BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

KAUAI PARADISE TOURS LLC

For Voluntary Surrender of
Certificate or Permit

DOCKET NO. 99-0202

ORDER TERMINATING CERTIFICATE NO. 3543-C
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
) KAUAI PARADISE TOURS LLC ) Docket No. 99-0202
) For Voluntary Surrender of )
) Certificate or Permit )

ORDER TERMINATING CERTIFICATE NO. 3543-C

By this Order, the commission terminates certificate of public convenience and necessity no. 3543-C ("Certificate No. 3543-C"), held by KAUAI PARADISE TOURS LLC ("Petitioner"), effective from the date of this Order.

I.
Request to Surrender Common Carrier Authority

On November 18, 2008, the commission received a letter from Ina Berger-Deyerl stating that she wished to surrender Certificate No. 3543-C.¹ Ms. Berger-Deyerl also stated (1) that she was the personal representative of the Estate of Max Josef Arno Deyerl, (2) that Mr. Deyerl was the only member of Petitioner, and (3) that Mr. Deyerl had passed away on December 23, 2007.

¹Certificate No. 3543-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Kauai in the 1-to-7 and 8-to-25 passenger classifications.
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. 3543-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 - 8 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

99-0202.Iaa
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

KAUAI PARADISE TOURS LLC  
c/o INA BERGER-DEYERL  
P. O. Box 3927  
Lihue, HI  96766