BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
LA MODA LLC,
dba TOR TOURS
)
For a Motor Carrier Certificate or )
Permit.
)

DECISION AND ORDER NO. 20364

Filed August 6, 2003
At 8:00 o'clock A.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
LA MODA LLC, ) Docket No. 03-0152
dba TOR TOURS )
)
For a Motor Carrier Certificate or ) Decision and Order No. 20364
Permit. )

DECISION AND ORDER

I.

By an application filed on May 23, 2003, LA MODA LLC, dba
TOR TOURS ("Applicant"), requests a certificate of public
convenience and necessity to operate as a common carrier of
passengers by motor vehicle over irregular routes on the island of
Hawaii, excluding Waipio Valley, in the (1) 1-to-7 passenger
classification, and (2) 8-to-25 passenger classification, limited
to utilizing motor vehicles with a maximum manufacturer's seating
capacity of 15 passengers. 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 over irregular routes on the island of Hawaii, excluding Waipio Valley, in the (1) 1-to-7 passenger classification, and (2) 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 15 passengers.

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 and filing the appropriate insurance documents.

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

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By (EXCUSED)
Carlito P. Caliboso, Chairman

By
Wayne H. Kimura, Commissioner

By
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Benedyne 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. 20364 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

LA MODA LLC, dba
TORS TOURS
c/o SABINE-MAEVA ANDRESEN
P. O. Box 5093
Kailua-Kona, HI  96745

DATED: August 6, 2003