: GEORGE KAHANU, JR.
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Honolulu, HI 96817

JACK'S TOURS, INC.
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Hilo, HI 96720

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(Attorney for JACK'S TOURS, INC.)



Karen Higashi

DATED: NOV 30 2005