

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

INTERIM ORDER NO. 22541

Filed June 20, 2006
At 11 o'clock A. M.

Karen Higashi
Chief Clerk of the Commission

RECEIVED

2006 JUN 21 A 9:24

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

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

per

Charles P. [Signature]

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In the Matter of the Application of)	
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Queen Kaahumanu Highway Widening,)	
Phase I, Henry Street to Kealakehe)	
Parkway)	
_____)	

INTERIM ORDER

By this Interim Order, the commission approves HAWAII ELECTRIC LIGHT COMPANY, INC.'s ("HELCO") request for interim approval to permit HELCO to commit funds and, if necessary, to start installation in connection with the Queen Kaahumanu Highway Widening Project, Phase I, in the Kailua, Kona area on the island of Hawaii (the "Project").¹

I.

Background

On January 24, 2006, HELCO filed an Application with the commission that seeks commission approval for HELCO to relocate 7500 and 9300 69 kilovolt ("kV") transmission lines in connection with the Project.² The Application further requests

¹Request for Interim Approval, filed on June 13, 2006 ("Request").

²Application of Hawaii Electric Light Company, Inc. For Approval to Construct an Overhead 69 kV Transmission Line

that the commission grant a project-specific waiver from Rule 13 of HELCO's tariff to allow HELCO to pay approximately \$46,000, or 50%, of the 12 kV underground relocation and conversion costs, if such a waiver is deemed necessary.³

In its Application, HELCO 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 The Consumer Advocate agreed that a public hearing was not necessary under HRS § 269-27.5.⁵ Based on the foregoing, the commission did not schedule a public hearing for the Application.

By Order No. 22305, filed on March 3, 2006, the commission directed the Parties to submit a stipulated procedural schedule for the commission's review and consideration within

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. HELCO served a copy of the Application on the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), an *ex officio* party to this docket pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules § 6-61-62. HELCO and the Consumer Advocate will be referred to herein as "the Parties."

³Application, at 1.

⁴Application, at 13-14.

⁵Division of Consumer Advocacy's Preliminary Statement of Position, filed February 10, 2006, at 2 n.1.

thirty days of the date of Order No. 22305. The Parties submitted their Stipulated Procedural Schedule on April 3, 2006, which was approved by the commission and filed as Stipulated Procedural Order No. 22378 on April 7, 2006. Pursuant to Stipulated Procedural Order No. 22378, the Consumer Advocate was to issue its Statement of Position by July 5, 2006, and HELCO was to file its Statement of Position, if necessary, by July 19, 2006. As a result, HELCO maintains that "Commission approval for the project could occur no sooner than July 2006."⁶

II.

Request For Interim Approval

On June 13, 2006, HELCO filed its Request, which seeks interim approval from the commission for HELCO to commit funds to order materials for the Project and, if necessary, to commence construction prior to receiving commission approval of the Project under HRS § 269-27.6(a). In support of its Request, HELCO represents:

1. The long lead time for the Project is due to the fact that it takes a long time to order steel poles for the Project. The steel pole manufacturer initially informed HELCO that the normal lead time to order steel poles was approximately 15-16 weeks. The steel pole manufacturer, however, has recently informed HELCO that the order time for steel poles is now approximately 28 to 30 weeks (not including a delivery time of approximately 2 weeks).

⁶Request, at 2.

2. The installation of the steel poles and new lines is expected to take approximately 12 weeks after receipt of the poles. Therefore, the earliest the Project could be completed by HELCO is approximately August 2007, based on the current steel pole order time and assuming the poles are ordered in late July 2006.

3. The State of Hawaii Department of Transportation ("DOT") has recently requested that HELCO "do what it can" to complete its 69 kV line relocation by the end of 2006. However, due to the long lead time to order the steel poles, completion of the line relocation by the end of 2006 is not possible. HELCO would like to support the DOT's schedule, to the extent possible, in order to minimize traffic congestion in the Kona area and to help DOT control its costs for the highway widening.

4. Receipt of commission interim approval by June 16, 2006, will allow HELCO to order the steel poles and complete the 69 kV line relocation by approximately June 2007.

5. Once the steel poles are ordered, it is possible that the steel pole supplier's lead time situation might improve, or that an opening in the production schedule might open up, thereby giving HELCO the opportunity to improve its schedule. HELCO will work with its supplier to try and improve the steel pole delivery time. HELCO will also investigate alternatives to steel poles, i.e., concrete poles, to improve the delivery time.

6. HELCO understands that it is ordering the steel poles, and possibly starting construction, at its own risk, if

the commission does not approve HELCO's request for the overhead 69 kV line relocation. HELCO is confident, however, that the merits of the Project justify the reasonableness of its Application.

7. The Consumer Advocate does not object to this Request, but reserves its right to state its position with respect to HELCO's Application.

In light of HELCO's representations, the commission finds HELCO's request for interim approval to permit HELCO to commit funds and, if necessary, to start installation for the Project, to be reasonable and in the public interest. Thus, the commission concludes that HELCO's request should be approved. Such approval, however, is conditioned upon HELCO's compliance with all applicable laws, rules and regulations relating to the Project and any other terms, conditions, and requirements imposed subsequent to the commission's and the Consumer Advocate's respective reviews of the merits of HELCO's Application.

III.

Orders

THE COMMISSION ORDERS:

1. HELCO's Request for Interim Approval to commit funds to order materials for the Project and, if necessary, to commence construction for the Project, is approved.

2. HELCO shall comply with all applicable laws, rules and regulations relating to the Project and any other terms, conditions, and requirements imposed subsequent to the

commission's and the Consumer Advocate's respective reviews of the merits of HELCO's Application.

3. In the event the commission ultimately does not approve HELCO's Application on the merits, HELCO shall not seek to recover its share of the costs for the Project from its ratepayers.

DONE at Honolulu, Hawaii JUN 20 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.ah

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Interim Order No. 22541 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN COLE
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P.O. Box 541
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WARREN H.W. LEE
PRESIDENT
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DEAN MATSUURA
DIRECTOR, REGULATORY AFFAIRS
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P.O. Box 2750
Honolulu, HI 96840-0001

Karen Higashi

DATED: JUN 20 2006