

(2) on the island of Maui in the 1-to-7 and 8-to-25 passenger classifications, limited to providing tours to the Haleakala Crater. On June 28, 2007, Applicant filed an application seeking commission approval (1) to extend its authority under Certificate No. 5676-C by removing the 15 passenger seat limitation in the 8-to-25 passenger classification on the island of Hawaii, and (2) to surrender its authority on the island of Maui in 1-to-7 and 8-to-25 passenger classifications, limited to providing tours to the Haleakala Crater.

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.

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 Hawaii Revised Statutes 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 an extension of its authority should be granted.

Furthermore, pursuant to HRS § 217-19, a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to grant Applicant's request to terminate its authority in 1-to-7 and 8-to-25 passenger classifications on the island of Maui, limited to providing tours to the Haleakala Crater.

III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 1-to-7 and 8-to-25 passenger classifications. Applicant's authority in the 1-to-7 and 8-to-25 passenger classifications on the island of Maui, limited to providing tours to the Haleakala Crater, shall terminate upon written notification from the commission that all requirements for the extended operating authority on the island of Hawaii have been met.

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.

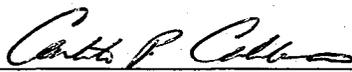
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the

time specified constitutes cause for this commission to vacate this Decision and Order.

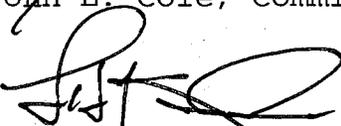
4. Applicant shall not commence its expanded operations on the island of Hawaii until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii OCT 23 2007.

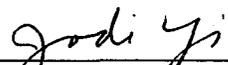
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

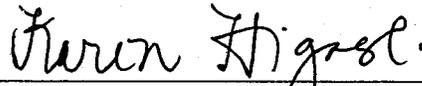
2007-0174.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23751 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

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Karen Higashi

DATED: **OCT 23 2007**