BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Application of)

MAUI ECONOMIC OPPORTUNITY, INC. )

For a Contract Carrier Permit and )
Extension of Motor Carrier )
Certificate. )

DOCKET NO. 05-0233

DECISION AND ORDER NO. 22184

Filed December 12, 2005
At 10:45 o'clock A.M.

for Chief Clerk of the Commission

ATTEST: A True Copy
BROOKE K. KANE
Administrative Director
Public Utilities Commission
State of Hawaii
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MAUI ECONOMIC OPPORTUNITY, INC. )
Docket No. 05-0233

For a Contract Carrier Permit and )
Extension of Motor Carrier )
Certificate. )
Decision and Order No. 22184

DECISION AND ORDER

By this Decision and Order, the commission (1) grants
MAUI ECONOMIC OPPORTUNITY, INC. ("Applicant") a permit to operate
as a contract carrier of passengers in the 8-to-25 and
over-25 passenger classifications on the islands of Maui,
Molokai, and Lanai, pursuant to a contract with the County of
Maui, and (2) authorizes Applicant to extend its authority under
certificate of public convenience and necessity
number 4575-C ("Certificate No. 4575-C") to include the 8-to-25
and over-25 passenger classifications on the islands of Maui,
Molokai, and Lanai, subject to certain conditions, as described
herein.

I.
Application for Permit and Extension of Common Carrier Authority

Applicant is a common carrier of passengers by motor
vehicle over irregular routes on the island of Maui in the
1-to-7 passenger classification, limited to providing
transportation services for non-ambulatory passengers. On
September 14, 2005, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 4575-C to include the 8-to-25 and over-25 passenger classifications on the islands of Maui, Molokai, and Lanai. Applicant represents that the increase in passenger seating capacity is needed to meet the demand for specialized transportation services for the elderly, disabled, those of low-income, youth, and Head Start children.

In the same application, Applicant requests a permit, pursuant to Hawaii Revised Statutes ("HRS") § 271-13, to operate as a contract carrier of passengers in the 8-to-25 and over-25 passenger classifications on the islands of Maui, Molokai, and Lanai, under contract with the County 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 services, and to conform to HRS chapter 271 and the requirements and rules of the commission. We also find that the
proposed services are required by the present and future public
certainty 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 authorized (1) to operate as a
contract carrier of passengers over irregular routes on the
islands of Maui, Molokai, and Lanai, in the 8-to-25 and
over-25 passenger classifications, pursuant to a contract with
the County of Maui, and (2) to operate as a common carrier of
passengers by motor vehicle over irregular routes on the islands
of Maui, Molokai, and Lanai, in the 1-to-7 passenger
classification, limited to providing transportation services to
non-ambulatory passengers, and in the 8-to-25 and
over-25 passenger classifications (no limitations).

2. Applicant shall surrender Certificate No. 4575-C,
and an amended certificate reflecting the operating authority
granted by this Decision and Order shall be issued.

3. Applicant shall file a copy of its executed
contract with the County of Maui. The contract must include all
terms and conditions under which the transportation services are
being provided, as well as the rates being charged.

4. Applicant shall comply with all of the
commission’s requirements for contract and common carriers by
motor vehicle including, but not limited to, filing a lawful tariff that reflects its new common carrier authority granted by this Decision and Order.

5. 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.

6. Applicant shall not commence operations as a contract carrier or common carrier in the 8-to-25 and over-25 passenger classifications until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii __________ DEC 12 2005_________.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By ___________________________ By ___________________________
Carlito P. Caliboso, Chairman Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By ___________________________
Stacey Kawasaki Djou
Commission Counsel

By ___________________________
Janet E. Kawelo, Commissioner
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22184 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

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c/o GLADYS C. BAISA
P. O. Box 2122
Kahului, HI  96733

STEVEN HO, ESQ.
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TORKILDSON, KATZ, FONSECA, MOORE & HETHERINGTON
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DATED:  DEC 12 2005

Karen Higashi