

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KAPALUA WATER COMPANY, LTD.)
For Approval of Changes to)
its Tariff.)
Transmittal No. 05-01.)
_____)

DOCKET NO. 05-0132

ORDER NO. 21849

RECEIVED
2005 JUN -2 A 7:54
DIV. OF CONSUMER AFFAIRS
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed June 1, 2005
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
OF THE STATE OF HAWAII

In the Matter of the Application of))
KAPALUA WATER COMPANY, LTD.) Docket No. 05-0132
For Approval of Changes to) Order No. 21849
its Tariff.)
Transmittal No. 05-01.)
_____)

ORDER

The commission instructs KAPALUA WATER COMPANY, LTD. ("KWC") to file, by June 9, 2005, a response to the position statement submitted by the Division of Consumer Advocacy ("Consumer Advocate"), filed on May 24, 2005.

I.

Background

KWC proposes to modify its rate schedule by Transmittal No. 05-01, filed on April 26, 2005.¹ KWC makes its request in accordance with Hawaii Revised Statutes ("HRS") § 269-12(b) and 269-16(b) and Hawaii Administrative Rules ("HAR") § 6-61-111. KWC proposes an effective date of May 26, 2005, consistent with the thirty (30)-day notice period set forth in HRS § 269-16(b) and HAR § 6-61-111.

¹KWC's Transmittal No. 05-01, Verification, Exhibits 1 and 2, and Certificate of Service (collectively, "Transmittal No. 05-01").

KWC certifies that it hand-delivered two (2) copies of its transmittal upon the Consumer Advocate on April 26, 2005,² as required by HAR § 6-61-111.

On May 24, 2005, the Consumer Advocate filed its position statement: (1) objecting to KWC's proposed tariff changes; and (2) recommending the denial of KWC's transmittal. On May 25, 2005, KWC filed a letter: (1) waiving the thirty (30)-day notice period to the extent necessary for the commission to complete its review of the Consumer Advocate's position statement; and (3) stating that it does not object to the timing of the Consumer Advocate's position statement or the commission's review thereto.³ On May 27, 2005, KWC filed a follow-up letter, "amend[ing] its Transmittal No. 05-01 to provide for a requested effective date of July 29, 2005."⁴

The commission recognizes and acknowledges the amended tariff transmittal, which changes the effective date of Transmittal No. 05-01 from May 26, 2005 to July 29, 2005, and will instruct KWC to file, by June 9, 2005, a response to the Consumer Advocate's position statement.

II.

Orders

THE COMMISSION ORDERS KWC to file, by June 9, 2005, a response to the Consumer Advocate's position statement.


²KWC's Certificate of Service, dated April 26, 2005.

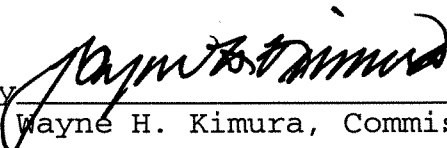
³KWC's letter, dated May 25, 2005.

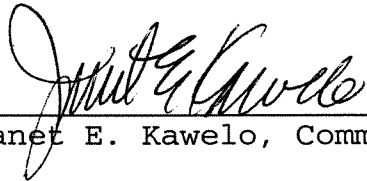
⁴KWC's letter, dated May 27, 2005.

DONE at Honolulu, Hawaii JUN - 1 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

KWC05-01.sl

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21849 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
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Karen Higashi

DATED: JUN - 1 2005