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

Filed Feb. 22, 2007
At 12 o'clock P.M.

Karen Higashl
Chief Clerk of the Commission
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
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 2 2 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman  By John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki 2006-0465.cp
Commission Counsel

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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 54th Street
Chandler, AZ 85226

DATED: FEB 22 2007

Karen Higashi