BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

EDGAR E. UNDERWOOD, dba
ELITE PRIVATE ISLAND TOURS

For a Motor Carrier Certificate or Permit.

DOCKET NO. 04-0321

DECISION AND ORDER NO. 21663

Filed March 1, 2005
At 8 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
EDGAR E. UNDERWOOD, dba
ELITE PRIVATE ISLAND TOURS
For a Motor Carrier Certificate or Permit.

Docket No. 04-0321
Decision and Order No. 21663

DECISION AND ORDER

By this Decision and Order, the commission grants EDGAR E. UNDERWOOD, dba ELITE PRIVATE ISLAND TOURS ("Applicant"), a certificate of public convenience and necessity ("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-to-7 passenger classification, subject to certain conditions, as described herein.

I.

Application for Common Carrier Authority

By application filed on November 8, 2004, and amended on December 20, 2004, Applicant requests 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-to-7 passenger classification. 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 over irregular routes
on the island of Hawaii, excluding Waipio Valley, in the 1-to-7
passenger classification.

2. 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, 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 one hundred and twenty (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 he has received written confirmation from the commission that all requirements have been met.

DONE at Honolulu, Hawaii MAR - 1 2005

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By

Carlito P. Caliboso, Chairman

Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By

Benedyne S. Stone
Commission Counsel

By

Janet E. Kawelo, Commissioner

04-0321.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 21663 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

EDGAR E. UNDERWOOD, dba
ELITE PRIVATE ISLAND TOURS
P. O. Box 7063, PMB107
Ocean View, HI 96737

DATED: MAR - 1 2005

Karen Higashi