BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
EKAHI TOURS, INC.  )
) DOCKET NO. 2007-0202
For Extension of Motor Carrier )
Certificate. )

DECISION AND ORDER NO. 23728

Filed Oct. 16, 2007
At 1 o'clock P.M.

Karen Higashi
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)
) EKAHI TOURS, INC.) Docket No. 2007-0202
) For Extension of Motor Carrier ) Decision and Order No. 23728
Certificate.)

DECISION AND ORDER

By this Decision and Order, the commission authorizes EKAHI TOURS, INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 4563-C ("Certificate No. 4563-C") by removing the 17 passenger seat limitation in the 8-to-25 passenger classification on the island of Maui, 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 Maui in the 8-to-25 passenger classification, limited to utilizing motor vehicles with a maximum manufacturer's seating capacity of 17 passengers. On July 26, 2007, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 4563-C by removing the 17 passenger seat limitation in the 8-to-25 passenger classification on the island of Maui.
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 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 Maui 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 OCT 16 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By ____________________________
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

By ____________________________
Stacey Kawasaki Djou
Commission Counsel

2007-0202.cp
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Decision and Order No. 23728 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
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c/o HERBERT WATSON
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Wailuku, HI  96793

GILBERT AGARAN, ESQ.
TAKITANI AND AGARAN
24 N. Church Street, #409
Wailuku, HI  96793

DATED:  OCT 16 2007

Karen Higashi