

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
HAWAIIAN ELECTRIC COMPANY, INC. )  
For Approval of (1) the Commitment )  
of Funds in Excess of \$2,500,000 )  
for the Purchase and Installation )  
of the RO Water Pipeline Project )  
and the Environmental Monitoring )  
Project, (2) a Rate Reduction )  
Program, (3) Accounting and )  
Ratemaking Treatment of the RO )  
Water Pipeline Project and )  
Environmental Monitoring Project, )  
all as Part of the Community )  
Benefits Package Relating to Item )  
Y-49000, Campbell Industrial Park )  
Generating Station and Transmission )  
Additions Project. )

DOCKET NO. 05-0146

ORDER NO. 23046

Filed November 21, 2006  
At 10 o'clock A.M.

for Brook K. Kane  
Chief Clerk of the Commission

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

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ATTEST: A True Copy  
KAREN HIGASHI

for Chief Clerk, Public Utilities  
Commission, State of Hawaii.

Brook K. Kane

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Docket No. 05-0146

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ORDER

The commission issues this prehearing order following the prehearing conference held on November 20, 2006, in preparation for the evidentiary hearing scheduled to commence on November 29, 2006.

I.

Introduction

On November 20, 2006, the commission held a prehearing conference pursuant to Hawaii Administrative Rules ("HAR") § 6-61-36, with representatives from HAWAIIAN ELECTRIC COMPANY, INC. ("HECO") and the DEPARTMENT OF COMMERCE AND CONSUMER

AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate") (jointly, the "Parties").

The commission issues this prehearing order, in accordance with HAR § 6-61-37.

## II.

### Discussion

Consistent with the agreements reached and actions taken at the prehearing conference, and unless otherwise modified by the commission, the following terms shall control the evidentiary hearing:

1. The Parties agree to dispense with opening statements. HECO and the Consumer Advocate may present closing arguments, at their option, after both Parties have presented their cases at the hearing.

2. HECO submitted to the commission seven direct written testimonies from six witnesses (HECO T-1 through T-7) and shall be prepared to present all six witnesses at the hearing. However, HECO and the Consumer Advocate expect to reach a settlement on several issues in this docket, and if so, HECO expects to call the two witnesses presenting HECO T-1, HECO T-2, and HECO T-7, and no others. The Consumer Advocate will call one witness, to present prepared direct written testimony already filed with the commission.

3. If the Parties reach a settlement with respect to any of the issues in this docket, a joint settlement letter executed by all parties to the settlement must be filed with the

commission by no later than Monday, November 27, 2006. The commission will not reschedule the hearing in order to accommodate a continuance of settlement discussions by the Parties. For any witnesses who are not scheduled to testify in-person based on any settlement agreement by the Parties or for any other reason, such witnesses will still be subject to the call of the commission, and should be made available, at a later date if necessary, for possible examination by the commission.

4. The order of witness presentation, unless directed otherwise by the commission, shall proceed as follows: (1) HECO; and (2) the Consumer Advocate. Cross-examination shall follow the direct presentation of each witness.

5. The Parties agree that witnesses will briefly orally summarize their written testimonies at the evidentiary hearing.

6. If the Parties introduce additional exhibits at the hearing, the Parties' exhibits shall be marked as HECO Hearing Exh. \_\_, and CA Hearing Exh. \_\_, as applicable. The Parties are also directed, prior to the hearing, to identify and discuss any additional exhibits they intend to introduce at the hearing, and any objections thereto.

7. Post-hearing briefs are due no later than three (3) weeks following receipt of the hearing transcripts, and reply briefs are due no later than two (2) weeks after opening briefs are due.

8. To avoid having to close the evidentiary hearing, the Parties agree to present their cases, to the fullest extent

possible, without disclosing confidential information covered under Protective Order No. 22810, filed on August 30, 2006. The Parties agree to provide advance notice to the commission if they intend to disclose confidential information during the evidentiary hearing.

9. The Parties acknowledge that the commission may ask each witness questions following completion of cross-examination by all of the Parties. If this occurs, counsel who sponsored the witness may ask re-direct questions of its witness.

### III.

#### Order

#### THE COMMISSION ORDERS:

1. The terms set forth in this Order shall govern the remainder of this proceeding, unless modified or ordered otherwise by the commission.

DONE at Honolulu, Hawaii NOV 21 2006.

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By *Carlito P. Caliboso*  
Carlito P. Caliboso, Chairman

By *John E. Cole*  
John E. Cole, Commissioner

APPROVED AS TO FORM:

*Kaiulani Kidani Shinsato*  
Kaiulani Kidani Shinsato  
Commission Counsel

05-0146.eh

CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of the foregoing Order No. 23046 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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DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
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Honolulu, HI 96809

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\_\_\_\_\_  
for Karen Higashi

DATED: NOV 21 2006