BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

TARA GOLDEN, dba

WET PAINT STUDIO TOURS

For a Motor Carrier Certificate or)

Permit.

)

DOCKET NO. 02-0233

DECISION AND ORDER NO. 19794

Filed Nov. 20 , 2002

At 8:00 o'clock M.M.

Chief Clerk of the Commission

2002 NOV 20 P 4: 21

IV. OF CONSUMER ADVOCAC
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS

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

OF THE STATE OF HAWAII

In the Matter of the Application of)

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Docket No. 02-0233

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DECISION AND ORDER

I.

By an application filed on August 29, 2002, TARA GOLDEN, dba WET PAINT STUDIO TOURS (Applicant), requests permanent authorization to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 1-to-7 passenger classification. The application is made pursuant to Hawaii Revised Statutes (HRS) § 271-12.

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.

By Decision and Order No. 19686, filed on October 1, 2002, in Docket No. 02-0232, we granted Applicant's request for

temporary authority to operate as a common carrier of passengers in the 1-to-7 passenger classification on the island of Kauai.

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 HRS 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 permanent operating authority, as set forth in the application, should be granted.

III.

THE COMMISSION ORDERS:

- 1. Applicant is granted permanent authorization to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 1-to-7 passenger classification.
- 2. Applicant shall surrender her temporary certificate of public convenience and necessity, and an amended certificate reflecting the permanent operating authority granted by this decision and order shall be issued.
 - 3. This docket is closed.

DONE at Honolulu, Hawaii this 20th day of November, 2002.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Wayne H. Kimura, Chairman

By July Wawuf Janet E. Kawelo, Commissioner

By (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

Benedyne S Stone Commission Counsel

02-0233.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 19794</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

TARA GOLDEN, dba WET PAINT STUDIO TOURS P. O. Box 2484 Sedona, AZ 86366

DATED: November 20, 2002