BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of

HN KOBAYASHI CORPORATION, dba BIG GOLF TOURS

For Voluntary Surrender of Certificate or Permit.

DOCKET NO. 03-0395

ORDER NO. 21205

Filed August 4, 2004
At 11 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 Request of)

HN KOBAYASHI CORPORATION, ) Docket No. 03-0395
dba BIG GOLF TOURS )
For Voluntary Surrender of ) Order No. 21205
Certificate or Permit. )

ORDER

I.

Request to Surrender Common Carrier Authority

On November 20, 2003, HN KOBAYASHI CORPORATION, dba BIG GOLF TOURS ("Petitioner"), filed a letter requesting commission approval to voluntarily surrender its authority under certificate of public convenience and necessity number 1549-C ("Certificate No. 1549-C").¹ Under Certificate No. 1549-C, Petitioner is authorized to transport passengers by motor vehicle over irregular routes on the island of Oahu in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 17 passengers. As part of his request, Petitioner returned Certificate No. 1549-C to the commission.

¹By Order No. 21147, filed on July 21, 2004, in Docket No. 03-0307, the commission vacated Order No. 20508, filed on October 27, 2003 in the same docket, which ordered Petitioner to show cause why its Certificate No. 1549-C should not be suspended or revoked for Petitioner's failure to comply with state motor carrier laws, rules and regulations. In Order No. 21147, the commission found that Petitioner belatedly complied with all state motor carrier laws, rules and regulations.
In accordance with Hawaii Revised Statutes ("HRS") § 271-19, operating authority under a certificate of public convenience and necessity may be terminated upon application of the holder. The commission finds good cause to grant Petitioner’s request to terminate his authority.

II.

Orders

THE COMMISSION ORDERS:

1. Petitioner’s authority to transport passengers under Certificate No. 1549-C is terminated, effective from the date of this order.

2. Petitioner shall remove any markings from the vehicles used in his operations. Petitioner shall comply with the foregoing requirement within 15 days from the date of this order.

3. If Petitioner fails to comply with the foregoing requirement within the time period specified, it may be subject to penalties pursuant to HRS § 271-27.

4. This docket is closed.
DONE at Honolulu, Hawaii this 4th day of August, 2004.

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
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21205 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

HN KOBAYASHI CORPORATION,
dba BIG GOLF TOURS
c/o HIDEHISA KOBAYASHI
2499 Kapiolani Boulevard, #3805
Honolulu, HI 96826

DATED: AUG 04 2004

Karen Higashi