

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MAUI CHINA TOURS, INC.)
For Extension of Motor Carrier)
Certificate.)
_____)

DOCKET NO. 03-0173

DECISION AND ORDER NO. 20476

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

2003 OCT - 3 P 4: 02

RECEIVED

Filed Oct. 2, 2003
At 11:00 o'clock A .M.

Karen Higashi.
Chief Clerk of the Commission

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))	Docket No. 03-0173
MAUI CHINA TOURS, INC.))	
For Extension of Motor Carrier))	Decision and Order No. 20476
Certificate.))	
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DECISION AND ORDER

I.

MAUI CHINA TOURS, INC. ("Applicant") is 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. By an application filed on June 17, 2003, Applicant seeks commission approval to extend its authority under certificate of public convenience and necessity number 4827-C ("Certificate No. 4827-C") to include the 8-to-25 passenger classification on the island of Hawaii, excluding Waipio Valley.

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.

On August 27, 2003, Jack's Tours, Inc. ("Jack's Tours") filed a motion to enlarge the time for filing a motion to intervene ("Motion to Enlarge Time"). By Order No. 20466, filed on

September 25, 2003, the commission denied Jack's Tours' Motion to Enlarge Time. No other persons moved to intervene in this proceeding.

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 Hawaii Revised Statutes 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.

III.

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the (1) island of Maui in the 1-to-7 and 8-to-25 passenger classifications, and (2) island of Hawaii, excluding Waipio Valley, in the 8-to-25 passenger classification.

2. Applicant shall surrender Certificate No. 4827-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.


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 on the island of Hawaii until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 2nd day of October, 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

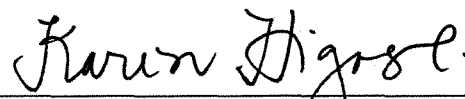
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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20476 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

MAUI CHINA TOURS, INC.
c/o PETER HUNG
382 Kanaloa Avenue
Kahului, HI 96732



Karen Higashi

DATED: October 2, 2003