

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
APOLLO ENERGY CORPORATION)
Pursuant to Section 6-74-15,)
Hawaii Administrative Rules.)
_____)

DOCKET NO. 00-0135

ORDER NO. 21494

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

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Filed Dec. 17, 2004
At 2:30 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
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In the Matter of the Petition of)
APOLLO ENERGY CORPORATION)
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Hawaii Administrative Rules.)

Docket No. 00-0135
Order No. **21494**

ORDER

On October 13, 2004, APOLLO ENERGY CORPORATION ("Apollo") and HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO") (collectively, the "Parties") filed their Restated and Amended Contract, dated October 13, 2004 (the "RAC"), in compliance with Decision and Order No. 21227, filed on August 9, 2004, as amended.¹ Thereafter, on November 26, 2004, HELCO filed a formal application in Docket No. 04-0346, requesting the commission's approval of the RAC.²

Docket No. 00-0135 was initiated by Apollo's petition against HELCO, filed pursuant to HAR § 6-74-15, seeking the commission's assistance and guidance in finalizing an executed RAC with HELCO. The commission, in response, issued an array of orders and decisions (including its most recent decision,

¹See the commission's letter, dated October 11, 2004 (granting a two (2)-day extension of time to file the RAC).

²The deadline for interested persons to file motions to intervene or participate in Docket No. 04-0346 is on or about December 16, 2004, pursuant to Hawaii Administrative Rules ("HAR") § 6-61-57(3)(A).

Decision and Order No. 21227), that culminated in the Parties' filing of their executed RAC in Docket No. 00-0135 for informational purposes.

Given the filing of HELCO's recent application in Docket No. 04-0346, the underlying purpose of finalizing an executed RAC in Docket No. 00-0135 has been realized, and the commission and Division of Consumer Advocacy will now review the reasonableness of the RAC in Docket No. 04-0346. Accordingly, the commission closes Docket No. 00-0135.

THE COMMISSION ORDERS that this docket is closed.

DONE at Honolulu, Hawaii DEC 17 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By Wayne H. Kimura
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Michael Azama
Michael Azama
Commission Counsel

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

00-0135.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21494 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: DEC 17 2004