BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

OAHU NATURE TOURS, INC., dba HAWAII FILM AND CELEBRITY TOURS

For Extension of Motor Carrier Certificate.

DOCKET NO. 02-0127

1002 JUL -5 P 3: 06

DECISION AND ORDER NO. 19453

Filed July 3 , 2002
At 4:00 o'clock P .M.

Chief Clerk of the Commission

ATTEST: A True Copy KAREN HIGASHI Chief Clerk, Public

Chief Clerk, Public Utilities Commission, State of Hawaii.

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In the Matter of the Application of)
OAHU NATURE TOURS, INC., dba
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Docket No. 02-0127

Decision and Order No. 19453

For Extension of Motor Carrier Certificate.

DECISION AND ORDER

I.

UHAO NATURE TOURS, INC., dba HAWAII FILM AND CELEBRITY TOURS (Applicant), is a common carrier of passengers by motor vehicle over irregular routes on the island of Oahu 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 May 13, 2002, Applicant seeks commission approval to extend its authority under certificate ofpublic convenience and necessity number 1637-C (Certificate No. 1637-C) by removing the 15-seat restriction in the 8-to-25 passenger classification. Applicant represents that if its authority is extended as requested, it can meet customer demand for motor vehicles with a larger seating capacity.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist 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 its 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 Oahu in the 8-to-25 passenger classification.
- 2. Applicant shall surrender Certificate No. 1637-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 it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 3rd day of July, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Donnig B. Vomeda Chairm

Dennis R. Yamada, Chairman

Wayne H. Kimura, Commissioner

By (EXCUSED)

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne S. Stone

Commission Counsel

02-0127.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No.19453</u> 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

OAHU NATURE TOURS, INC., dba HAWAII FILM AND CELEBRITY TOURS P. O. Box 8059 Honolulu, HI 96815

Carkerine Sakato

Catherine Sakato

DATED: July 5, 2002