

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
YOUNG BROTHERS, LIMITED)
For Approval of a General Rate)
Increase and Certain Tariff)
Changes.)
_____)

DOCKET NO. 2008-0266

ORDER SETTING FORTH CERTAIN
PRE-APPLICATION INSTRUCTIONS TO YOUNG BROTHERS, LIMITED

RECEIVED

2008 OCT 29 A 9:07

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

PUBLIC UTILITIES
COMMISSION

2008 OCT 28 P 12:05

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
 YOUNG BROTHERS, LIMITED) Docket No. 2008-0266
))
For Approval of a General Rate)
Increase and Certain Tariff)
Changes.)
_____)

ORDER SETTING FORTH CERTAIN
PRE-APPLICATION INSTRUCTIONS TO YOUNG BROTHERS, LIMITED

By this Order, the commission sets forth certain instructions for YOUNG BROTHERS, LIMITED ("Young Brothers") with respect to the forthcoming filing of its application for a general rate increase.

I.

Notice of Intent

On October 16, 2008, Young Brothers filed a Notice of Intent ("Notice") with the commission, stating its intent to file an application for a general rate increase no less than two months from the date of the filing of said Notice. Young Brothers filed its Notice in accordance with Hawaii Administrative Rules ("HAR") §§ 6-61-85, 6-61-94, and 6-65-5. Pursuant thereto, Young Brothers served copies of its Notice upon: (1) the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"),

an ex officio party to this proceeding; and (2) "the mayor of each county affected by the proposed rate increase."¹

II.

Discussion

HAR § 6-61-85 states in part that "every public utility and water carrier shall file with the commission a notice of intent to file a general rate increase not less than two months before filing its application or notice of increase[.]"

Young Brothers, in preparing its application for filing with the commission, shall:

1. Limit the extent and scope of any information it designates as confidential, as the commission has previously expressed its concerns regarding Young Brothers' inconsistent, confusing, and overly broad designation of confidentiality.²

2. Utilize a normalized, twelve-month test year period, consistent with HAR § 6-65-31.³

¹HAR § 6-61-85.

²See In re Young Bros., Ltd., Docket No. 2006-0396 ("Docket No. 2006-0396"), Order No. 23222, Section II.C, Information Designated as Confidential, filed on January 26, 2007; see also In re Young Bros., Ltd., Docket No. 2008-0253, Decision and Order, Section II.C, Other Matters, filed on October 3, 2008.

³Cf. HAR § 6-61-87(4) (test year reflecting normalized conditions to the very best estimate possible). By contrast, Young Brothers, as part of its case-in-chief in its previous application for a general rate increase, initially contended that the Consumer Advocate's proposal to normalize certain expenses was unreasonable unless counterbalanced by annualizing expenses that would supplant the eliminated amounts. In re Young Bros., Ltd., Docket No. 2006-0396.

3. Be cognizant of the commission's stated concerns set forth in Docket No. 2006-0396, Decision and Order No. 23714, at page 44, footnote 85, regarding a certain sub-account for the water carrier's administrative and general expenses.

4. Include its intrastate results of operations under proposed rates.

5. Include the workpapers, data, and detailed explanations and calculations in support of Young Brothers' test year revenue requirement (revenues, expenses, rate base, and rate of return).⁴

III.

Orders

THE COMMISSION ORDERS:

Young Brothers, in preparing its application for filing with the commission, shall:

1. Limit the extent and scope of any information it designates as confidential.

2. Utilize a normalized, twelve-month test year period, consistent with HAR § 6-65-31.

3. Be cognizant of the commission's stated concerns set forth in Docket No. 2006-0396, Decision and Order No. 23714, at page 44, footnote 85, regarding a certain sub-account for the water carrier's administrative and general expenses.

⁴See Order No. 23625, filed on September 4, 2007, in Docket No. 2006-0396; see also commission's information requests, dated July 26, 2007, in Docket No. 2006-0396.

4. Include its intrastate results of operations under proposed rates.

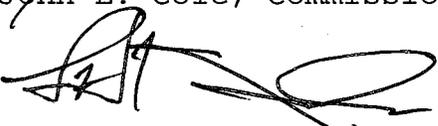
5. Include the workpapers, data, and detailed explanations and calculations in support of Young Brothers' test year revenue requirement (revenues, expenses, rate base, and rate of return).

DONE at Honolulu, Hawaii OCT 28 2008.

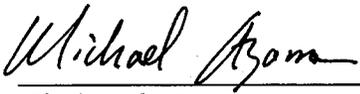
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

2008-0266.laa

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

P. ROY CATALANI
VICE PRESIDENT OF STRATEGIC PLANNING
AND GOVERNMENT AFFAIRS
YOUNG BROTHERS, LIMITED
P. O. Box 3288
Honolulu, HI 96801