# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In	the	Matte	er of	the	Application	of)
		F	BODY	SURF	LLC	)
	a :		Carr	ier	Certificate o	or ) )

DOCKET NO. 2007-0011

DECISION AND ORDER NO. 23390

Filed April 27, 2007

At 12 o'clock P.M.

Chief Clerk of the Gommission

RECEIVED 2007 APR 30 A 8: 40

ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public Utilities Commission, State of Hawaii.

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

BODY SURF LLC

For a Motor Carrier Certificate or )
Permit. )

Docket No. 2007-0011 Decision and Order No. 23390

## DECISION AND ORDER

By this Decision and Order, the commission grants BODY SURF LLC ("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 Oahu in the 8-to-25 passenger classification, subject to certain conditions, as described herein.

I.

# Application for Common Carrier Authority

On January 12, 2007, 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 Oahu in the 8-to-25 passenger classification. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist 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 Oahu in the 8-to-25 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 vacate this Decision and Order.
- Applicant shall not commence operations under this 4. Decision and Order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii \_\_\_\_\_APR 2 7 2007

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlo P. Caliboso, Chairman

APPROVED AS TO FORM:

Commission Counsel

2007-0011.eh

### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No.</u> 23390 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

BODY SURF, LLC c/o KOKAN SOFRONIEV 225 Kaiulani Avenue, #403 Honolulu, HI 96815

Karen Higashi

DATED: APR 2 7 2007