

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 DOUGLAS KIM, dba)
 HAN KOOK TOURS & GOLF SERVICE)
)
 For Extension of Motor Carrier)
 Certificate.)
 _____)

DOCKET NO. 02-0346

DECISION AND ORDER NO. 19797

Filed Nov. 20, 2002
At 8:00 o'clock A.M.

Karen Higashi.
Chief Clerk of the Commission

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

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

K. Higashi.

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Docket No. 02-0346

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DECISION AND ORDER

I.

DOUGLAS KIM, DBA HAN KOOK TOURS & GOLF SERVICE (Applicant), is a common carrier of passengers by motor vehicle over irregular routes on the island of Maui in the 1-to-7 and 8-to-25 passenger classifications, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers, excluding travel on Hawaii State Route 31 (south of Tedeschi Vineyards in Ulupalakua to Hana) and Route 360. By an application filed on September 18, 2002, Applicant seeks commission approval to extend its authority under certificate of public convenience and necessity number 4832-C (Certificate No. 4832-C) by removing the 15-seat restriction in the 8-to-25 passenger classification. Applicant represents that if his authority is extended as requested, he can meet customer demand for motor vehicles with a larger seating capacity.

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 Maui in the 1-to-7 and 8-to-25 passenger classifications, excluding travel on Hawaii State Route 31 (south of Tedeschi Vineyards in Ulupalakua to Hana) and Route 360.

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, 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.

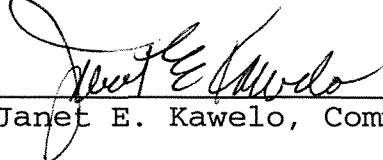
4. Applicant shall not commence operations under this decision and order until he has received written confirmation from the commission that all requirements have been met.

5. Applicant shall surrender Certificate No. 4832-C and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.

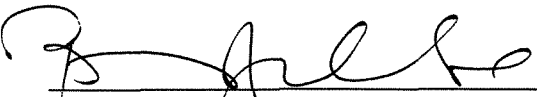
DONE at Honolulu, Hawaii this 20th day of November, 2002.

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

By 
Gregg J. Kinkley, Commissioner

02-0346.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19797 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

DOUGLAS KIM, DBA
HAN KOOK TOURS & GOLF SERVICE
291 Hookahi Street, #106
Wailuku, HI 96793



Karen Higashi

DATED: November 20, 2002