

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
 CLOUD 9 LIMOUSINE, INC.)
)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 2007-0395

DECISION AND ORDER NO. 24105

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DIVISION OF PUBLIC UTILITIES AND
REGULATION
STATE OF HAWAII

Filed March 25, 2008
At 10 o'clock A .M.

Karen Higashi.
Chief Clerk of the Commission

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
 CLOUD 9 LIMOUSINE, INC.)
For Extension of Motor Carrier)
Certificate.)

Docket No. 2007-0395
Decision and Order No. 24105

DECISION AND ORDER

By this Decision and Order, the commission authorizes CLOUD 9 LIMOUSINE, INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 1664-C ("Certificate No. 1664-C") to include the 8-to-25 passenger classification on the island of Kauai, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications. On November 29, 2007, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 1664-C to include the 8-to-25 passenger classification on the island of Kauai.

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, the commission finds that Applicant is fit, willing, and able to properly perform the proposed service, and to conform to Hawaii Revised Statutes 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 an extension of its authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes (1) on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications, and (2) on the island of Kauai 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 that reflects Applicant's new authority in the 8-to-25 passenger classification on the island of Kauai. 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.¹

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 may constitute cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence operations on the island of Kauai until it has received written confirmation from the commission that all requirements have been met.

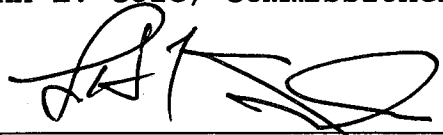
¹WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

DONE at Honolulu, Hawaii MAR 25 2008.

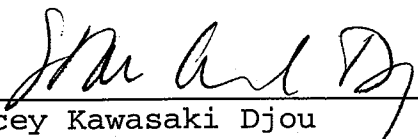
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

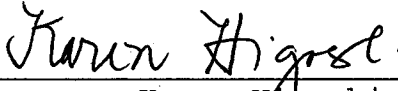
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 24105 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

PETER MICHAEL NENEZICH
CLOUD 9 LIMOUSINE, INC.
P. O. Box 8825
Honolulu, HI 96830



Karen Higashi

DATED: MAR 25 2008