

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Transmittal of)
WESTERN MOTOR TARIFF BUREAU, INC.)
For Approval on Short Notice,)
WMTB Rate Notice No. 4629-8-C.)

TRANSMITTAL NO. 4629-8-C

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

2009 APR - 2 P 12: 34

RECEIVED

ORDER APPROVING ON SHORT NOTICE
WESTERN MOTOR TARIFF BUREAU, INC.'S
RATE NOTICE NO. 4629-8-C

PUBLIC UTILITIES
COMMISSION

2009 APR - 1 P 12: 24

FILED

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OF THE STATE OF HAWAII

In the Matter of the Transmittal of)
WESTERN MOTOR TARIFF BUREAU, INC.) Transmittal No. 4629-8-C
For Approval on Short Notice,)
WMTB Rate Notice No. 4629-8-C.)
_____)

ORDER APPROVING ON SHORT NOTICE
WESTERN MOTOR TARIFF BUREAU, INC.'S
RATE NOTICE NO. 4629-8-C

By this Order, the commission approves Rate Notice No. 4629-8-C, filed by the WESTERN MOTOR TARIFF BUREAU, INC. ("WMTB") on March 10, 2009. As a result, WMTB's request to decrease the statewide passenger carrier rates of its member carriers by ten percent, will take effect from April 1, 2009, i.e., on less than thirty days' notice.

I.

Approval on Short Notice

By Rate Notice No. 4629-8-C, filed on March 10, 2009, WMTB seeks the commission's approval to decrease the statewide passenger carrier rates of its member carriers by ten percent, effective from April 1, 2009, which is nine days before the thirty-day notice period set forth in Hawaii Revised Statutes ("HRS") § 271-21(c) and Hawaii Administrative Rules

("HAR") § 6-61-93(a).¹ WMTB filed its rate notice pursuant to HRS § 271-21(c) and HAR § 6-63-18.

WMTB, in support of its request, explains:

Justification: The Statewide Passenger Standing Rate Committee agreed at their meeting in November 2008 to request a 10% increase, which was filed on Supplement 62. Exclusive, Inc. flagged out in total and Jack's Tours, Inc. flagged out of specific items, both in Supplement 63. In March, the largest carrier, Roberts Transportation, flagged out of the increase as shown in Supplement 64. The Committee met again and agreed to cancel the increase in order to stay competitive with Roberts. Since the first meeting of the Committee, the tourism industry has again declined and the economy has not improved and has cut into passengers coming to the islands, thus leaving a smaller base for the same amount of carriers. Carriers agreed that the increase hurts more than has helped their business.

Short notice is requested because the 10% is detrimental and rates must be reduced immediately to increase the passenger business that is available. This decrease is back to the 2008 rates will help encourage the entire industry and needs to be done as soon as possible. Using the first of the month will make the notification of customers and the tracking of rates more logical and easier to work with.

WMTB Rate Notice No. 4629-8-C, Exhibit II.

WMTB seeks to decrease its statewide passenger carrier passenger rates by ten percent in order to respond to the decline in the visitor count statewide. The proposed ten percent decrease in rates: (1) is within the range of reasonableness authorized by the commission in In re Public Util. Comm'n, Docket No. 2007-0159, the Zone of Reasonableness proceeding for motor

¹WMTB served copies of its rate notice upon the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY, an ex officio party to this proceeding, pursuant to HRS § 269-51 and HAR § 6-61-62(a).

carriers; and (2) will benefit passengers who utilize WMTB's member passenger carriers, in the form of lower passenger rates. Based on these factors and WMTB's representations of financial hardship, the commission approves WMTB's Rate Notice No. 4629-8-C on short notice, effective from April 1, 2009.

II.

Order

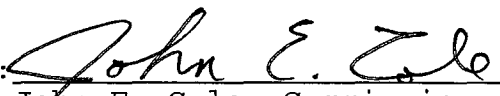
THE COMMISSION ORDERS:

WMTB's Rate Notice No. 4629-8-C, filed on March 10, 2009, is approved on short notice, effective from April 1, 2009.


DONE at Honolulu, Hawaii APR - 1 2009.

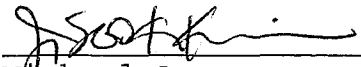
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

APPROVED AS TO FORM:

By: 
Leslie H. Kondo, Commissioner

for 
Michael Azama
Commission Counsel

Transmittal No. 4629-8-C.sl

CERTIFICATE OF SERVICE

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

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DIVISION OF CONSUMER ADVOCACY
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