

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
PARADISE EXCURSIONS INC.)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 03-0393

ORDER NO. 20836

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

Filed March 5, 2004
At 2:00 o'clock P .M.

Karen Higashi
Chief Clerk of the Commission

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

K. Higashi

issues already presented." Additionally, intervention as a party in a proceeding before us is a matter resting within our sound discretion. See In re Application of Hawaiian Electric Co., Ltd., 56 Haw. 260 (1975).

In its Motion to Intervene, Movant alleges, among other things, that it can demonstrate to the commission that approving the instant application is not in the public interest and that a grant of intervention will not unduly delay the proceeding.

Based upon our review of the Motion to Intervene, we find that Movant's assertions do not warrant a grant of intervention by the commission. Movant has not convinced the commission that its participation as a party is necessary to a proper determination of the instant application, or that a grant of intervention to Movant would not unnecessarily delay the instant proceeding. Thus, the commission concludes that Movant's Motion to Intervene should be denied.

III.

Order

THE COMMISSION ORDERS that Movant's Motion to Intervene, filed on December 26, 2003, is denied.

DONE at Honolulu, Hawaii this 5th day of March, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 

Carlito P. Caliboso, Chairman

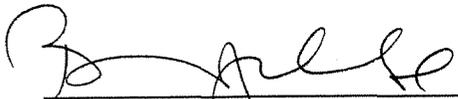
By 

Wayne H. Kimura, Commissioner

By 

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:



Benedyne S. Stone
Commission Counsel

03-0270.sl

CERTIFICATE OF SERVICE

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

FRANCISCO ROLON, PRESIDENT
PARADISE EXCURSIONS, INC.
RR3 Box 1319
Pahoa, HI 96778

JACK'S TOURS, INC.
ATTENTION: ALISA MIYAKE
737 Kanoelehua Avenue
Hilo, HI 96720

Karen Higashi

DATED: March 5, 2004