

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MOLOKAI PUBLIC UTILITIES, INC.)
For Review and Approval of Rate)
Increases; Revised Rate Schedules.)
_____)

DOCKET NO. 02-0371

ORDER NO. 20033

Filed Feb. 20, 2003
At 10:00 o'clock A.M.

Karen Higashi
Chief Clerk of the Commission

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

2003 FEB 24 P 4: 18

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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)
MOLOKAI PUBLIC UTILITIES, INC.)
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Docket No. 02-0371
Order No. 20033

ORDER

I.

By Order No. 19955, filed on January 14, 2003, the commission, among other things, denied West Molokai Citizens Committee's (Movant) motion to intervene in this docket (Order No. 19955).

Pursuant to Hawaii Administrative Rules (HAR) § 6-61-137, Movant filed a timely motion for reconsideration of Order No. 19955 and leave to file an otherwise unauthorized document earlier filed on January 7, 2003 (leave to file a supplemental pleading).¹ On January 31, 2003, pursuant to HAR § 6-61-41(c), MOLOKAI PUBLIC UTILITIES, INC. filed a timely memorandum in opposition to Movant's motions for reconsideration and leave to file a supplemental pleading.

¹The supplemental pleading was in support of Movant's motion to intervene, filed on December 18, 2002. Movant's supplemental pleading was filed after MOLOKAI PUBLIC UTILITIES, INC. filed its memorandum in opposition to Movant's motion to intervene.

II.

The standard for granting a motion for reconsideration is established in HAR § 6-61-137, which provides that the movant must set forth specific grounds on which the movant considers the decision or order to be unreasonable, unlawful, or erroneous. We apply this standard to Movant's motion for reconsideration.

Upon careful consideration, the commission finds nothing in Movant's motions for reconsideration or leave to file a supplemental pleading that merits reconsideration or reversal of Order No. 19955. Specifically, Movant has not met its burden of showing that Order No. 19955 was unreasonable, unlawful, or erroneous in its denial of the motion to intervene. Moreover because the commission did consider Movant's supplemental pleading and neither struck nor rejected such pleading, Movant's motion for leave to file such pleading is moot. We, thus, conclude that Movant's motion for reconsideration should be denied and its motion for leave to file a supplemental pleading should be dismissed as moot.


III.

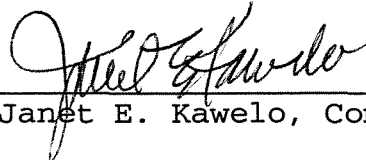
THE COMMISSION ORDERS:


1. Movant's motion for reconsideration of Order No. 19955, filed on January 27, 2003, is denied.
2. Movant's motion for leave to file an otherwise unauthorized document, earlier filed on January 7, 2003, filed on January 27, 2003, is dismissed as moot.

DONE at Honolulu, Hawaii this 20th day of February,
2003.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By 
Gregg F. Kinkley, Commissioner

APPROVED AS TO FORM:


Benedyne S. Stone
Commission Counsel

02-0371.sl

CERTIFICATE OF SERVICE

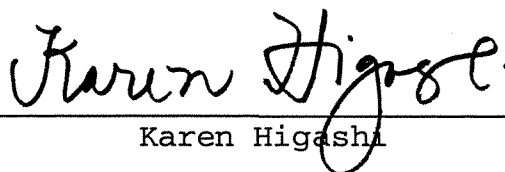
I hereby certify that I have this date served a copy of the foregoing Order No. 20033 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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Karen Higashi

DATED: February 20, 2003