BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of
KAUAI WATER SKI & SURF CO., INC.
dba KAUAI WATER SKI & SPORTS
For Voluntary Surrender of
Certificate or Permit

DOCKET NO. 2008-0262

ORDER TERMINATING CERTIFICATE NO. 3570-C
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By this Order, the commission terminates certificate of public convenience and necessity no. 3570-C ("Certificate No. 3570-C"), held by KAUAI WATER SKI & SURF CO., INC., dba KAUAI WATER SKI & SPORTS ("Petitioner"), effective from the date of this Order.

I.

Request to Surrender Common Carrier Authority

On October 15, 2008, Petitioner filed a letter requesting commission approval to voluntarily surrender its authority under Certificate No. 3570-C. Certificate No. 3570-C authorizes Petitioner to transport 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 kayak tours.
II.

Findings and Conclusions

In accordance with Hawaii Revised Statutes ("HRS") § 271-19, operating authority under a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to grant Petitioner’s request to terminate its authority.

III.

Orders

THE COMMISSION ORDERS:

1. Petitioner’s authority to transport passengers under Certificate No. 3570-C is terminated, effective from the date of this Order.

2. Petitioner shall remove any markings from the vehicles used in its operations. Petitioner shall comply with the foregoing requirement within fifteen (15) days from the date of this Order.

3. If Petitioner fails to comply with the foregoing requirement within the time period specified, it may be subject to penalties pursuant to HRS § 271-27.

4. This docket is closed unless otherwise ordered by the commission.
DONE at Honolulu, Hawaii     DEC - 4 2008

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

2008-0262.cp
CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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

KENNETH TERHEGGEN, PRESIDENT
KAUAI WATER SKI & SURF CO., INC. dba
KAUAI WATER SKI & SPORTS
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