BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
MICHAEL H. OSHIRO, dba)
SONNY TOURS HAWAII)
)
For a Motor Carrier Certificate or)
Permit.
)

DOCKET NO. 2006-0054

DECISION AND ORDER NO. 22481

Filed May 22, 2006
At 12 o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
In the Matter of the Application of)  
MICHAEL H. OSHIRO, dba  
SONNY TOURS HAWAII  
For a Motor Carrier Certificate or  
Permit. 

Docket No. 2006-0054  
Decision and Order No. 22481

DECISION AND ORDER

By this Decision and Order, the commission grants MICHAEL H. OSHIRO, dba SONNY TOURS HAWAII ("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) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers, and subject to certain conditions, as described herein.

I. Application for Common Carrier Authority

On March 7, 2006, Applicant filed an application 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) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited
to utilizing motor vehicles with a maximum manufacturer’s seating capacity of 15 passengers. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

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 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) 1-to-7 passenger classification, and (2) 8-to-25 passenger
classification, limited to utilizing motor vehicles with a
maximum manufacturer's seating capacity of 15 passengers.

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 vacate
this Decision and Order.

4. Applicant shall not commence operations under this
Decision and Order until he has received written confirmation
from the commission that all requirements have been met.
DONE at Honolulu, Hawaii MAY 2 2 2006

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:

Stacey Kawasaki Djou
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22481 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

MICHAEL H. OSHIRO, dba SONNY TOURS HAWAII
P. O. Box 3623
Kailua-Kona, HI 96740

DATED: MAY 22, 2006

Karen Higa