

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 MAUI ELECTRIC COMPANY, LIMITED)
)
 For Approval of Rate Increases and)
 Revised Rate Schedules.)
 _____)

DOCKET NO. 2006-0387

ORDER NO. 23449

Filed May 21, 2007
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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

2007 MAY 22 A 8:26

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

Karen Higashi

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In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
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Docket No. 2006-0387
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ORDER

By this Order, the commission grants the County of Maui's Motion for Enlargement of time to intervene in this docket, filed on May 7, 2007 ("Motion"). The County of Maui's motion to intervene in this proceeding, if any, shall be filed by May 29, 2007, and must comply with all applicable commission rules and regulations.

I.

Background

On February 23, 2007, MAUI ELECTRIC COMPANY, LIMITED ("MECO") filed an Application¹ requesting approval of rate increases and revised rate schedules and rules. Specifically, MECO requests commission approval of a general rate increase under Hawaii Revised Statutes ("HRS") § 269-16 of approximately

¹MECO's Application for Approval of Rate Increases and Revised Rate Schedules and accompanying testimonies, exhibits, and workpapers; Verification, and Certificate of Service, filed on February 23, 2007 (collectively, "Application").

\$18,977,000, or about 5.3%, over revenues at present rates.² The current parties to this docket are MECO and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate") (collectively, the "Parties").³

In accordance with HRS §§ 1-28.5 and 269-16(c), the commission published its Notice of Public Hearings ("Notice") in various newspapers statewide⁴ and held public hearings regarding MECO's Application on April 24, 25, and 26, 2007, on the islands of Molokai, Maui, and Lanai, respectively ("Public Hearings").

In the Notice, the commission clearly set forth the deadline of May 7, 2007, for interested individuals to file a motion to intervene or participate without intervention in this

²The requested increase is based on an estimated total revenue requirement of approximately \$376,285,000 for the normalized 2007 calendar test year (based on September 1, 2006 fuel oil prices and an 8.98% rate of return on MECO's average rate base, including a return on common equity of 11.25%).

³The Consumer Advocate is an ex officio party to this proceeding pursuant to HRS § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62. MECO served copies of the Application on the Consumer Advocate and served a copy of the same on the Mayor of the County of Maui, pursuant to HAR § 6-61-91(a) on February 23, 2007. On March 16, 2007, the Consumer Advocate filed its Statement of Position Regarding Completeness of Application informing the commission that it does not object to the completeness of MECO's Application.

⁴The Notice was published on April 2, 10, 17 and 24, 2007, in the Garden Island, Hawaii-Tribune Herald, Honolulu Star-Bulletin, The Maui News, and West Hawaii Today.

proceeding.⁵ This information was orally reiterated during the Public Hearings.

On May 7, 2007, the County of Maui filed its Motion for Enlargement of time to intervene in this docket.⁶

II.

Discussion

HAR § 6-61-23(a)(1) provides the commission with the discretion, for good cause shown, to enlarge a period by which a required act must be completed, if a written request is made before the expiration of the period originally prescribed.

In its timely Motion, the County of Maui states that additional time is required to understand the complex aspects and the wide ranging impacts of MECO's Application.⁷ According to the County of Maui, "[a]n enlargement of three weeks is requested to allow the County of Maui sufficient time to assess whether intervention in this proceeding is warranted."⁸

Here, the commission finds good cause to grant the Motion filed by the County of Maui. As such, any motion to

⁵HAR § 6-61-57(1) states, in part, the following:

A motion to intervene or participate in a public utility rate increase case shall be filed not later than ten days after the last public hearing held pursuant to the published notice of the hearing.

HAR § 6-61-57(1).

⁶Neither of the Parties have filed a response, in support of or objection to, the County of Maui's Motion.

⁷The County of Maui does not request a hearing on its Motion.

⁸See Motion at 2.

intervene by the County of Maui should be filed with the commission by May 29, 2007,⁹ and must comply with all applicable commission rules and regulations.

III.

Orders

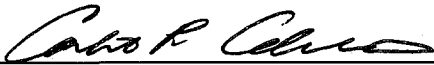
The Commission Orders:

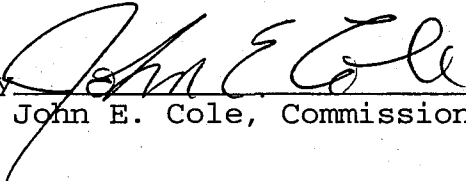
1. The County of Maui's Motion, filed on May 7, 2007, is granted.

2. Any motion to intervene by the County of Maui shall be filed by May 29, 2007, and must comply with all applicable commission rules and regulations.

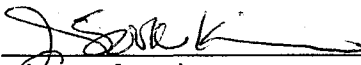
DONE at Honolulu, Hawaii MAY 21 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Ji Sook Kim
Commission Counsel
2006-0387.eh

⁹HAR § 6-61-22 is applied in this instance since May 28, 2007 (three weeks from May 7, 2007) is a holiday. See HAR § 6-61-22.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23449 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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DIVISION OF CONSUMER ADVOCACY
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COUNTY OF MAUI
200 S. High Street
Wailuku, HI 96793



Karen Higashi

DATED: MAY 21 2007