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BEFORE THE PUBLIC UTILITIES COMMISSION

2003 DEC 17 A 10: 25

OF THE STATE OF HAWAII

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

In the Matter of the Application of )  
 )  
HAWAIIAN ELECTRIC COMPANY, INC. )  
 )  
for approval to commit funds in )  
excess of \$500,000 for Item Y00021, )  
New Kuahua Substation. )  
\_\_\_\_\_ )

Docket No. 03-0260

STIPULATED PROCEDURAL ORDER NO. 20714

Filed December 15, 2003

At 1:30 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

In the Matter of the Application of )  
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HAWAIIAN ELECTRIC COMPANY, INC. ) Docket No. 03-0260  
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for approval to commit funds in )  
excess of \$500,000 for Item Y00021, )  
New Kuahua Substation. )  
\_\_\_\_\_ )

STIPULATED PROCEDURAL ORDER

Applicant Hawaiian Electric Company, Inc. (“HECO”) and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the “Consumer Advocate”) hereby stipulate that the attached Stipulated Procedural Order is mutually acceptable to each respective party.

DATED: Honolulu, Hawaii, December 3, 2003.

  
\_\_\_\_\_  
WILLIAM A. BONNET  
Vice President, Government and  
Community Affairs  
Hawaiian Electric Company, Inc.

  
\_\_\_\_\_  
CHERYL S. KIKUTA  
Acting Executive Director  
Division of Consumer Advocacy  
Department of Commerce and Consumer Affairs

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of	)	
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New Kuahua Substation.	)	
_____	)	

STIPULATED PROCEDURAL ORDER

On September 17, 2003, Hawaiian Electric Company, Inc. (“HECO”) filed an application for approval to commit funds in excess of \$500,000 for Item Y00021, the New Kuahua Substation project. HECO served copies of the application on the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the “Consumer Advocate” or “CA”).

By Order No. 20597, filed October 28, 2003, the Commission directed HECO and the Consumer Advocate to meet informally to formulate a stipulated scheduling order for submission to the Commission for approval by November 17, 2003 (twenty days from the date of Order No. 20597).

By Order No. 20657, filed November 20, 2003, the Commission approved HECO and the Consumer Advocate’s request for an extension of time until December 3, 2003 to submit a stipulated scheduling order to the Commission.

HECO and the Consumer Advocate have reached agreement on procedural matters

and submit this Stipulated Procedural Order to the Commission, which is acceptable to the parties.

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

I.

STATEMENT OF THE ISSUES

The issues in this docket are:

1. Whether HECO's proposed expenditures for Item Y00021, the New Kuahua Substation, will provide facilities which are reasonably required to meet HECO's probable future requirements for utility purposes?
2. Are the estimated project costs reasonable?

II.

SCHEDULE OF PROCEEDINGS

HECO Application for New Kuahua Substation	September 17, 2003
CA Information Requests ("IRs") to HECO <sup>1</sup>	November 4, 2003
HECO IR Responses to CA <sup>1</sup>	December 15, 2003
CA Supplemental IRs ("SIRs") <sup>1</sup> , if necessary	January 5, 2004
HECO Responses to SIRs <sup>1</sup>	January 21, 2004
CA Statement of Position ("SOP")	February 17, 2004

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<sup>1</sup> Whenever possible, parties will provide copy of documents on diskette upon request.

HECO SOP, if necessary\*

March 5, 2004

- \* If the CA objects to approval of the application, or requests that approval be subject to conditions.

If there are substantial disagreements following the filing of the SOPs, and the parties cannot resolve the differences by stipulation and the parties do not waive the right to a hearing, the parties shall propose a hearing schedule (including the filing of simultaneous post-hearing briefs) for Commission approval.

If HECO determines that a Reply SOP is unnecessary, HECO and the CA will notify the Commission that the proceeding is ready for decision making.

The parties acknowledge that under Section 2.3.g.2 of the Commission's General Order No. 7, the Commission's 90-day period to act upon the Application and render a Decision and Order expires on December 16, 2003. Given the schedule agreed to by the parties, HECO requests and the Commission approves an extension of the 90-day period for the Commission to act upon the Application until 20 days after HECO provides notice that the proceeding is ready for decision making (and HECO does not file a Reply SOP) or 20 days after HECO files its Reply SOP.

If the parties propose a hearing schedule (because there are substantial disagreements following the filing of the SOPs, and the parties cannot resolve the differences by stipulation and the parties do not waive the right to a hearing), HECO requests and the Commission approves an extension of the 90 day period for the Commission to act upon the Application until 45 days after the submittal of post-hearing

briefs.

### III.

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

##### A. Requests for Information

To the extent practical, HECO and the Consumer Advocate will cooperate (1) by exchanging information requests and responses as they become available, and (2) by resolving questions regarding information requests and responses informally to attempt to work out problems with respect to understanding the scope or meaning of information requests, 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 or other readily usable electronic medium, the party responding to the information request may make the diskette or such electronic medium available to the 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 B, 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 governing this docket.

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

B. 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 HECO has 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.

C. Copies of Filings and Information Requests.

1. Filings:

Commission	Original + 8 copies
HECO	2 copies
Consumer Advocate	2 copies

2. Information Requests and Responses:

Commission	Original + 8 copies
HECO	2 copies
Consumer Advocate	2 copies

3. All pleadings, 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.

4. Copies of all filings, information requests and information request responses should be sent to the other parties by hand delivery or via facsimile. In addition, if available, all parties shall provide copies of their filings, information requests and information request responses to the other parties via diskette or e-mail in a standard electronic format that is readily available by the parties. The parties agree to use Word 97 or Word 2000 as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in an electronic format, a party shall not be required to convert such workpapers, documentation, or exhibits into an electronic format. Also, existing documents produced in response to requests need not be converted to Word 97/Word 2000 as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a party via diskette or e-mail, unless otherwise agreed to by such party, the same number of copies of such filing, information request or information request response must still be delivered to such party by hand

delivery or via facsimile as provided in Parts C.1 and C.2 above.

D. 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. However, 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 representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing party. All motions, supporting memoranda, and the like shall also be served on opposing counsel.

E. General

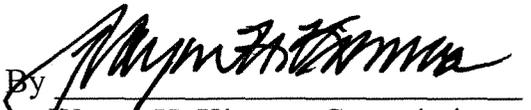
These procedures are consistent with the orderly conduct of this docket.

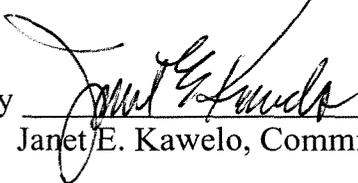
Pursuant to Chapter 61, subchapter 3, section 6-61-37 of the Commission's Rules of Practice and Procedure, this Stipulated Procedural Order shall control the subsequent courses of the proceedings, unless modified at or prior to the hearings to prevent manifest injustice.

DONE at Honolulu, Hawaii, this 15th day of December, 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:

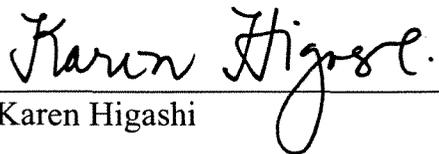
  
Ji Sook Kim  
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Stipulated Procedural Order No. 20714 upon the following parties and participant, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party or participant.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
DIVISION OF CONSUMER ADVOCACY  
335 Merchant Street, Room 326  
Honolulu, Hawaii 96813

WILLIAM A. BONNET  
VICE PRESIDENT, GOVERNMENT AND COMMUNITY AFFAIRS  
HAWAIIAN ELECTRIC COMPANY, INC.  
P. O. Box 2750  
Honolulu, HI 96840-0001

  
\_\_\_\_\_  
Karen Higashi

DATED: December 15, 2003