BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
EPHRAIM KALEIOHI, III, dba
ALOHA DISCOVERY ISLAND TOURS
)
For Extension of Motor Carrier
Certificate.
)

DOCKET NO. 05-0258

DECISION AND ORDER NO. 22242

Filed Jan. 24, 2006
At 1:10 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
In the Matter of the Application of)

EPHRAIM KALEIOHI, III, dba 
ALOHA DISCOVERY ISLAND TOURS 

For Extension of Motor Carrier Certificate.

Docket No. 05-0258 

Decision and Order No. 22242

DECISION AND ORDER

By this Decision and Order, the commission authorizes EPHRAIM KALEIOHI, III, dba ALOHA DISCOVERY ISLAND TOURS ("Applicant"), to extend his authority under certificate of public convenience and necessity number 3547-C ("Certificate No. 3547-C") by (1) adding the 1-to-7 passenger classification, and (2) removing the geographical limitations in the 8-to-25 passenger classification, on the island of Kauai, subject to certain conditions, as described herein.

I.

Application to Extend Common Carrier Authority

Applicant is a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 8-to-25 passenger classification, limited to serving the area from Wailua to Kekaha. On October 14, 2005, Applicant filed an application seeking commission approval to extend his authority under Certificate No. 3547-C by (1) adding the 1-to-7 passenger classification, and (2) removing the geographical limitations in
the 8-to-25 passenger classification, on the island of Kauai. Applicant represents that if his authority is extended as requested, he can meet customer demand for guided tours to the North Shore of Kauai.

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 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 his authority should be granted.
III.

Orders

THE COMMISSION ORDERS:

1. Applicant is authorized to operate as a common carrier of passengers by motor vehicle over irregular routes on the island of Kauai in the 1-to-7 and 8-to-25 passenger classifications.

2. Applicant shall surrender Certificate No. 3547-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 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.

5. Applicant shall not commence operations in the 1-to-7 passenger classification and island-wide in the 8-to-25 passenger classification until he has received written confirmation from the commission that all requirements have been met.
DONE at Honolulu, Hawaii JAN 24 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By
Carlito P. Caliboso, Chairman

(EXCUSED)

By
Wayne H. Kimura, Commissioner

By
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou
Commission Counsel

05-0258.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 22242 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

EPHRAIM KALEIOHI, III, dba
ALOHA DISCOVERY ISLAND TOURS
4480 Ahukini Road, Suite 204
Lihue, HI  96766

DATED:  JAN 24 2006

Karen Higashi