BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

CLIFFORD W. HARRELL, dba
MAUI ISLAND TOURS

To Sell, Lease, Assign, Mortgage or
Otherwise Dispose of, or Encumber
The Whole or Any Part of Its
Property, Certificate, or Permit.

DOCKET NO. 03-0018

DECISION AND ORDER NO. 20156

Filed ____________________, 2003
At ____________________ A.M.

Karin Higash
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)

CLIFFORD W. HARRELL, dba)
MAUI ISLAND TOURS)
)
To Sell, Lease, Assign, Mortgage or) Decision and Order No. 20156
Otherwise Dispose of, or Encumber )
The Whole or Any Part of Its )
Property, Certificate, or Permit. )

DECISION AND ORDER

I.

On January 27, 2003, CLIFFORD W. HARRELL, dba MAUI ISLAND
TOURS (Transferor), filed an application seeking commission
approval to transfer certificate of public convenience and
necessity number 4811-C (Certificate No. 4811-C) to MAUI ISLAND
TOURS, LLC (Transferee), pursuant to Hawaii Revised Statutes (HRS)
§ 271-18. Under Certificate No. 4811-C, and pursuant to HRS
§ 271-12, Transferor is authorized to operate as a common carrier
of passengers by motor vehicle over irregular routes on the island
of Maui in the 1-to-7 and 8-to-25 passenger classifications.

Transferor 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). By a statement filed on February 4, 2003, the
Consumer Advocate indicated that it will not participate in this
proceeding. No persons moved to intervene in this docket.
II.

Upon review of Transferor's application, the commission finds that Transferee is fit, willing, and able to perform the services presently performed by Transferor, and that the proposed transfer of Certificate No. 4811-C is just and reasonable and will be consistent with the public interest. Accordingly, the commission concludes that the proposed transfer is in accordance with HRS § 271-18, and should, therefore, be approved.

III.

THE COMMISSION ORDERS:

1. Transferor's application to transfer Certificate No. 4811-C to Transferee is approved.

2. Transferee shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing the appropriate insurance documents, paying a fee of $20 for motor carrier gross revenues, 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.

3. Transferor shall surrender Certificate No. 4811-C, and an amended certificate reflecting the transfer authorized by this decision and order shall be issued to Transferee.

4. Transferor shall file with the commission his annual financial report for the period of operation from January 1, 2003, to the effective date of this decision and order, and shall pay the associated motor carrier gross revenue fee.
5. Transferor shall file an annual financial report for the calendar year 2002, and pay the associated motor carrier gross revenue fee. The annual financial report and gross revenue fee for the calendar year 2002 must be filed with the commission by April 30, 2003.

6. Transferor and Transferee shall comply with the requirements set forth in this decision and order 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.

7. Transferee 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 29th day of April, 2003.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

Wayne H. Kimura, Chairman
Janet E. Kawelo, Commissioner
Gregg J. Kinkley, Commissioner

Approved as to form:

Benedyke 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. 20156 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

CLIFFORD W. HARRELL, dba
MAUI ISLAND TOURS
P. O. Box 880507
Pukalani, HI 96788

MAUI ISLAND TOURS, LLC
Honokalani Ranch
P. O. Box 349
Hana, HI 96713

DATED: April 29, 2003