

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
EXECUTIVE U.S.A. CORPORATION)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2008-0092

DECISION AND ORDER

RECEIVED

2008 AUG -4 A 8:23

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

PUBLIC UTILITIES
COMMISSION

2008 AUG -1 P 1:48

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
EXECUTIVE U.S.A. CORPORATION)
For a Motor Carrier Certificate or)
Permit.)
_____)

Docket No. 2008-0092

DECISION AND ORDER

By this Decision and Order, the commission grants EXECUTIVE U.S.A. CORPORATION ("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

By application filed on May 20, 2008, and amended on May 23, 2008, Applicant requests 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 was filed 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, the commission finds 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. The commission also finds that the proposed service is required by the present and future public convenience and necessity. Accordingly, the commission concludes 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. Within one hundred and twenty (120) days after service of this Decision and Order, Applicant shall:

- a. File a tariff in accordance with Hawaii Administrative Rules, Chapter 6-63. As the application indicates that Applicant will be participating in the tariff published by the Western Motor Tariff Bureau, Inc. ("WMTB"), Applicant shall submit an executed Rate and Tariff Agreement or a Tariff Scope Sheet confirming Applicant's membership in the tariff bureau.

3. Applicant shall comply with the foregoing requirement within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified may constitute cause for this commission to vacate this Decision and Order.

4. 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 AUG - 1 2008.

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 Djou
Stacey Kawasaki Djou
Commission Counsel

By Leslie H. Kondo
Leslie H. Kondo, Commissioner

2008-0092.sl

¹WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

EXECUTIVE U.S.A. CORPORATION
c/o HISAE KATO, EA
C'S ACCOUNTING SERVICE
P. O. Box 10552
Honolulu, HI 96816