

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 HAWAII ELECTRIC LIGHT COMPANY, INC.)
)
 For Approval to Construct an Overhead)
 69 kV Transmission Line Pursuant to)
 HRS § 269-27.6(a) for Item H00000725,)
 Queen Kaahumanu Highway Widening,)
 Phase I, Henry Street to Kealakehe)
 Parkway)
 _____)

DOCKET NO. 2006-0016

ORDER NO. 22305

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

2006 MAR -6 A 8:47

RECEIVED

Filed March 3, 2006

At 10:15 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

in connection with the Queen Kaahumanu Highway Widening Project, Phase I, in the Kailua, Kona area on the island of Hawaii (the "Project").² The Application further requests that the commission grant a project-specific waiver from Rule 13 of Applicant's tariff, if such waiver is deemed necessary.³

In its Application, Applicant stated that a public hearing is not required under HRS § 269-27.5 because "there are no existing residential homes along the section of transmission lines that are proposed to be relocated, the nearest existing homes are approximately one-third mile away, and the zoning designations in the project area are not explicitly designated as residential Further, the existing transmission facilities are above ground, and HELCO will relocate these facilities not more than 120 feet from their current locations."⁴ By letter dated February 1, 2006, the commission informed the Consumer Advocate that it was inclined to agree that a public hearing was not required under HRS § 269-27.5, unless the Consumer Advocate informed the commission otherwise by February 6, 2006.⁵

²Application of Hawaii Electric Light Company, Inc. For Approval to Construct an Overhead 69 kV Transmission Line Pursuant to HRS § 269-27.6(a) for Item H00000725, Queen Kaahumanu Highway Widening, Phase I, Henry Street to Kealakehe Parkway, filed on January 24, 2006 ("Application"), at 1. Applicant served a copy of the Application on the Consumer Advocate, an *ex officio* party to this docket pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules § 6-61-62.

³Application, at 1.

⁴Application, at 13-14.

⁵The Consumer Advocate did not file comments in response to the commission's February 1, 2006 letter by February 6, 2006.

On February 10, 2006, the Consumer Advocate filed its Preliminary Statement of Position, based on its initial review of the Application. The Consumer Advocate confirmed that it agrees that a public hearing is not necessary in this proceeding,⁶ but it stated that it has remaining questions and concerns about the Application. The Consumer Advocate further stated its intent to participate in this docket, including the issuance of information requests and the filing of its Final Statement of Position, upon the completion of its investigation.⁷

Regarding the schedule for the Project, the Application notes that "the estimated completion date of the pole line relocation would be late 2006," assuming commission approval is received for the Project by "the end of May 2006, and [Applicant] awards a construction contract by the end of June 2006."⁸ Given Applicant's estimated time schedule for the completion of the Project, the commission will instruct Applicant and the Consumer Advocate to submit a procedural schedule for the commission's review and consideration.

II.

Order

THE COMMISSION ORDERS:

1. Within thirty (30) days from the date of this Order, the Parties shall submit to the commission a stipulated

⁶Division of Consumer Advocacy's Preliminary Statement of Position, filed February 10, 2006, at 2 n.1.

⁷No persons moved to intervene or participate in this docket.

⁸Application, at 7.

procedural schedule, incorporating their agreed upon schedule with respect to this proceeding. If they are unable to stipulate to such a schedule, each Party shall submit a proposed procedural schedule for the commission's consideration by the same date.

DONE at Honolulu, Hawaii MAR - 3 2006.

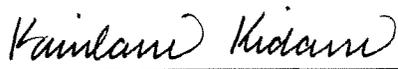
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By (EXCUSED)
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Kaiulani E.S. Kidani
Commission Counsel

2006-0016.eh

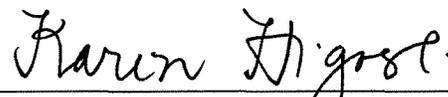
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22305 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN COLE, ESQ.
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P.O. Box 541
Honolulu, HI 96809

WARREN H.W. LEE
PRESIDENT
HAWAII ELECTRIC LIGHT COMPANY, INC.
P.O. Box 1027
Hilo, HI 96721-1027

DEAN MATSUURA
DIRECTOR, REGULATORY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P.O. Box 2750
Honolulu, HI 96840-0001



Karen Higashi

DATED: MAR - 3 2006