

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
CATHOLIC CHARITIES OF HAWAII) Docket No. 2009-0307
For Extension of Motor Carrier)
Permit.)
_____)

DECISION AND ORDER

By this Decision and Order, the commission authorizes CATHOLIC CHARITIES OF HAWAII ("Applicant") to extend its authority under Permit No. 714-P to include (1) the transportation of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification, pursuant to a contract with St. Francis Residential Care Community, and (2) the authority to provide contract carrier services in the 1-to-7 passenger classification, on the island of Oahu, to other organizations in the future, provided that the executed contracts for such services are filed with the commission prior to the commencement of services.

I.

Application for Contract Carrier Authority

On October 20, 2009, Applicant filed an application seeking commission approval to extend its authority under Permit

No. 714-P¹ to include (1) the transportation of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 passenger classification, pursuant to a contract with St. Francis Residential Care Community, and (2) the authority to provide contract carrier services in the 1-to-7 passenger classification, on the island of Oahu, to other organizations in the future, provided that the executed contracts for such services are filed with the commission prior to the commencement of services. The application was filed pursuant to Hawaii Revised Statutes ("HRS") § 271-13.

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.

¹Permit No. 714-P authorizes Applicant (1) to operate as a contract carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, pursuant to contracts with The Queen's Medical Center, Hawaii Health Systems Corporation, and St. Francis Residential Care Community, and (2) to provide contract carrier services in the 8-to-25 passenger classification, on the island of Oahu, to other organizations in the future, provided that the executed contracts for such services are filed with the commission prior to the commencement of services.

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 will meet the distinct needs of St. Francis Residential Care Community, and, pursuant to HRS § 271-13, will be consistent with the public interest and the transportation policy declared in HRS Chapter 271. Accordingly, the commission concludes that Applicant's request for an extension of its authority should be granted.

III.

Orders

THE COMMISSION ORDERS:

Applicant is authorized (1) to operate as a contract 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, pursuant to contracts with The Queen's Medical Center, Hawaii Health Systems Corporation, and St. Francis Residential Care Community, and (2) to provide contract carrier services to other organizations in the future, provided that (a) the transportation services are over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications, and (b) the executed contracts for such services

CERTIFICATE OF SERVICE

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

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

CATHOLIC CHARITIES OF HAWAII
c/o DIANE TERADA, DIVISION ADMINISTRATOR
Clarence T.C. Ching Campus
1822 Keeaumoku Street
Honolulu, HI 96822

CRAIG NAKANISHI
RUSH MOORE LLP A LIMITED LIABILITY LAW PARTNERSHIP
737 Bishop Street, Suite 2400
Honolulu, HI 96813