

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
HAWAIIAN ELECTRIC COMPANY, INC. )  
 )  
For Approval of a Residential )  
Demand-Side Management Program, )  
Recovery of Program Costs and )  
Lost Margins, and Consideration for )  
Shareholder Incentives. )  
\_\_\_\_\_ )

DOCKET NO. 00-0209

ORDER NO. 19790

Filed Nov. 19, 2002  
At 3:00 o'clock P.M.

Karen Higashi  
Chief Clerk of the Commission

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

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ATTEST: A True Copy  
KAREN HIGASHI  
Chief Clerk, Public Utilities  
Commission, State of Hawaii.

K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)	)	
HAWAIIAN ELECTRIC COMPANY, INC.	)	Docket No. 00-0209
	)	
For Approval of a Residential	)	Order No. 19790
Demand-Side Management Program,	)	
Recovery of Program Costs and	)	
Lost Margins, and Consideration for)	)	
Shareholder Incentives.	)	
_____	)	

ORDER

I.

By Order No. 19020, filed on November 15, 2001, the commission directed the HAWAIIAN ELECTRIC COMPANY, INC. (HECO), the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (Consumer Advocate), LIFE OF THE LAND (LOL), and HAWAII SOLAR ENERGY ASSOCIATION, INC. (HSEA) (collectively, parties) to, among other things, comply with certain reporting requirements. Specifically, ordering paragraphs number 8 and 9 set forth in Order No. 19020 stated, in relevant part, the following:

8. Within six months of the date of this order and within every six-month period thereafter (until the date that HECO files its application for a general rate increase (or HECO's next rate case)), HECO, the Consumer Advocate, LOL and HSEA shall meet and confer with each other to assess, among other things, the economic and rate impacts, if any, resulting from the implementation of the Stipulation, and HECO's need to file a rate case.
9. No later than six months from the date of this order, and no later than the last day of every six-month period thereafter, HECO, the

Consumer Advocate, LOL and HSEA shall file for the pertinent reporting period, a joint report which includes, at the minimum:

- a. A summary of the parties' discussions at the meeting held pursuant to ordering paragraph number 8 above;
- b. The anticipated filing date of HECO's next rate case (based on each party's current assessment of the need for HECO to file a rate case);
- c. An affirmation by the parties that the Stipulation should continue to be implemented; and
- d. A request from the Consumer Advocate, for additional data needed for the next reporting period, if the Consumer Advocate finds that such additional data is required to assess the need for HECO to file a rate case.

The reporting requirements set forth in this paragraph shall cease on the date that HECO files its application for a general rate increase (or HECO's next rate case).

By Order No. 19408, filed on June 7, 2002, we granted HECO an extension of time (from May 15, 2002 to October 31, 2002) to comply with ordering paragraphs number 8 and 9, noted above.

On October 31, 2002, HECO and the Consumer Advocate timely filed their joint report, pursuant to ordering paragraphs 8 and 9, and further request clarification that the last day for filing the next joint report be set at April 30, 2003. HECO and the Consumer Advocate assert that this date is consistent with the six-month interval reporting requirement set forth in ordering paragraph 8 in Order No. 19020.

HECO and the Consumer Advocate also represent that they did not meet with LOL or HSEA "because LOL and HSEA were only parties to the Stipulation regarding the program revisions, and not

the stipulation regarding lost margins and shareholder incentives." Accordingly, HECO and the Consumer Advocate further request that the inclusion of LOL and HSEA in their discussions and joint report requirements set forth in ordering paragraphs number 8 and 9 be either waived, or that a further extension of time be granted so that a joint meeting of all the parties can be arranged.

Upon review, we agree with HECO and the Consumer Advocate that the last day for filing the next joint report should be April 30, 2003. However, we disagree with their assertion that "LOL and HSEA were only parties to the Stipulation regarding the program revisions, and not the stipulation regarding lost margins and shareholder incentives." First, as indicated in footnote 2 of Order No. 19020, we treated both letter agreements, filed on October 12, 2001, as one stipulation by all parties. Second, Order No. 17986 did not limit LOL's and HSEA's participation in this docket to only program revisions. Finally, Ordering paragraphs 8 and 9 in Order No. 19020 did not restrict the discussion and joint reporting requirements to only matters concerning economic and rate impacts.

Accordingly, in light of the above, we will grant HECO and the Consumer Advocate an additional 30 days to meet and confer with LOL and HSEA, pursuant to ordering paragraphs 8 and 9 in Order No. 19020. Moreover, subsequent to the meeting, an amended joint report, indicating either LOL's and HSEA's non-opposition to the October 31, 2002 joint report and/or comments, if any, should be filed with the commission within 30 days of the date of this order.

II.


THE COMMISSION ORDERS:

1. HECO and the Consumer Advocate are granted an additional 30 days to meet with LOL and HSEA, pursuant to ordering paragraphs 8 and 9 of Order No. 19020. An amended joint report, indicating either LOL's and HSEA's non-opposition to the October 31, 2002 joint report and/or comments, if any, shall be filed with the commission within 30 days of the date of this order.

2. The parties shall file their next joint report, required pursuant to ordering paragraph number 9, on April 30, 2003.

DONE at Honolulu, Hawaii this 19th day of November, 2002.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Wayne H. Kimura, Chairman

By   
Janet E. Kawelo, Commissioner

By (RECUSED)  
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

  
Kris N. Nakagawa  
Commission Counsel  
00-0209.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19790 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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PRESIDENT  
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Karen Higashi

DATED: November 19, 2002