

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of -----)
)
 PUBLIC UTILITIES COMMISSION)
)
 Instituting a Proceeding to)
 Investigate the Implementation)
 Of Feed-in Tariffs.)
 _____)

DOCKET NO. 2008-0273

RECEIVED

2009 APR - 2 P 12: 34

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

ORDER GRANTING MAUI LAND & PINEAPPLE
COMPANY, INC.'S MOTION FOR APPROVAL TO AMEND
ITS STATUS AS AN INTERVENOR/PARTY TO A PARTICIPANT

FILED

2009 APR - 1 P 12: 24

PUBLIC UTILITIES
COMMISSION

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PUBLIC UTILITIES COMMISSION) Docket No. 2008-0273
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ORDER GRANTING MAUI LAND & PINEAPPLE
COMPANY, INC.'S MOTION FOR APPROVAL TO AMEND
ITS STATUS AS AN INTERVENOR/PARTY TO A PARTICIPANT

By this Order, the commission grants MAUI LAND & PINEAPPLE COMPANY, INC.'s ("MLP") Motion for Approval to Amend its Status as an Intervenor/Party to a Participant, filed on February 24, 2009 ("Motion").

I.

Motion

On February 24, 2009, MLP filed a Motion for commission approval to amend its current status from intervenor to participant. According to MLP:

. . . MLP has been in the process of developing a significant integrated renewable energy park to be situated on MLP's properties that are within MECO's service territory. MLP expects the renewable energy park to be of significant size, approximately 100 megawatts ("MW"), at full build-out. The nature of the renewable energy park output will be a mix of intermittent (i.e., as available) and firm capacity renewable power or energy. This renewable energy project is planned to consist of a mix of renewable power technologies and sizes Including, without

limitation, approximately 30 MW of wind turbine systems, 45 MW of photovoltaic ("PV") systems, and 25 MW of pumped storage systems.

Upon review of the Joint Proposal on Feed-In Tariffs ("FIT") submitted by the HECO Companies and the Division of Consumer Advocacy ("Consumer Advocate") on December 23, 2008, said proposed FIT appears to limit the size of the renewable energy systems to no greater than 250 kilowatts for the island of Maui, and restrict the technology to PV systems, concentrated solar power, in-line hydropower, and wind renewable energy systems. Assuming that these limitations and/or restrictions are ultimately approved and adopted by the Commission to be incorporated as part of MECO's initial FIT, MLP's proposed renewable energy systems, described above, will be significantly larger than the systems being considered in this proceeding. Accordingly, MLP's proposed systems will likely be, in effect, disqualified at this juncture and at least until such initial FIT is updated by MECO (e.g., at least 2 years after initial implementation of the initial FIT as represented by the HECO Companies and Consumer Advocate in their December 23, 2008 proposal).¹

MLP requests, however, that it be allowed to participate by "(1) monitoring the proceeding by receiving all filings by the Commission and the other parties to ensure, among other things, that its interests and/or rights (financially or otherwise) are adequately protected, and (2) filing a final statement of position in accordance with the Stipulated Regulatory Schedule approved by the Commission in this proceeding, to the extent it deems necessary."²

Based on MLP's representations and the lack of any opposition to the Motion, the commission grants the Motion in its entirety. MLP's status in this proceeding is amended from

¹Motion at 2-3.

²Motion at 5.

intervenor to participant. As such, MLP's participation shall be limited to: (1) receiving all filings by the commission and the other parties to the docket, and (2) filing a final statement of position in accordance with the Stipulated Regulatory Schedule approved by the commission, should it deem necessary.

II.

Order

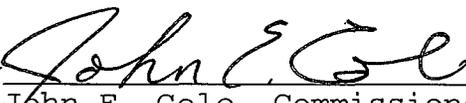
THE COMMISSION ORDERS:

MLP's Motion for Approval to Amend its Status as an Intervenor/Party to a Participant, filed on February 24, 2009, is granted.

DONE at Honolulu, Hawaii APR - 1 2009.

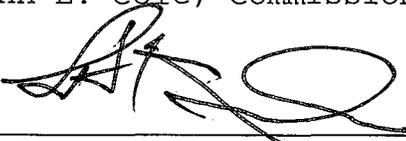
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
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By
Leslie H. Kondo, Commissioner

2008-0273.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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