

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
For Approval to Commit Funds in)
Excess of \$500,000 for Project)
M0000410, Launiupoko 69 kV Line)
Relocation, Relocation of an)
Existing Overhead Transmission)
System.)
_____)

DOCKET NO. 03-0396

ORDER NO. 20855

RECEIVED
2004 MAR 22 A 9:38
DIV. OF CONSUMER AFFAIRS
DEPT. OF QUARTERS AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed March 19, 2004
At 9:30 o'clock A.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))	
MAUI ELECTRIC COMPANY, LIMITED)	Docket No. 03-0396
)	
For Approval to Commit Funds in)	Order No. 20855
Excess of \$500,000 for Project)	
M0000410, Launiupoko 69 kV Line)	
Relocation, Relocation of an)	
Existing Overhead Transmission)	
System.)	
_____)	

ORDER

I.

Application

By an application filed on November 20, 2003, ("Application"), MAUI ELECTRIC COMPANY, LIMITED ("MECO") requests commission approval to commit approximately \$1,672,591 for Project M0000410, Launiupoko 69 kilovolt Line Relocation, Relocation of an Existing Overhead Transmission System ("Proposed Project"). MECO's request is made pursuant to paragraph 2.3.g.2 of the commission's General Order No. 7 ("G.O. No. 7"), Standards for Electric Utility Service in the State of Hawaii and Hawaii Revised Statutes ("HRS") § 269-27.6.

MECO served copies of the application on the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"). Pursuant to HRS § 269-51 and Hawaii Administrative Rules § 6-61-62, the Consumer Advocate is an *ex officio* party to this proceeding.

The commission issued information requests ("IRs") to MECO on December 17, 2003, to which MECO provided responses on January 15, 2004.

On January 6, 2004, the commission held a public hearing on the Application at the State Office Building, Conference Room B in Wailuku, Maui, in accordance with HRS § 269-27.5.

The Consumer Advocate issued its IRs to MECO on January 16, 2004. MECO filed responses to these IRs on February 6, 2004.

By Order No. 20802, filed on February 12, 2004 in the instant docket, the commission granted MECO's request to extend the G.O. No. 7, section 2.3.g.2 requirement that the commission issue a decision within 90 days of the filing of an application ("90-day Automatic Approval Provision"), from February 18, 2004, to March 22, 2004.¹

In telephone conversations with MECO on February 20 and 24 and March 3, 2004, the Consumer Advocate posed informal IRs to MECO. MECO provided written responses to these informal IRs on March 8, 2004.

On March 11, 2004, the Consumer Advocate submitted its Statement of Position in which it states that it does not object to the commission's approval of the Application.

¹MECO made its request to extend the G.O. No. 7, section 2.3.g.2 deadline by letter filed with the commission on February 9, 2004.

II.

Suspension of Application

Section 2.3.g.2 of G.O. No. 7 provides that if the commission does not act on a public utility's application and render a decision and order within 90 days of filing, the utility will be allowed "to include the project in its rate base without the determination by the [c]ommission required by this rule." In light of the impending G.O. No. 7 deadline of March 22, 2004, the commission finds good cause to suspend the triggering of the 90-day Automatic Approval Provision. After receiving the Consumer Advocate's Statement of Position on March 11, 2004, the commission requested additional time to complete its review and investigation of the Proposed Project. The commission, thus, concludes that MECO's Application should be suspended until further order of the commission.

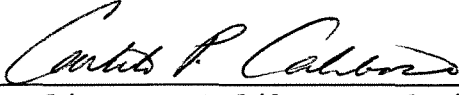
III.


Order

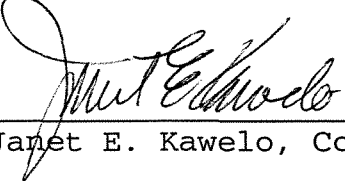
THE COMMISSION ORDERS that MECO's Application, filed on November 20, 2003, is suspended until further order of the commission.

DONE at Honolulu, Hawaii this 19TH day of March, 2004.


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:


Benedyne S. Stone
Commission Counsel

03-0396.eh

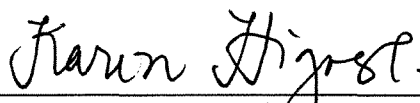
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20855 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

EDWARD REINHARDT
PRESIDENT
MAUI ELECTRIC COMPANY, LIMITED
P. O. Box 398
Kahului, HI 96733

PATSY NANBU
DIRECTOR-REGULATORY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840



Karen Higashi

DATED: March 19, 2004