BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NOS. 1981-182-T, 1998-627-T, and 2008-205-T - ORDER NO. 2008-746

NOVEMBER 6, 2008

IN RE:	Docket No. 1981-182-T – Application of Low Country Adventures, Ltd., 322 Spanish Wells Road, Hilton Head, South Carolina 29925 (Mailing Address: Post Office Box 21010, Hilton Head, South Carolina 29925) (District 2) for a Class C Charter Certificate of Public Convenience and Necessity	ORDER GRANTING REINSTATEMENT OF CERTIFICATE
	Docket No. 1998-627-T – Application of Low Country Adventures, Ltd., 322 Spanish Wells Road, Hilton Head, South Carolina 29925 (Mailing Address: Post Office Box 21010, Hilton Head, South Carolina 29925) (District 2) for Reinstatement of Class C Charter Certificate of Public Convenience and Necessity	
	Docket No. 2008-205-T – Petition of the Office of Regulatory Staff for Commission to Order a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Motor Carriers Should Not be Revoked for Failure to File Annual Reports	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Low Country Adventures, Ltd. (Low Country or the Company) for reinstatement of Class C Charter Certificate of Public Convenience and Necessity No. 3873-A. The record reveals that Class C Charter Certificate No. 3873-A to render motor passenger service in South Carolina was granted to Low Country pursuant

to Commission Order No. 82-157, dated March 12, 1982, issued in Docket No. 1981-182-T, and Order No. 98-1003, dated December 16, 1998, issued in Docket No. 1998-627-T.

On May 19, 2008, ORS filed a petition seeking revocation of the Certificates of Public Convenience and Necessity of certain motor carriers for failure of the certificated carriers to file annual reports as required by 26 S.C. Code Ann. Regs. 103-231 (Supp. 2007). The record reflects that Low Country was listed in ORS' petition as a certificated carrier in non-compliance with the requirement to file annual reports. The Commission held a hearing on August 13, 2008, on the petition of ORS, and Low Country's certificate was among those that were found in non-compliance by the Commission and ultimately revoked by Order No. 2008-590 that resulted from this proceeding.

On September 5, 2008, Low Country filed a request with the Commission seeking reinstatement of the Company's Certificate. Subsequently on September 15, 2008, the ORS filed a request for postponement of the Commission's ruling on Low Country's request for reinstatement in order to give ORS an opportunity to perform a compliance audit of the Company. The Commission granted ORS' request and accordingly issued Order No. 2008-657 whereby ORS was to perform its audit and report its findings and recommendation to the Commission concerning disposition of Low Country's request for reinstatement. By letter filed October 22, 2008, ORS advises that ORS conducted its audit and concluded that Low Country's records were in order and that the Company's annual report had been received in correct form; therefore, ORS does not oppose the Commission's consideration of Low Country's request.

The Commission has reviewed the case before it and after due consideration, the Commission concludes that the revocation of Low Country's Certificate should be lifted and that the Certificate should be reinstated, subject to compliance with all the applicable statutes and the Commission's Rules and Regulations.

IT IS THEREFORE ORDERED:

1. That Class C Charter Certificate of Public Convenience and Necessity No. 3873-A in the name of Low Country Adventures, Ltd. be, and hereby is, reinstated, subject to compliance with all Commission Rules and Regulations.

2. That all operating rights authorized under the Certificate are hereby reinstated, subject to compliance with all applicable statutes and the Commission's Rules and Regulations.

3. That prior to compliance with the applicable statutes and the Commission's Rules and Regulations, including the requirements of filing with the Office of Regulatory Staff proof of appropriate insurance, the payment of license fees, and such other information required by law, the motor carrier services authorized by the Certificate shall not be provided.

4. That failure of Low Country Adventures, Ltd. either (1) to complete the certification process by complying with the Commission requirements of causing to be filed with the Office of Regulatory Staff proof of appropriate insurance and the payment of license fees and such other information required by law or (2) to request and obtain from the Commission additional time to comply with the requirements of the

Commission as stated above, may result in the authorization approved in this Order being revoked.

5. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

Elizabeth B. Fleming

Elizabeth B. Fleming, Chairman

ATTEST:

John E. Howard

John E. Howard, Vice Chairman

(SEAL)