

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
KAUAI BACKCOUNTRY ADVENTURES, INC. )  
 )  
For a Motor Carrier Certificate or )  
Permit. )  
\_\_\_\_\_ )

DOCKET NO. 03-0086

DECISION AND ORDER NO. 20218

Filed May 30, 2003  
At 8:00 o'clock A.M.

Karen Higashi.  
Chief Clerk of the Commission

RECEIVED  
2003 MAY 30 P 4:20  
CITY OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

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

K. Higashi.

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
KAUAI BACKCOUNTRY ADVENTURES, INC. ) Docket No. 03-0086  
For a Motor Carrier Certificate or ) Decision and Order No. 20218  
Permit. )  
\_\_\_\_\_ )

DECISION AND ORDER

I.

By an application filed on April 9, 2003, KAUAI BACKCOUNTRY ADVENTURES, INC. (Applicant) requests a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle on the island of Kauai in the 8-to-25 passenger classification, limited to providing transportation services (1) from Nawiliwili Harbor along Highway 56, up Maalo Road and return to Nawiliwili Harbor, and (2) from Hanamaulu office, along Kuhio Highway, then Maalo Road and return. 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.

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

III.

THE COMMISSION ORDERS:

1. Applicant is granted a certificate to operate as a common carrier of passengers by motor vehicle on the island of Kauai in the 8-to-25 passenger classification, limited to providing transportation services (1) from Nawiliwili Harbor along Highway 56, up Maalo Road and return to Nawiliwili Harbor, and (2) from Hanamaulu office, along Kuhio Highway, then Maalo Road and return.

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

3. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and

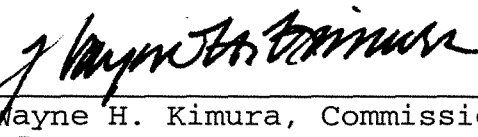
order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

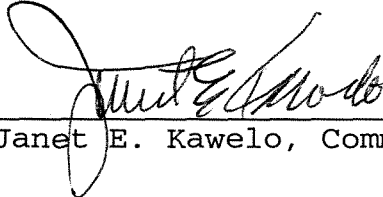
4. Applicant shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 30th day of May, 2003.

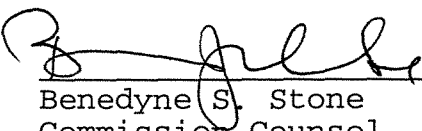
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

03-0086.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20218 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

KAUAI BACKCOUNTRY ADVENTURES, INC.  
c/o KELLEY CARSWELL-HANEBERG  
P. O. Box 223340  
Princeville, HI 96722

  
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Karen Higashi

DATED: May 30, 2003