

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
CHRISTOPHER F. SPEARS, dba)
THEREALHAWAII ECO-CULTURAL EXCURSIONS))
)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 2006-0354

DECISION AND ORDER NO. 23057

RECEIVED

2006 NOV 27 A 9:19

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

Filed November 22, 2006

At 11 o'clock A.M.

Broderick K. Kane
for Chief Clerk of the Commission

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

for Broderick K. Kane

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In the Matter of the Application of)
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THEREALHAWAII ECO-CULTURAL EXCURSIONS)
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Docket No. 2006-0354
Decision and Order No. 23057

DECISION AND ORDER

By this Decision and Order, the commission grants CHRISTOPHER F. SPEARS, dba THEREALHAWAII ECO-ECULTURAL EXCURSIONS ("Applicant"), a certificate of public convenience and necessity ("Certificate") to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

On August 28, 2006, Applicant filed an application requesting a Certificate to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu in the 1-to-7 and 8-to-25 passenger classifications. The application is made pursuant to Hawaii Revised Statutes ("HRS") § 271-12.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified

Common Carriers Association, Inc., which consist 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.

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 Oahu in the 1-to-7 and 8-to-25 passenger classifications.
2. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle

including, but not limited to, paying a fee of \$20 for motor carrier gross revenues and filing the appropriate insurance documents.

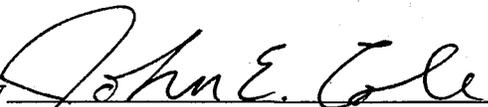
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to vacate this Decision and Order.

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.

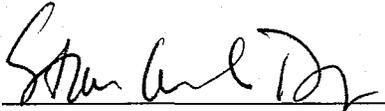
DONE at Honolulu, Hawaii NOV 22 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2006-0354.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23057 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

CHRISTOPHER F. SPEARS, dba
THEREALHAWAII ECO-CULTURAL EXCURSIONS
2249 Broad Water Drive
Jacksonville, FL 32225



Karen Higashi

DATED: NOV 22 2006