

3. The reliability in the immediate future of the delivery of HC&S firm power and the impact to MECO's system should the HC&S purchased power not be available to meet MECO's peak requirements;
4. MECO's plans and programs to prevent future rolling blackouts; and
5. Whether a penalty provision should be published in its tariff for failure to restore service within a reasonable period of time.

Order No. 9978 also made MECO and the DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (Consumer Advocate) parties in this proceeding.

On November 22, 1988, MECO filed its testimonies and exhibits. The evidentiary hearings were held on December 8 and 22, 1988.

On January 31, 1989, the Consumer Advocate filed its statement of position. On February 14, 1989, MECO filed its written brief.

II.

Upon our review of the record, we find that it would be very arduous for the commission to address and determine any of the above-referenced issues at this point in time. In particular, since the evidentiary hearings on this matter were held almost fourteen years ago, it is quite apparent that the evidence, information, and/or record of this docket are now stale and no

longer reliable. Moreover, due to the passage of time, the positions of the parties, as set forth in their written briefs submitted in 1989, may have changed as well.¹ We are also unaware of any recent submissions to the commission that confirms or accentuates that MECO's recurring rolling blackouts problems in 1988 still exists.

Accordingly, we find that it would no longer be viable, beneficial and in the public interest to pursue the investigation. Therefore, we conclude that this docket should be closed.

III.

THE COMMISSION ORDERS that this docket is hereby closed.

DONE at Honolulu, Hawaii this 10th day of October, 2002.

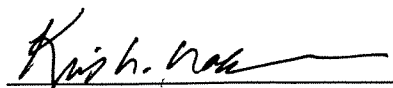
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

By _____ (RECUSED)
Gregg J. Kinkley, Commissioner


Kris N. Nakagawa
Commission Counsel
6330.ac

¹We do, however, commend the parties for their time and efforts to assist the commission in this investigation.

CERTIFICATE OF SERVICE

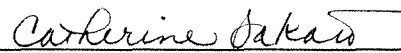
I hereby certify that I have this date served a copy of the foregoing Order No. 19698 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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DIVISION OF CONSUMER ADVOCACY
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Catherine Sakato

DATED: October 10, 2002