# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of) NAOHIRO SANG LEE

DOCKET NO. 2007-0420

For Extension of Motor Carrier Certificate.

# DECISION AND ORDER NO. 24116

Filed March 31, 2008 

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

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NAOHIRO SANG LEE

For Extension of Motor Carrier Certificate.

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#### DECISION AND ORDER

By this Decision and Order, the commission authorizes NAOHIRO SANG LEE ("Applicant") to extend his authority under certificate of public convenience and necessity number 1749-C ("Certificate No. 1749-C") to include the 8-to-25 passenger classification on the island of Maui, 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 8-to-25 passenger classification. On December 21, 2007, Applicant filed an application seeking commission approval to extend his authority under Certificate No. 1749-C to include the 8-to-25 passenger classification on the island of Maui.

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 his 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 on the islands of Oahu and Maui 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 Maui.
- submit b. Complete and the enclosed "Vehicle Inventory List" form. Applicant shall indicate on which island Applicant's motor vehicles will stationed. Applicant must have at least one motor vehicle permanently stationed on the island of Oahu and at least one motor vehicle permanently stationed on The vehicles island of Maui. utilized must be registered under the name of the Applicant. If Applicant chooses to lease any vehicle, is required to complete he submit a "Motor Vehicle Equipment Lease" The form is available the commission's website at www.hawaii.gov/budget/puc.
- c. Submit a copy of the current Certificate of Registration or ownership document for all vehicles listed on the Vehicle Inventory List.
- d. Provide the address of Applicant's physical facilities/base yard for the island of Maui.
- 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 Maui until it has received written confirmation from the commission that all requirements have been met.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso,

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou

Commission Counsel

2007-0420.eh

## CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing  $\underline{\text{Decision}}$  and  $\underline{\text{Order No.}}$   $\underline{\text{24116}}$  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

NAOHIRO SANG LEE 1650 Kanunu Street, #1215 Honolulu, HI 96814

Karen Higashi

DATED: MAR 3 1 2008