

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
TROPICAL HYDRO, INC., dba)
LAHAINA HONU)
For a Motor Carrier Certificate or)
Permit.)
_____)

DOCKET NO. 03-0252

DECISION AND ORDER NO. 20669

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PUBLIC UTILITIES COMMISSION

Filed November 24, 2003
At 9 o'clock Am .M.

for [Signature]

Chief Clerk of the Commission

ATTEST: A True Copy
BROOKE K. NAGAJI
Administrative Director
Public Utilities Commission
State of Hawaii
[Signature]

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In the Matter of the Application of)
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Docket No. 03-0252

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DECISION AND ORDER

I.

Application for Common Carrier Authority

On September 11, 2003, TROPICAL HYDRO, INC., dba LAHAINA HONU ("Applicant"), filed an application requesting a certificate of public convenience and necessity to operate as a common carrier of passengers by motor vehicle in the over-25 passenger classification, limited to utilizing amphibious vehicles to provide combination land and ocean tours, and further limited to providing transportation services in the area of Lahaina, on the island of Maui. 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.

Findings and Conclusions

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.

Orders

THE COMMISSION ORDERS:

1. Applicant is granted a certificate to operate as a common carrier of passengers by motor vehicle in the over-25 passenger classification, limited to utilizing amphibious vehicles to provide combination land and ocean tours, and further limited to providing transportation services in the area of Lahaina, on the island of Maui.

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.

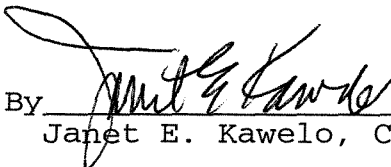
4. Applicant shall not commence operations under this decision and order until it has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii this 24th day of November, 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

03-0252.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 20669 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

TROPICAL HYDRO, INC., dba
LAHAINA HONU
c/o R. CLAY SUTHERLAND, ESQ.
140 Hoohana Street, Suite 320
Kahului, HI 96732

Karen Higashi
for _____
Karen Higashi

DATED: November 24, 2003