





Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"). The Consumer Advocate did not participate in this proceeding.

## II.

On September 24, 2002, Temptation Tours, Inc. ("Temptation") filed a motion to intervene and memorandum in support of such motion. On September 25, 2002, SpeediShuttle LLC, dba SpeediShuttle, Airport Shuttle and ResortCar ("SpeediShuttle") (collectively with Temptation, "Movants"), filed a motion to intervene and memorandum in support of such motion. By Order No. 19928, filed on December 23, 2002, the commission denied Movants' motions to intervene. On December 31, 2002, Temptation filed a motion for reconsideration of Order No. 19928 and to introduce new evidence, pursuant to Hawaii Administrative Rules § 6-61-139. On January 2, 2003, SpeediShuttle also filed a motion for reconsideration of Order No. 19928 and to introduce new evidence.<sup>1</sup> By Order No. 20016, filed on February 12, 2003, the commission denied Movants' motions for reconsideration and requests to introduce new evidence.

## III.

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

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<sup>1</sup>Movants' motions for reconsideration and to introduce new evidence were virtually identical.

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.

#### IV.

##### 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 Maui in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification.

2. Applicant shall surrender Certificate No. 4591-C, and an amended certificate reflecting the operating authority granted by this decision and order shall be issued.

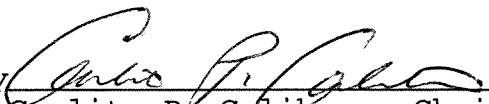
3. Applicant shall comply with all of the commission's requirements for common carriers by motor vehicle including, but not limited to, filing a lawful tariff, filing the appropriate insurance documents, registering and marking the appropriate motor vehicles, and complying with the safety requirements of the Motor Vehicle Safety Office, Department of Transportation, State of Hawaii.

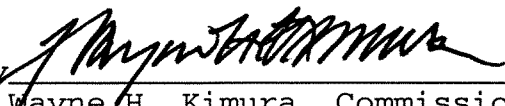
4. Applicant shall comply with the foregoing requirements within 120 days after service of this decision and order. Failure to comply within the time specified constitutes cause for this commission to void this decision and order.

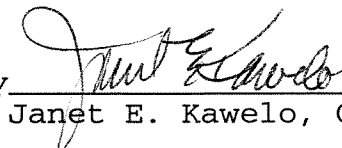
5. Applicant shall not commence operations in the 8-to-25 passenger classification until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 17th day of July, 2003.

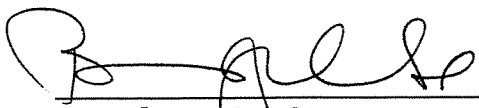
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Benedyne S. Stone  
Commission Counsel

02-0193.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20334 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

ARMIJO, INC., dba  
KAPALUA EXECUTIVE TRANSPORTATION  
SERVICES & EXECUTIVE SHUTTLE  
P. O. Box 11526  
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Karen Higashi

DATED: July 17, 2003