

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
AIKANE INTERPACIFIC CORPORATION,)
 dba MAIKAI OHANA TOURS)
)
For a Motor Carrier Certificate or)
 Permit.)
_____)

DOCKET NO. 05-0095

DECISION AND ORDER NO. 21987

Filed August 10, 2005
At 2 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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

2005 AUG 12 A 8:21

RECEIVED

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

Karen Higashi.

that may be affected by Applicant's proposed service, and on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). On April 12, 2005, the Consumer Advocate informed the commission that it will not be participating in this docket.

On June 7, 2005, Jack's Tours, Inc. ("Jack's") filed a motion to intervene in the instant proceeding ("Motion to Intervene"), which included a request that the commission hear oral arguments on the Motion to Intervene.

On June 23, 2005, Applicant, through its legal counsel, filed a motion for the enlargement of time to file a reply to the Motion to Intervene ("Motion for Enlargement of Time"). By Order No. 21893, filed on June 24, 2005, the commission denied Applicant's Motion for Enlargement of Time. On June 24, 2005, Jack's filed a memorandum in opposition to Applicant's Motion for Enlargement of Time.

On June 28, 2005, oral argument on the Motion to Intervene was heard by the commission. On July 8, 2005, the commission issued Order No. 21912, denying Jack's Motion to Intervene.

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 Hawaii, excluding Waipio Valley, in the 8-to-25 passenger classification.


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 AUG 10 2005.

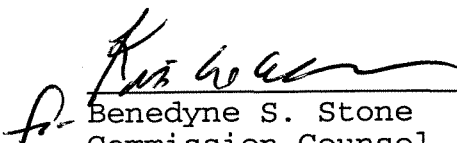
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

05-0095.rpr

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21987 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

AIKANE INTERPACIFIC CORPORATION, dba
MAIKAI OHANA TOURS
c/o YOSUKE SATO
2522 Date Street, Apt. 402
Honolulu, HI 96826

CRAIG I. NAKANISHI, ESQ.
SHAH J. BENTO, ESQ.
RUSH MOORE LLP
737 Bishop Street
Suite 2400
Honolulu, HI 96813



Karen Higashi

DATED: AUG 11 2005