# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

DOCKET NO. 04-0026

<u>ORDER NO. 20788</u>

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DOEPT. OF COMMERCE AND
CONSUMER AFFAIRS

Filed <u>Jan. 30</u>, 2004 At <u>10:00</u> o'clock <u>A</u>.M.

Chief Clerk of the Commission

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

# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of)

HAWAII FOREST & TRAIL

Docket No. 04-0026

For Approval to Revise its Tariff.

Order No. 20788

#### <u>ORDER</u>

I.

## Hawaii Forest & Trail's Transmittal

HAWAII FOREST & TRAIL ("HF&T") proposes certain tariff changes, by its transmittal filed on January 2, 2004. The proposed effective date of HF&T's transmittal is February 2, 2004, pursuant to the thirty (30)-day statutory notice period governing motor carrier transmittals.<sup>1</sup>

HF&T proposes to: (1) discontinue its Rainforest Discovery Adventure Tour and the Kona Lava Tube Adventure Tour; (2) add a new tour, known as the Hualalai Volcano Adventure Tour; (3) increase the adult per passenger rate of its Mauna Kea Summit & Stars Tour by ten (10) dollars, from \$145 to \$155; and (4) increase the per passenger rates of its Valley Waterfall Adventure Tour by twenty-five (25) and fourteen (14) dollars, respectively, as follows: (A) from \$95 to \$120 for adults; and (B) from \$85 to \$99 for children (ages 8 - 12).

 $<sup>^{1}\</sup>mathrm{HF\&T}$  inadvertently proposes a retroactive effective date of January 1, 2004.

The commission will allow items numbered 1, 2, and 3, above, to take effect as proposed. HF&T's proposed rate increase of ten (10) dollars for its Mauna Kea Summit & Stars Tour, the commission notes, is within the Zone of Reasonableness ("Zone") recently implemented by the commission.<sup>2</sup>

Meanwhile, HF&T's proposed rate increases for its Valley Waterfall Adventure Tour exceed the commission's Zone of ten (10) per cent for rate increases, and HF&T does not provide any cost support to justify its proposed increases in excess of the Zone's ten (10) per cent ceiling. The commission, thus, will deny HF&T's proposed rate increases for this Tour.

II.

### <u>Orders</u>

#### THE COMMISSION ORDERS:

1. Hawaii Forest & Trail's transmittal, filed on January 2, 2004, will be allowed to take effect, in part, effective from February 2, 2004. Specifically, its proposals to:

(A) discontinue its Rainforest Discovery Adventure Tour and the Kona Lava Tube Adventure Tour; (B) add a new tour, known as the Hualalai Volcano Adventure Tour; and (C) increase the adult per passenger rate of its Mauna Kea Summit & Stars Tour by

 $<sup>^{2}\</sup>underline{\text{See}}$  Decision and Order No. 20704, filed on December 5, 2003, in Docket No. 03-0245.

<sup>&</sup>lt;sup>3</sup>The commission's Transportation Specialist contacted HF&T on three (3) separate occasions. To date, HF&T has not submitted the required information to justify the proposed rate increases for its Valley Waterfall Adventure Tour.

ten (10) dollars, from \$145 to \$155, will be allowed to take effect.

- 2. Hawaii Forest & Trail's proposal to increase the per passenger rates of its Valley Waterfall Adventure Tour by twenty-five (25) and fourteen (14) dollars, respectively, is denied.
- 3. Hawaii Forest & Trail shall promptly file its revised tariff sheet (page 5), incorporating its present rates for the Valley Waterfall Adventure Tour (\$95 and \$85, respectively).

DONE at Honolulu, Hawaii this 30th day of January, 2004.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

Carlito P. Caliboso, Chairman

APPROVED AS TO FORM:

Michael Azama

Commission Counsel

HF&T.sl

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Kawélo, Commissioner

### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20788 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

CYNTHIA B. PACHECO VICE PRESIDENT HAWAII FOREST & TRAIL 74-5035B Queen Kaahumanu Highway Kailua-Kona, HI 96740

Karen Higashi

DATED: January 30, 2004