

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
KAUAI ISLAND UTILITY COOPERATIVE)
For Approval of Purchase Power)
Agreement and Interconnection)
Agreement with Green Energy Team)
LLC, and to Include Costs in its)
Energy Rate Adjustment Clause.)
_____)

DOCKET NO. 2007-0142

ORDER APPROVING WITHDRAWAL OF MOTIONS

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

PUBLIC UTILITIES
COMMISSION

2009 FEB 18 P 12:16

FILED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))
KAUAI ISLAND UTILITY COOPERATIVE) Docket No. 2007-0142
))
For Approval of Purchase Power))
Agreement and Interconnection))
Agreement with Green Energy Team))
LLC, and to Include Costs in its))
Energy Rate Adjustment Clause.))
_____))

ORDER APPROVING WITHDRAWAL OF MOTIONS

By this Order, the commission approves the withdrawal of KAUAI ISLAND UTILITY COOPERATIVE's ("KIUC") motions filed on October 31, 2008.¹

I.

Background

By Decision and Order No. 23855, filed on November 28, 2007, the commission approved the Purchase Power Agreement and related Interconnection Agreement between KIUC and Green Energy Team LLC, dated March 26, 2007 and May 24, 2007, respectively, and other related matters.

On October 31, 2008, KIUC filed a pleading entitled "Motion to Reopen Docket No. 2007-0142 and Motion for Approval of

¹The Parties are KIUC 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 § 6-61-62(a).

First Amendment to Purchase Power Agreement Between Green Energy Team LLC and Kauai Island Utility Cooperative and Related Matters."² By its pleading, KIUC essentially sought to reopen this proceeding for the purpose of obtaining the commission's approval of the First Amendment to the Purchase Power Agreement between KIUC and Green Energy Team LLC, dated October 21, 2008. Now, by letter dated January 30, 2009, KIUC withdraws its two motions filed on October 31, 2008.

II.

Withdrawal of Motions

KIUC explains that the withdrawal of its motions "is based on a request by Green Energy Team LLC to rescind the First Amendment that is the subject of the Motions, and to instead proceed along the original terms of the Power Purchase Agreement approved by the Commission in Decision and Order No. 23855, issued in this docket on November 28, 2007."³ In addition, KIUC represents that "the Consumer Advocate has verbally indicated that it has no objections to this withdrawal."⁴

Based on KIUC's representations, the commission approves the withdrawal of the electric cooperative's motions filed on October 31, 2008.

²Motion to Reopen Docket No. 2007-0142 and Motion for Approval of First Amendment to Purchase Power Agreement Between Green Energy Team LLC and Kauai Island Utility Cooperative and Related Matters; Exhibit A; Verification; and Certificate of Service, filed on October 31, 2008.

³KIUC's letter, dated January 30, 2009, at 1.

⁴KIUC's letter, dated January 30, 2009, at 1.

III.


Orders

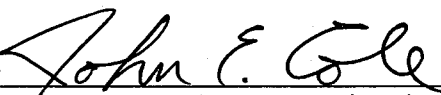
THE COMMISSION ORDERS:

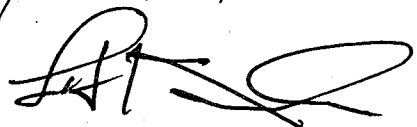
1. The withdrawal of KIUC's motions filed on October 31, 2008 is approved.
2. This docket is closed unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii FEB 18 2009.

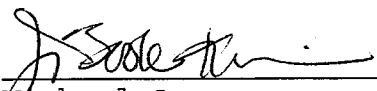
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

2007-0142.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:

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DIVISION OF CONSUMER ADVOCACY
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