BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
WAIKOLOA SANITARY SEWER )
COMPANY, INC., dba )
WEST HAWAII SEWER COMPANY )
)
For Approval of Rate Increases)
and Revised Rate Schedules. )
)

DOCKET NO. 00-0440

ORDER APPROVING EXTENSION OF TIME

2008 DEC-9 A 8-37

RECEIVED

2008 DEC-8 A 9-59

FILED
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

Docket No. 00-0440

ORDER APPROVING EXTENSION OF TIME

By this Order, the commission approves the request for an extension of time filed by WAIKOLOA SANITARY SEWER COMPANY, INC., dba WEST HAWAII SEWER COMPANY ("WHSC"),¹ on November 26, 2008. Accordingly, the new deadline date for the Parties to comply with Ordering Paragraph No. 3 of the Commission's Order Denying Refund Proposal, filed on October 9, 2008 ("Order"), as amended, is December 12, 2008.

I.

Background

Consistent with Ordering Paragraph No. 3 of the commission's Order, as amended: (1) by November 26, 2008, WHSC must, individually or jointly with the Consumer Advocate, submit a refund plan for the commission's review and approval;

¹The Parties are WHSC and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62(a).
and (2) the Consumer Advocate, at its option, may submit its proposed refund plan by the same date, in the event that a refund plan is not jointly submitted by the Parties.  

By letter dated November 26, 2008, WHSC requests a sixteen-day extension of time, from November 26, 2008 to December 12, 2008, for the Parties to comply with Ordering Paragraph No. 3 of the commission's Order.

II.

Discussion

HAR § 6-61-23(a)(1) states:

Enlargement.  (a) When by this chapter or by notice or by order of the commission, any act is required or allowed to be done at or within a specified time, the commission for good cause shown may at any time, in its discretion:

(1) With or without motion or notice, order the period enlarged, if written request is made before the expiration of the period originally prescribed or as extended by a previous order[.]

HAR § 6-61-23(a)(1).

WHSC, in support of its timely request for an extension of time, represents:

WHSC and the Consumer Advocate are making substantial progress in their attempts to resolve areas of dispute and reach agreement on a joint refund plan. However, representatives of both WHSC and the Consumer Advocate have been traveling, and/or have been involved in other matters which require their attention. For example, the Consumer Advocate has been involved in discussions for Docket Nos. 2008-0272 and 2008-0274, completing its review of the application filed in Docket No. 2008-0186, and

See Commission's letter, dated November 7, 2008; and Order Approving Extension of Time, filed on November 18, 2008.
continuing its review of the rate adjustment applications filed in Docket Nos. 2008-0081, 2008-0083, 2008-0261 as well as preparing its position on whether the procedural schedule for Docket No. 2008-0025 should be suspended as well as whether the application is complete during the period that negotiations on the refund proposal were conducted. In addition, efforts to reach agreement on a refund proposal have been time consuming due to the parties' efforts to provide the most complete and accurate support for the proposal. WHSC therefore requests that the date for submission of a refund plan be further extended until December 12, 2008.


Based on WHSC's representations, the commission finds good cause to approve the request for a sixteen-day extension of time, from November 26, 2008 to December 12, 2008, for the Parties to comply with Ordering Paragraph No. 3 of the commission's Order.

III.

Order

THE COMMISSION ORDERS:

WHSC's request, filed on November 26, 2008, for a sixteen-day extension of time from November 26, 2008 to December 12, 2008, for the Parties to comply with Ordering Paragraph No. 3 of the commission's Order, is approved.
DONE at Honolulu, Hawaii  DEC - 8 2008  

PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII  

By  Carlito P. Caliboso, Chairman  

By  (EXCUSED)  
John E. Cole, Commissioner  

By  Leslie H. Kondo, Commissioner  

APPROVED AS TO FORM:  

Michael Azama  
Commission Counsel  

00-0400.1aa
CERTIFICATE OF SERVICE

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

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