

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
ALL HAWAII ADVENTURE TOURS, INC.)
For Extension of Motor Carrier)
Certificate.)

DOCKET NO. 2008-0313

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2009 APR -6 A 11: 26

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

DECISION AND ORDER

FILED

2009 APR -3 A 9: 50

PUBLIC UTILITIES
COMMISSION

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

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)	
ALL HAWAII ADVENTURE TOURS, INC.)	Docket No. 2008-0313
For Extension of Motor Carrier)	
Certificate.)	
_____)	

DECISION AND ORDER

By this Decision and Order, the commission authorizes ALL HAWAII ADVENTURE TOURS, INC. ("Applicant") to extend its authority under certificate of public convenience and necessity number 5699-C ("Certificate No. 5699-C") to include the 1-to-7 and 8-to-25 passenger classifications on the islands of Kauai and Oahu, 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 Hawaii, excluding Waipio Valley, in the 1-to-7 and 8-to-25 passenger classifications. On December 10, 2008, Applicant filed an application seeking commission approval to extend its authority under Certificate No. 5699-C to include the 1-to-7 and 8-to-25 passenger classifications on the islands of Kauai and Oahu.

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, the commission finds 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. The commission also finds that the proposed service is required by the present and future public convenience and necessity. Accordingly, the commission concludes 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 islands of Kauai, Oahu, and Hawaii (excluding Waipio Valley), in the 1-to-7 and 8-to-25 passenger classifications.

2. Within one hundred and twenty (120) days after service of this Decision and Order, Applicant shall:

- a. File a Western Motor Tariff Bureau, Inc. ("WMTB") tariff scope sheet that reflects

Applicant's new authority in the 1-to-7 and 8-to-25 passenger classifications on the islands of Kauai and Oahu.¹

- b. Complete and submit the enclosed "Vehicle Inventory List" form. Applicant shall indicate on which islands its motor vehicles will be stationed. Applicant must have at least one motor vehicle in the 1-to-7 passenger classification and at least one motor vehicle in the 8-to-25 passenger classification for each island in which it was granted authority, i.e., Hawaii, Kauai, and Oahu. The vehicles utilized must be registered under the name of the corporation. If Applicant chooses to lease any vehicle, it is required to complete and submit a "Motor Vehicle Equipment Lease" form. The form is available on the commission's website at www.hawaii.gov/budget/puc.
- c. Submit a copy of the current Certificate of Registration or ownership document for all vehicles listed on the Vehicle Inventory List.
- d. Provide the addresses of its physical facilities/base yards for the islands of Kauai and Oahu.

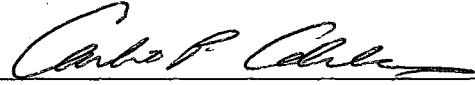
3. Applicant shall comply with the foregoing requirements within one hundred and twenty (120) days after service of this Decision and Order. Failure to comply within the time specified may constitute cause for this commission to vacate this Decision and Order.

4. Applicant shall not commence operations on the islands of Kauai and Oahu until it has received written confirmation from the commission that all requirements have been met.


¹WMTB may be contacted at 836-5874, or toll free at (866) 585-5874, for more information.

DONE at Honolulu, Hawaii APR - 3 2009


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner


By
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

2008-0313.ps

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
EXECUTIVE DIRECTOR
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DIVISION OF CONSUMER ADVOCACY
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