

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
NAPALI KAYAK, INC.)
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 04-0102

DECISION AND ORDER NO. 21305

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

2004 AUG 18 A 8:20

RECEIVED

Filed August 17, 2004
At 10 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.

II.

Findings and Conclusions

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.

Orders

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 Kauai in the 8-to-25 passenger classification, limited to providing transportation services in conjunction with its kayak tours.

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, and filing the appropriate insurance documents.


3. Applicant shall comply with the foregoing requirements within one hundred and twenty (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.

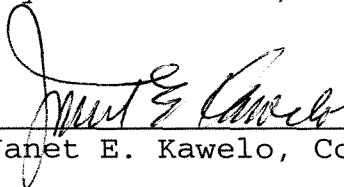
4. Applicant shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 17th day of August, 2004.

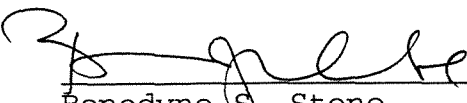
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

04-0102.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21305 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
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Honolulu, HI 96809

NAPALI KAYAK, INC.
P. O. Box 1730
Hanalei, HI 96714

RICHARD B. CUATTO, ESQ.
4568 Kukui Street
Kapaa, HI 96746



Karen Higashi

DATED: AUG 17 2004