BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
                                    )
                                    ) DOCKET NO. 02-0048
SUNG KI KWAK, dba )
SHIN JIN HAWAII TRAVEL & TOUR )
For Extension of Motor Carrier )
Certificate.  )

DECISION AND ORDER NO. 19402

Filed June 4, 2002
At 8:00 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of:
SUNG KI KWAK, dba
SHIN JIN HAWAII TRAVEL & TOUR
For Extension of Motor Carrier Certificate.

Docket No. 02-0048
Decision and Order No. 19402

DECISION AND ORDER

I.

SUNG KI KWAK, dba SHIN JIN HAWAII TRAVEL & TOUR (Applicant), is a common carrier of passengers by motor vehicle over irregular routes on the island of Hawaii, excluding Waipio Valley, in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers. By an application filed on February 27, 2002, Applicant seeks commission approval to extend his authority under certificate of public convenience and necessity number 5699-C (Certificate No. 5699-C) to include the 1-to-7 passenger classification.

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.

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 his authority should be granted.

III.

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) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers.

2. Applicant shall surrender Certificate No. 5699-C, and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.

3. 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, filing the appropriate insurance documents, registering and marking the appropriate motor vehicles, and complying with the safety requirements of the Motor Vehicle Safety Office, Department of Transportation, State of Hawaii.
4. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

5. 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 this 4th day of June, 2002.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By [Signature]
Dennis R. Yamada, Chairman

By [Signature]
Wayne Kimura, Commissioner

By [Signature]
Janet Kawelo, Commissioner

APPROVED AS TO FORM:

By [Signature]
Benedyne S. Stone
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 19402 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

SUNG XI KWAK, dba
SHIN JIN HAWAII TRAVEL & TOUR
2576-A Kilauea Avenue
Hilo, HI  96720

DATED: June 4, 2002

Catherine Sakato