

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 HAWAII ELECTRIC LIGHT)
 COMPANY, INC.)
)
 Regarding Integrated Resource)
 Planning.)
 _____)

DOCKET NO. 04-0046

ORDER NO. 23942

Filed December 28, 2007
At 12 o'clock P .M.

for Stan Aul Dr
Chief Clerk of the Commission

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

Gleaner Tuiasasopo

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 HAWAII ELECTRIC LIGHT)
 COMPANY, INC.)
)
 Regarding Integrated Resource)
 Planning.)
 _____)

Docket No. 04-0046
Order No. 23942

ORDER

By this Order, the commission approves LIFE OF THE LAND's ("LOL") withdrawal as a party to this proceeding.

I.

LOL's Notice of Withdrawal

On December 14, 2007, LOL filed a Notice of Withdrawal. In its notice, LOL states that "[u]pon reflection of our contribution to this docket, and the comments made by the Commission, we are filing our Notice of Withdrawal from this docket." No party filed an opposition to LOL's Notice of Withdrawal.

Upon consideration, the commission will approve LOL's withdrawal as a party to this proceeding. The commission, however, is cognizant that the other parties to the docket, HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO") and the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate") had filed a "Stipulation Regarding Hearing

and Commission Approval" on November 16, 2007,¹ in which they informed the commission that they were not requesting an evidentiary hearing, and that they waived cross-examination of their respective witnesses and of LOL's witness. Despite HELCO and the Consumer Advocate's Stipulation, LOL insisted on an evidentiary hearing and the right to cross-examine three of HELCO's witnesses (Norman Verbanic, Gary A. Hashiro, and Arthur Seki) and one of the Consumer Advocate's witnesses from the mainland (Daniel Peaco) on "issues associated with generation, fuel, planning and climate change."² Now, prior to the filing of post-hearing briefs, LOL seeks to withdraw from participating in the docket. LOL's withdrawal, between evidentiary hearing and post-hearing briefing, is of concern to the commission, especially given LOL's conduct in this docket. Accordingly, the commission will carefully consider LOL's participation in this docket in deciding whether to grant it intervenor or participant status in any subsequent proceedings. As the commission noted at the evidentiary hearing, LOL has an important role in the process, but its participation must be meaningful.

¹Stipulation Regarding Hearing and Commission Approval; Exhibit A; and Certificate of Service, filed on November 16, 2007 (collectively, "Stipulation").

²LOL's letter, filed November 20, 2007, at 1.

II.

Post-Hearing Briefs

Pursuant to Prehearing Order No. 23485, filed on June 8, 2007, post-hearing opening briefs are due three weeks after transcripts of the evidentiary hearing are received by the commission,³ and reply briefs are due two weeks after the deadline for opening briefs. Given HELCO and the Consumer Advocate's Stipulation, and LOL's intent to withdraw from the docket, post-hearing briefs are now optional.

III.

Orders

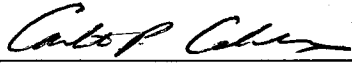
THE COMMISSION ORDERS:

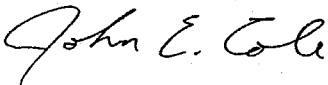
1. LOL's withdrawal from this proceeding is approved
2. The filing of post-hearing opening and reply briefs by HELCO and the Consumer Advocate is optional.

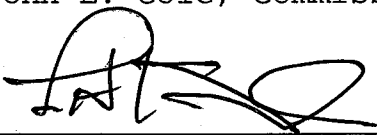
³The Transcript of Proceedings was filed on December 10, 2007.

DONE at Honolulu, Hawaii DEC 28 2007.

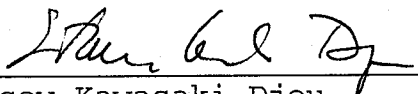
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

04-0046.laa

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23942 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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 96720

WILLIAM A. BONNET
VICE PRESIDENT
HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

THOMAS W. WILLIAMS, JR., ESQ.
PETER Y. KIKUTA, ESQ.
GOODSILL ANDERSON QUINN & STIFEL
1800 Alii Place
1099 Alakea Street
Honolulu, HI 96813

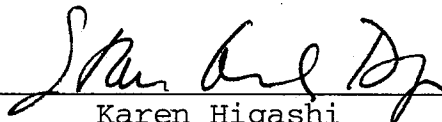
Counsel for HELCO

Certificate of Service
Page 2

HENRY Q CURTIS
VICE PRESIDENT FOR CONSUMER ISSUES
LIFE OF THE LAND
76 North King Street, Suite 203
Honolulu, HI 96817

ROD S. AOKI, ESQ.
ALCANTAR & KAHL LLP
120 Montgomery Street, Suite 2200
San Francisco, CA 94104

Counsel for HELCO

for 

Karen Higashi

DATED: DEC 28 2007