

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
LEE M. HENRY, JR., dba)
TOUR FIVE-O)
For Voluntary Surrender of)
Certificate or Permit)
_____)

DOCKET NO. 2007-0060

ORDER NO. 23954

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

2008 JAN -7 A 8:44

RECEIVED

Filed January 3, 2008
At 1 o'clock P.M.

Jan Carl P.
for Chief Clerk of the Commission

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

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LEE M. HENRY, JR., dba)
TOUR FIVE-O)
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Docket No. 2007-0060
Order No. 23954

ORDER

By this Order, the commission terminates certificate of public convenience and necessity no. 1786-C ("Certificate No. 1786-C"), held by LEE M. HENRY, JR., dba TOUR FIVE-O ("Petitioner"), effective from the date of this Order.

I.

Request to Surrender Common Carrier Authority

By Order No. 23310, filed on March 16, 2007, in this docket, Certificate No. 1786-C, held by Petitioner, was placed on inactive status until March 15, 2008. On December 21, 2007, Petitioner filed a letter requesting commission approval to voluntarily surrender his authority under Certificate No. 1786-C. Under Certificate No. 1786-C, Petitioner is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu 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 his authority.

III.

Orders

THE COMMISSION ORDERS:

1. Petitioner's authority to transport passengers under Certificate No. 1786-C is terminated, effective from the date of this Order.

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

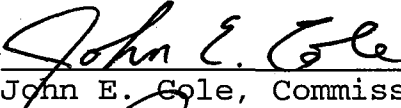
3. If Petitioner fails to comply with the foregoing requirement within the time period specified, he may be subject to penalties pursuant to HRS § 271-27.

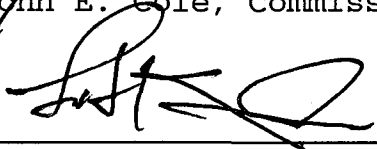
4. This docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii JAN - 3 2008.

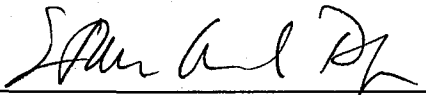
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

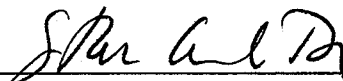
2007-0060.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23954 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

LEE M. HENRY, JR., dba
TOUR FIVE-O
P. O. Box 700483
San Antonio, TX 78270

for 

Karen Higashi

DATED: JAN - 3 2008