

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of)  
PUKALANI STP CO., LTD. )  
For Review and Approval of Rate )  
Increases and Revised Rate )  
Schedules. )

DOCKET NO. 05-0025

ORDER NO. 21706

RECEIVED  
2005 MAR 28 A 9:01  
DIV. OF CONSUMER ADVOCACY  
DEPT. OF COMMERCE AND  
CONSUMER AFFAIRS  
STATE OF HAWAII

Filed March 24, 2005  
At 8 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)	)	
PUKALANI STP CO., LTD.	)	Docket No. 05-0025
	)	
For Review and Approval of Rate	)	Order No. 21706
Increases and Revised Rate	)	
Schedules.	)	
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ORDER

The commission initiates the rate review process under Hawaii Revised Statutes ("HRS") § 269-16, including subsection 269-16(f), pursuant to the Application of PUKALANI STP CO., LTD. ("Pukalani"), filed on March 1, 2005.<sup>1</sup>

I.

Introduction

Pukalani is a public utility that provides wastewater collection and treatment services to residential, commercial, and governmental customers located in its service area of Pukalani, island of Maui.

Pukalani requests the commission's approval to: (1) increase its wastewater rates and revise its rate schedules, pursuant to HRS § 269-16, as recently amended by Act 168 of Session Laws of Hawaii 2004 ("Act 168"), and Hawaii

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<sup>1</sup>Pukalani's Application, Exhibits PSTP 1 to PSTP 11, Verification, and Certificate of Service, filed on March 1, 2005 (collectively, the "Application").

Administrative Rules ("HAR") § 6-61-88; (2) institute a non-refundable service initiation charge of \$100 for prospective new customers; (3) establish a power cost adjustment clause; and (4) revise certain of its tariff rules and regulations. In addition, Pukalani requests a public hearing, as mandated by HRS §§ 269-12(c) and 269-16(c) and (f).<sup>2</sup>

Pukalani served copies of its Application upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate") (collectively, the "Parties"). The Consumer Advocate does not object to the completeness of Pukalani's Application.<sup>3</sup>

## II.

### Rate Review Process

Pukalani utilizes the 2005 calendar test year, as approved by the commission in Order No. 21639. As a public utility with annual gross revenues of less than \$2 million, Pukalani's Application is filed in accordance with Act 168, which streamlines the rate review process for small utilities such as Pukalani. In brief, the commission must make every effort to issue its proposed Decision and Order within six (6) months from the filing date of Pukalani's complete Application, "provided

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<sup>2</sup>Id.

<sup>3</sup>Consumer Advocate's Statement of Position Regarding Completeness of Application, filed on March 21, 2005, in accordance with HRS § 269-16(d). The Consumer Advocate notes that the commission previously granted Pukalani's request to submit unaudited financial information in lieu of an audited balance sheet. See Order No. 21639, filed on February 7, 2005.

that all parties to the proceeding strictly comply with the procedural schedule established by the commission and no person is permitted to intervene." HRS § 269-16(f)(3).

This Order initiates the streamlined rate review process, pursuant to Act 168.<sup>4</sup>

A.

Complete Application

The filing date of Pukalani's complete Application is March 1, 2005, consistent with HRS § 269-16(d) and (f)(3).

B.

Public Hearing

The commission will hold a public hearing on Pukalani's complete Application, on the island of Maui. The Parties have been notified of the date, time, and location of the public hearing.<sup>5</sup>

III.

Discovery

Given the six (6) month deadline governing the commission's issuance of its proposed Decision and Order, the Parties shall: (1) initiate the discovery process forthwith; and (2) within twenty-one (21) days from the date of this Order,

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<sup>4</sup>See also Order No. 21639.

<sup>5</sup>See commission staff's letter, dated March 22, 2005, transmitting copies of the Notice of Public Hearing to the Parties.

submit a stipulated procedural schedule setting forth the issues and procedural schedule for Pukalani's request to increase its rates.<sup>6</sup>

In the event the conditions set forth in HRS § 269-16(f)(3) are met, i.e., the Parties strictly comply with the established procedural schedule and there is no intervention, "the [P]arties shall not be entitled to a contested case hearing[,]" "[p]rior to the issuance of the commission's proposed decision and order[.]" HRS § 269-16(f)(3).

#### IV.

#### Orders

##### THE COMMISSION ORDERS:

1. Consistent with HRS § 269-16(d) and (f)(3), the filing date of Pukalani's complete Application is March 1, 2005.

2. The Parties shall initiate the discovery process forthwith. Unless ordered otherwise, within twenty-one (21) days from the date of this Order, the Parties shall submit to the commission a stipulated procedural schedule setting forth the issues and procedural schedule for Pukalani's request to increase its rates. If the Parties are unable to stipulate to such a schedule, each Party shall submit a proposed procedural schedule for the commission's consideration by the applicable deadline date.

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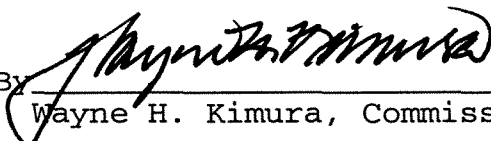
<sup>6</sup>The deadline for interested persons to seek intervention or participant status is May 20, 2005. HAR §§ 6-61-22 and 6-61-57(1). In the event intervenor or participant status is later granted to any interested person, the commission will amend the procedural schedule accordingly.

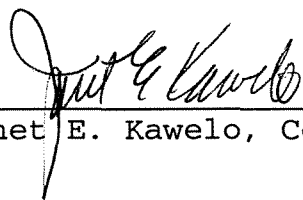
DONE at Honolulu, Hawaii

MAR 24 2005


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

05-0025.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21706 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: MAR 24 2005