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BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of HAWAIIAN ELECTRIC COMPANY, INC. MAUI ELECTRIC COMPANY, LIMITED For Approval of Recovery of 2003 IRP Planning Costs Through Each Company's IRP Cost Recovery Provision.	)))))))))	DOCKET NO. 02-0359

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

STIPULATED PREHEARING ORDER NO. 19954

Filed Jan. 14, 2003

At 9:00 o'clock A.M.

Karen Higashi

Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of	)	
	)	
HAWAIIAN ELECTRIC COMPANY, INC.	)	
MAUI ELECTRIC COMPANY, LIMITED	)	DOCKET NO. 02-0359
	)	
For Approval of Recovery of 2003 IRP	)	
Planning Costs Through Each	)	
Company's IRP Cost Recovery Provision.	)	
	)	

STIPULATED PREHEARING ORDER

Applicants Hawaiian Electric Company, Inc. ("HECO") and Maui Electric Company, Limited ("MECO"), and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the "Consumer Advocate") hereby stipulate that the attached STIPULATED PREHEARING ORDER is mutually acceptable to each respective party.

DATED: Honolulu, Hawaii January 9, 2003

THOMAS W. WILLIAMS, JR.
PETER Y. KIKUTA
Attorneys for HECO/MECO

LAUREEN K. K. WONG
JOHN E. COLE
Attorneys for the
CONSUMER ADVOCATE

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of HAWAIIAN ELECTRIC COMPANY, INC. MAUI ELECTRIC COMPANY, LIMITED For Approval of Recovery of 2003 IRP Planning Costs Through Each Company's IRP Cost Recovery Provision.	)))))))))	DOCKET NO. 02-0359

STIPULATED PREHEARING ORDER

WHEREAS, on October 1, 2002, Hawaiian Electric Company, Inc. ("HECO") and Maui Electric Company, Limited ("MECO") (herein jointly referred to as "the Companies"), filed an application for approval of their respective budgets for 2003 IRP Planning Costs, and the subsequent recovery of these costs through the Companies' respective IRP Cost Recovery Provision;

WHEREAS, by Order No. 19869 filed on December 12, 2002, the Commission directed the parties in this docket, i.e. HECO, MECO and the DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS (the "Consumer Advocate"), to meet informally to formulate a stipulated prehearing order for submission to the Commission for approval;

WHEREAS, the Consumer Advocate does not object to the Commission's interim approval of the Companies' 2003 IRP Planning

Costs budgets pending completion of the subsequent review of the actual costs in this docket;

WHEREAS, commencing in the month following the filing of the Companies' actual 2003 IRP Planning Costs (scheduled for filing by March 31, 2004), the Companies may begin collection, over a twelve month period, of the actual 2003 IRP Planning Costs, in order to minimize the accrual of interest[1] on the deferred collection of the 2003 IRP Planning Costs pending the issuance of the Commission's final Decision and Order in this proceeding;

WHEREAS, the Companies agree to perform a reconciliation of the amounts recovered with the actual 2003 IRP Planning Costs, and adjust any over/under collection in the following year, with interest at the applicable authorized rate of return;

WHEREAS, the Consumer Advocate reserves the right to perform a detailed analysis of the Companies' actual 2003 IRP Planning Costs to determine their reasonableness and prudence, and to determine the appropriate amounts that should be recovered from the Companies' respective customers; and

WHEREAS, the Companies agree to refund to their respective customers, with interest at the applicable authorized rate of return, any previously recovered 2003 IRP Planning Costs subsequently disallowed by the Commission in its final Decision and Order in this proceeding;

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[1] Interest to be accrued at the applicable authorized rate of return.

WHEREAS, the parties have reached agreement on prehearing procedural matters and submitted a stipulated prehearing order which is acceptable to all parties.

ACCORDINGLY, IT IS ORDERED that the following Statement of Issues, Schedule of Proceedings, and procedures shall be utilized in this docket.

STATEMENT OF THE ISSUES

The issues in this proceeding are:

1. Whether the Companies' 2003 IRP Planning Costs are reasonable and prudent and incremental to the costs included in each Company's respective base rates.
2. Whether the Companies' 2003 IRP Planning Costs are appropriate to be recovered through the Companies' respective IRP Cost Recovery Provision.

SCHEDULE OF PROCEEDINGS

Companies to file their actual 2003 IRP Planning Costs	March 31, 2004
Consumer Advocate's Information Requests to the Companies	June 25, 2004
Companies' Responses to Consumer Advocate's Information Requests	August 6, 2004
Consumer Advocate's Supplemental Information Requests to the Companies	September 24, 2004

Companies' Responses to Consumer Advocate's Supplemental Information Requests	October 29, 2004
Consumer Advocate's Statement of Position	December 10, 2004
Companies' Response to Consumer Advocate's Statement of Position	January 22, 2005

MISCELLANEOUS MATTERS TO FACILITATE AND EXPEDITE THE ORDERLY CONDUCT OF THESE PROCEEDINGS

A. Requests for Information

To the extent practical, the parties will cooperate by (1) exchanging information requests and responses as they become available, and (2) resolving informally questions and/or disagreements regarding information requests and responses to attempt to work out problems with respect to understanding the scope or meaning of information requests or the response thereto, or with respect to the availability of information. If a party is unable to provide the information requested within the prescribed time period, it should so indicate to the inquiring party as soon as possible. The parties shall then endeavor to agree upon a later date for submission of the requested information.

In lieu of responses to information requests that would require the reproduction of voluminous documents or materials, the documents or materials may be made available for reasonable

inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette, the party responding to the information request may make the diskette available to other party and the Commission.

A party shall not be required, in a response to an information request, to provide data that are already on file with the Commission or otherwise part of the public record, or that may be stipulated to pursuant to Part D, infra. The responding party shall, in lieu of production of a document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the requesting party to locate and copy the document. In addition, a party shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

A party may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a party claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the party shall: (1) provide information reasonably sufficient to identify the confidential information

withheld from the response, without disclosing privileged or protected information; (2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the party if the information were disclosed); and (3) state whether the party is willing to provide the confidential information pursuant to a protective order.

Parties seeking production of documents notwithstanding a party's claim of confidentiality, may file a motion to compel production with the Commission.

B. Witnesses

Written testimonies, exhibits, and workpapers shall be submitted for all witnesses pursuant to the Schedule of Proceedings. All written testimonies and exhibits shall be sponsored by witnesses who will be made available for cross-examination at the hearings.

The parties shall cooperate to accommodate the schedules of mainland witnesses and will inform the Commission in advance of any scheduling difficulties with respect to such witnesses. If a party has an objection to a timely request to schedule a mainland witness in advance of other witnesses, the party shall make a timely objection to the Commission. The parties will make their best

effort to accommodate the schedules of mainland witnesses by coordinating their appearance at the evidentiary hearing.

C. Form of Prepared Testimony

All prepared testimony, including text and exhibits, shall be prepared in written form on 8-1/2" x 11" paper with line numbers, and shall be served on the dates designated in the Schedule of Proceedings.

Each party shall be permitted to follow its own numbering system for written testimony and exhibits, provided that the numbering system utilized is consistent and is clearly understandable and that every page is numbered consecutively within any one document. Each party shall prepare a list of its exhibits by exhibit numbers and titles.

Generally, exhibits should include appropriate citations, footnotes or narratives in the exhibits or the related testimony setting forth the sources of the information used and explaining the methods employed in making statistical compilations or estimates.

The parties shall be permitted to present facts occurring after the designated dates appearing in the Schedule of Proceedings by a revision of exhibits. Revisions shall bear appropriate revision dates. However, revisions or additions which do more than correct typographical errors, update facts, or give numerical

comparisons of the positions taken by the parties, shall not be submitted except with the approval of the Commission.

D. Matters of Public Record

In order to provide a means to reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that the Companies have filed with the Commission, published decisions of this or other Commissions, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to electric utility matters, and specified parts of the record in previous Commission dockets shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and the parties; and further provided that any party has the right to explain, qualify or conduct examination with respect to the identified document. The Commission can rule on whether the identified document can be admitted into evidence when a party proffers such document for admission as evidence in this case.

From time to time, the parties may enter into stipulations that such documents, or any portion of such documents, may be introduced into evidence in this case.

E. Copies of Testimonies, Exhibits and Information Requests.

1. Testimonies and Exhibits:

Commission	Original + 8 copies
Companies	3 copies
Consumer Advocate	3 copies

2. Information Requests and Responses:

Commission	Original + 8 copies
Companies	3 copies
Consumer Advocate	3 copies

3. All pleadings, briefs and other documents required to be filed with the Commission shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Chapter 61, subchapter 2, section 6-61-15 of the Commission's Rules of Practice and Procedure.

F. Order of Examination

The order of examination shall be determined at a later date.

Examination of any witness shall be limited to one attorney for a party. The parties shall avoid duplicative or repetitious cross-examination. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Recross-examination shall be limited to the extent of material covered in redirect examination unless otherwise permitted by the Commission.

G. Communications

Chapter 61, subchapter 3, section 6-61-29 of the Commission's Rules of Practice and Procedure concerning ex parte communications is applicable to any communications between a party and the Commission. The parties may communicate with Commission counsel on matters of practice and procedure through their own counsel or designated official.

Communications between the parties should either be through counsel or through designated officials. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing party. All motions, supporting memoranda, briefs, and the like shall also be served on opposing counsel.

H. General

These procedures are consistent with the orderly conduct of this docket.

Pursuant to Chapter 61, subchapter 3, section 6-61-37 of the Commission's Rules of Practice and Procedure, the Prehearing Order shall control the subsequent courses of the proceedings, unless modified at or prior to the hearings to prevent manifest injustice.

DONE at Honolulu, Hawaii, this 14th day of January, 2003.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By _____
Wayne H. Kimura, Chairman

By _____
Janet E. Kawelo, Commissioner

By _____
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:

_____
Kevin M. Katsura
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing STIPULATED PREHEARING ORDER No. 19954 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
250 South King Street, 8th Floor
Honolulu, Hawaii 96813

WILLIAM A. BONNET
VICE PRESIDENT
HAWAIIAN ELECTRIC COMPANY, INC.
MAUI ELECTRIC COMPANY, LIMITED
P. O. BOX 2750
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THOMAS W. WILLIAMS, JR., ESQ.
PETER Y. KIKUTA, ESQ.
GOODSILL, ANDERSON, QUINN & STIFEL
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1099 Alakea Street
Honolulu, Hawaii 96813

Karen Higashi

Karen Higashi

DATED: January 14, 2003