

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
HILO BAY TOURS LLC )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 01-0443

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

2002 AUG - 2 P 4: 03

RECEIVED

DECISION AND ORDER NO. 19501

Filed August 2, 2002  
At 8:00 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)  
  )  
                          HILO BAY TOURS LLC          )  
  )  
For a Motor Carrier Certificate or )      Docket No. 01-0443  
Permit.  )  
\_\_\_\_\_ )      Decision and Order No. 19501

DECISION AND ORDER

I.

By an application filed on November 6, 2001, HILO BAY TOURS LLC (Applicant) requests a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii in the 8-to-25 passenger classification, limited to serving East Hawaii. The application is made pursuant to Hawaii Revised Statutes (HRS) § 271-12.

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.

Based upon our review of the record, we find 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. We also find that the proposed service is required by the present and future public convenience and necessity. Accordingly, we conclude that Applicant's request for operating authority as set forth in the application should be granted.

III.

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 Hawaii in the 8-to-25 passenger classification, limited to serving East Hawaii.

2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff, paying a fee of \$20 for motor carrier gross revenues, filing the appropriate insurance documents, registering and marking the appropriate motor vehicles, and complying with the safety requirements of the Motor Vehicle Safety Office, Department of Transportation, State of Hawaii.

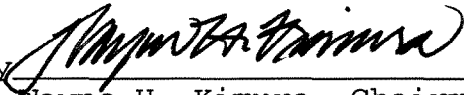
3. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and


order. Failure to comply within the time specified constitutes cause for this commission to void 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.

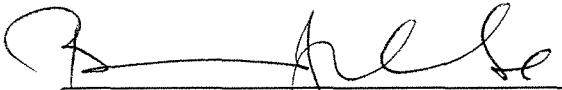
DONE at Honolulu, Hawaii this 2nd day of August, 2002.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

01-0443.eh


CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19501 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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

HILO BAY TOURS LLC  
164 Kamehameha Avenue  
Hilo, HI 96720

DOUGLAS L. HALSTED, ESQ.  
899 Ululani Street, Suite 4  
Hilo, HI 96720

  
\_\_\_\_\_  
Catherine Sakato

DATED: August 2, 2002