

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
THE TOMLINSON CORPORATION, dba)
TOP GUN TOURS, and dba)
HOME OF THE BRAVE HAWAII)
MILITARY BASE TOURS)
For Extension of Motor Carrier)
Certificate.)

DOCKET NO. 2007-0103

DECISION AND ORDER NO. 23491

Filed June 13, 2007
At 11 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

2007 JUN 15 A 9:22

RECEIVED

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

Karen Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
THE TOMLINSON CORPORATION, dba)
TOP GUN TOURS, and dba)
HOME OF THE BRAVE HAWAII)
MILITARY BASE TOURS)
For Extension of Motor Carrier)
Certificate.)
_____)

Docket No. 2007-0103
Decision and Order No. 23491

DECISION AND ORDER

By this Decision and Order, the commission authorizes THE TOMLINSON CORPORATION, dba TOP GUN TOURS, and dba HOME OF THE BRAVE HAWAII MILITARY BASE TOURS ("Applicant"), to extend its authority under certificate of public convenience and necessity number 1369-C ("Certificate No. 1369-C") by removing the restriction in its authority that limits its transportation services to tours of military bases only, 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 Oahu in the 8-to-25 passenger classification, limited to providing transportation in conjunction with its tours of military bases. On April 19, 2007, Applicant filed an application seeking commission approval to extend its authority under

Certificate No. 1369-C by removing the restriction in its authority that limits its transportation services to tours of military bases.

Applicant served copies of the application on the Hawaii Transportation Association and the Hawaii State Certified Common Carriers Association, Inc., which consist 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 its 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 Oahu in the 8-to-25 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.

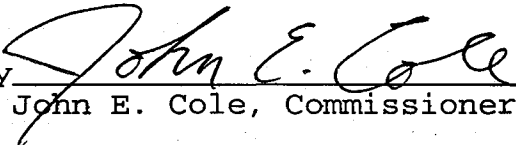
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified constitutes cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence its expanded motor carrier operations until it has received written confirmation from the commission that all requirements have been met.

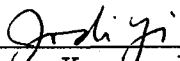
DONE at Honolulu, Hawaii JUN 13 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:

Stacey

Stacey Kawasaki Djou
Commission Counsel

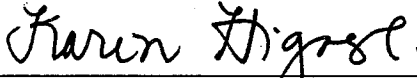
2007-0103.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23491 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

GLEN F. TOMLINSON, PRESIDENT
THE TOMLINSON CORPORATION, dba
TOP GUN TOURS AND dba
HOME OF THE BRAVE HAWAII MILITARY BASE TOURS
898 Ninini Way
Honolulu, HI 96825



Karen Higashi

DATED: JUN 13 2007