

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
RAYMOND G. FOAT, dba )  
RESORT SHUTTLE )  
 )  
To Sell, Lease, Assign, Mortgage or )  
Otherwise Dispose of, or Encumber )  
The Whole or Any Part of Its )  
Property, Certificate, or Permit. )  
\_\_\_\_\_ )

DOCKET NO. 2007-0134

DECISION AND ORDER NO. 23589

Filed August 9, 2007  
At 12 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

RECEIVED  
2007 AUG 10 A 9:54  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

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

K. Higashi



utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers, and (3) over-25 passenger classification.

Transferor served copies of the application on the Hawaii Transportation Association, which consists of carriers that may be affected by the proposed transfer, 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

Upon review of Transferor's application, the commission finds that Transferee is fit, willing, and able to perform the services presently performed by Transferor, and that the proposed transfer of Certificate No. 5680-C is just and reasonable and will be consistent with the public interest. Accordingly, the commission concludes that the proposed transfer is in accordance with HRS § 271-18, and should, therefore, be approved.

## III.

### Orders

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 5680-C to Transferee is approved.

2. Transferee shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff and paying a fee of \$20 for motor carrier gross revenues.

3. Transferor shall file with the commission his annual financial report for the period of operation from January 1, 2007, to the effective date of this Decision and Order, and shall pay the associated motor carrier gross revenue fee.


4. Transferor and Transferee 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. Transferee shall not commence operations under this Decision and Order until it has received written confirmation from the commission that all requirements have been met.

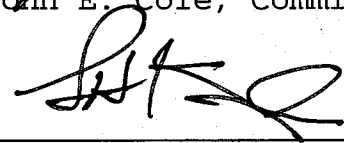
DONE at Honolulu, Hawaii

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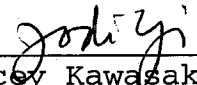
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
John E. Cole, Commissioner

By   
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

*for*   
Stacey Kawasaki Djou  
Commission Counsel

2007-0134.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23589 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

RAYMOND G. FOAT, dba RESORT SHUTTLE  
P. O. Box 384598  
Waikoloa, HI 96738

RESORT SHUTTLE LLC  
c/o RAYMOND G. FOAT  
P. O. Box 384598  
Waikoloa, HI 96738

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

DATED: AUG - 9 2007