

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----In the Matter of----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting a Proceeding to)
Investigate Competitive Bidding)
for New Generating Capacity in)
Hawaii.)
_____)

DOCKET NO. 03-0372

ORDER NO. 22153

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

RECEIVED

2005 DEC -5 A 8:15

Filed Dec. 1, 2005
At 2 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-----)	
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PUBLIC UTILITIES COMMISSION)	Docket No. 03-0372
)	
Instituting a Proceeding to)	Order No. 22153
Investigate Competitive Bidding)	
for New Generating Capacity in)	
Hawaii.)	
_____)	

ORDER

The commission issues this prehearing order as a result of the prehearing conference held on November 29, 2005, in preparation for the evidentiary hearing scheduled to be held on December 12-16, 2005.

I.

Introduction

On November 29, 2005, the commission held a prehearing conference pursuant to Hawaii Administrative Rules ("HAR") § 6-61-36, with representatives from Hawaiian Electric Company, Inc., Hawaii Electric Light Company, Inc., Maui Electric Company, Limited, Kauai Island Utility Cooperative, Hawaii Renewable Energy Alliance, the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy (collectively, the "Parties"), and County of Kauai ("Participant"). The commission issues this prehearing order in accordance with HAR § 6-61-37.

II.

Hearing Format

The hearing is scheduled for five (5) days from December 12, 2005, to December 16, 2005. The commission will establish panels of witnesses. Each panel will consist of the witnesses assigned by each party or participant to sit on that panel as panel members. A party or participant may have multiple witnesses for each panel. To initiate each panel, a moderator as designated by the commission, will give a short overview of the panel's topics. Each panel then will be divided into two (2) parts.

The first part consists of the commission's questions to the panel members. These questions will have been prepared by the commission staff in advance, and will be asked by the moderator, with follow-up by either the staff or commissioners, if deemed necessary. There will be questions asked of all panel members and questions directed to particular panel members.

In the second part, lawyers or representatives for each party or participant may cross-examine one or more panel members. For each panel, if there is time remaining, the commission may have more questions, or individual panel members may ask each other questions, subject to the commission's discretion.

On Friday afternoon, December 16, 2005, the last day of the hearings, when all the panels are complete, each party or participant will have the opportunity to present closing comments of approximately twenty (20) minutes each. The commission will hear closing comments, but will not hear opening comments, as

opening comments will likely only repeat the submissions made by the party or participant. The person offering the closing comments can be either a lawyer, witness or authorized representative of each party and participant.

A party or participant may include additional comments in post-hearing written submissions. The deadlines for these post-hearing written submissions are set forth in the schedule for post-hearing briefs provided in Prehearing Order No. 20923, issued on April 23, 2004, as amended by Order No. 21575, issued on January 28, 2005.

III.

Orders

THE COMMISSION ORDERS:

1. The issues, as identified in Prehearing Order No. 20923, filed on April 23, 2004, remain unchanged.
2. Parties' and Participant's comments or suggested changes to the commission's proposed agenda are due on Thursday, December 1, 2005.
3. The commission will provide the Parties and Participant with an outline of the panel topics by Friday, December 2, 2005.
4. The Parties and Participant shall respectively inform the commission as to which witnesses will be assigned for each panel by Tuesday, December 6, 2005.
5. The Parties and Participant shall meet informally to agree to an order of cross-examination and proposed allocation

of cross-examination time. The Parties and Participant shall notify the commission on the agreed order of cross-examination and the proposed allocation of cross-examination time by Tuesday, December 6, 2005. If the Parties and Participant are unable to reach an agreement, the commission will determine the order of cross-examination and allocate the cross-examination time equally among the Parties and Participants.

6. The commission will distribute to the Parties and Participant a final agenda for the hearings no later than Friday, December 9, 2005.

7. This prehearing conference order shall control the subsequent course of the hearings, unless modified or otherwise ordered by the commission. This prehearing conference order shall supersede Prehearing Order No. 20923, as amended by Order No. 21575, where there is a conflict and shall supplement it in all other respects.


DONE at Honolulu, Hawaii DEC - 1 2005.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (Excused)
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

By 
Janet E. Kawelo, Commissioner


Stacey Kawasaki Djon
Commission Counsel
03-0372.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22153 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 - 1 2005