

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
 ) ABOVE AND BEYOND DELIVERY )  
 ) HAWAII, INC. )  
 )  
 ) For a Motor Carrier Certificate or )  
 ) Permit. )  
 )  
 )

DOCKET NO. 2006-0465

DECISION AND ORDER NO. 23271

RECEIVED  
2007 FEB 23 A 10: 01  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed Feb. 22, 2007  
At 12 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.  
Karen Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
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ABOVE AND BEYOND DELIVERY )  
HAWAII, INC. )  
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For a Motor Carrier Certificate or )  
Permit. )  
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Docket No. 2006-0465  
Decision and Order No. 23271

DECISION AND ORDER

By this Decision and Order, the commission grants ABOVE AND BEYOND DELIVERY HAWAII, INC. ("Applicant") a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to a contract with AmerisourceBergen, subject to certain conditions, as described herein.

I.

Application for Contract Carrier Authority

On November 30, 2006, Applicant filed an application requesting a permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to a contract with AmerisourceBergen. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-13.

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, pursuant to HRS § 271-13, that Applicant's proposed service will be consistent with the public interest and the transportation policy declared in HRS chapter 271. 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 permit to operate as a contract carrier of property by motor vehicle over irregular routes on the island of Oahu in the general commodities classification pursuant to a contract with AmerisourceBergen.

2. Applicant shall comply with all of the commission's requirements for contract carriers by motor vehicle including, but not limited to, paying a fee of \$20 for motor

carrier gross revenues and filing the appropriate insurance documents.

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

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 vacate this Decision and Order.

5. 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 FEB 22 2007.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By Carlito P. Caliboso  
Carlito P. Caliboso, Chairman

By John E. Cole  
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djon  
Stacey Kawasaki Djon  
Commission Counsel

2006-0465.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23271 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI  
EXECUTIVE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
P. O. Box 541  
Honolulu, HI 96809

ABOVE AND BEYOND DELIVERY HAWAII, INC  
106 South 54<sup>th</sup> Street  
Chandler, AZ 85226

  
\_\_\_\_\_  
Karen Higashi

DATED: FEB 22 2007