# DEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of )

KAUAI WATER SKI & SURF CO., INC.)

dba KAUAI WATER SKI & SPORTS )

For Voluntary Surrender of )

Certificate or Permit )

DOCKET NO. 2008-0262

## ORDER TERMINATING CERTIFICATE NO. 3570-C

DIV. OF CONSUMER ADVOCACY
DIV. OF CONSUMER AFFAIRS
CONSUMER AFFAIRS
STATE OF HAWAII

PUBLIC UTILITIES

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Request of )		
KAUAI WATER SKI & SURF CO., INC.)  dba KAUAI WATER SKI & SPORTS )	Docket No.	2008-0262
For Voluntary Surrender of ) Certificate or Permit )		

### ORDER TERMINATING CERTIFICATE NO. 3570-C

By this Order, the commission terminates certificate of public convenience and necessity no. 3570-C ("Certificate No. 3570-C"), held by KAUAI WATER SKI & SURF CO., INC., dba KAUAI WATER SKI & SPORTS ("Petitioner"), effective from the date of this Order.

I.

## Request to Surrender Common Carrier Authority

October 15, 2008, Petitioner filed a On requesting commission approval to voluntarily surrender its authority under Certificate No. 3570-C. Certificate No. 3570-C authorizes Petitioner to transport passengers by motor vehicle over irregular routes on the island of Kauai in 8-to-25 passenger classification, limited to providing transportation services in conjunction with kayak tours.

### Findings and Conclusions

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 its authority.

III.

## <u>Orders</u>

#### THE COMMISSION ORDERS:

- 1. Petitioner's authority to transport passengers under Certificate No. 3570-C is terminated, effective from the date of this Order.
- 2. Petitioner shall remove any markings from the vehicles used in its operations. Petitioner shall comply with the foregoing requirement within fifteen (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 unless otherwise ordered by the commission.

PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

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Carlito P. Caliboso, Chairman

By Token

John E. Cole, Commissioner

By\_

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Stacey Kawasaki Djou Commission Counsel

2008-0262.cp

#### CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
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KENNETH TERHEGGEN, PRESIDENT
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