

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAIIAN ELECTRIC COMPANY, INC.)
For Approval: (1) to Donate)
Retired Personal Computers to)
Four Non-Profit Organizations; and)
(2) of an Annual Reporting)
Requirement in Lieu of Prior)
Commission Approval.)
_____)

DOCKET NO. 03-0158

ORDER NO. 20579

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2003 OCT 20 A 9:43

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

Filed Oct. 17, 2003
At 1:00 o'clock P.M.

Karen Higashi.
Chief Clerk of the Commission

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

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| HAWAIIAN ELECTRIC COMPANY, INC. |) | Docket No. 03-0158 |
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| For Approval: (1) to Donate |) | Order No. 20579 |
| Retired Personal Computers to |) | |
| Four Non-Profit Organizations; and |) | |
| (2) of an Annual Reporting |) | |
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| Commission Approval. |) | |
| _____ |) | |

ORDER

I.

Introduction

The commission approved HAWAIIAN ELECTRIC COMPANY, INC.'s ("HECO") request to file, on a going-forward basis, an annual informational report in lieu of seeking the commission's prior approval to donate retired personal computers and related equipment to non-profit organizations.¹ On September 30, 2003, HECO filed a Motion for Clarification seeking to: (1) clarify that the scope of the commission's decision and order also includes HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO") and MAUI ELECTRIC COMPANY, LIMITED ("MECO") ("Request for Clarification"); or (2) in the alternative, approve the submission of an annual informational report similar to that approved for HECO, in lieu of future individual applications for prior commission approval,

¹Decision and Order No. 20377, filed on August 12, 2003.

of donations of retired personal computers and peripherals to non-profit organizations by HELCO and MECO.

HECO served copies of its Motion for Clarification upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"). On October 7, 2003, the Consumer Advocate filed a statement supporting, in part, HECO's Motion for Clarification.

II.

Consumer Advocate's Position

The Consumer Advocate expresses certain concerns with HECO's proposed relief. Specifically, the Consumer Advocate:

1. Disagrees with HECO's assertion that the scope of Decision and Order No. 20377 can be expanded to include HELCO and MECO.
2. States that HECO's suggested interpretation is overreaching, and may "create possible unintended consequences in the future and [such] unintended consequences may be to the detriment of HECO and its subsidiaries or to HECO's ratepayers depending on the situation."
3. Seeks to prevent situations where a party may attempt to justify the expansion of other future commission decisions "originally intended to relate to only HECO to include MECO and/or HELCO."

That said, the Consumer Advocate does not object to the commission's approval of HECO's requested relief in this instance, provided that:

1. Its stated concerns are reflected in the commission's ruling; and
2. It is made clear that "if similar situations involving property transfers or donations occur in the future, HECO and its subsidiaries should not assume that a Commission ruling originally intended for only HECO may be uniformly applied to

HECO, HELCO, and MECO without first seeking explicit Commission approval considering the facts and circumstances surrounding the expanded relief sought for MECO and HELCO."

III.

Discussion

The commission denies HECO's Request for Clarification. The commission properly limited the scope of its Decision and Order No. 20377 to HECO, the sole applicant, and its prayer for relief. No "clarification" of Decision and Order No. 20377 is therefore either necessary or warranted.

In the interest of administrative expediency and efficiency, however, the commission will not require HELCO and MECO to file separate applications seeking the same relief granted to HECO in Decision and Order No. 20377. If such applications were filed, it appears that the Consumer Advocate would not oppose the requested relief.

Thus, the commission approves HECO's alternative request to allow HELCO and MECO to file annual informational reports similar to that approved for HECO in Decision and Order No. 20377; provided, however, that HECO and its subsidiary utilities shall not cite to or rely on this order as precedent.

IV.

Order

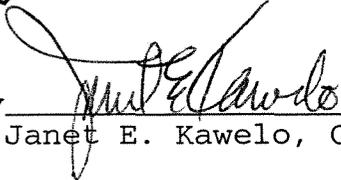
THE COMMISSION ORDERS that HECO's Motion for Clarification is denied, in part, and granted, in part, consistent with the terms of this order.

DONE at Honolulu, Hawaii this 17th day of October,
2003.

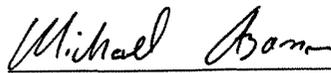
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

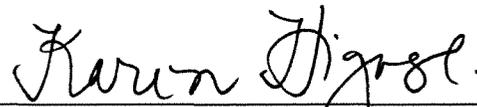
03-0158.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20579 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
P. O. Box 541
Honolulu, HI 96809

WILLIAM A. BONNET
VICE PRESIDENT, GOVERNMENT AND COMMUNITY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840



Karen Higashi

DATED: October 17, 2003