

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
WAIMEA WASTEWATER COMPANY, INC. )  
For Review and Approval of Rate )  
Increases; Revised Rate )  
Schedules. )  
\_\_\_\_\_ )

DOCKET NO. 2008-0261

DECISION AND ORDER

RECEIVED

2009 MAY 19 A 9:24

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

PUBLIC UTILITIES  
COMMISSION

2009 MAY 18 P 12:48

FILED



Revised Statutes ("HRS") § 269-16(f), and in response to the application filed by WWC on October 14, 2008.<sup>2</sup>

In the Proposed Decision and Order, the commission approved rates for WWC, as agreed upon by WWC and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY, ("Consumer Advocate")<sup>3</sup> (jointly, the "Parties") in their "Stipulation of Settlement Agreement in Lieu of Rebuttal Testimonies," jointly filed by the Parties on March 13, 2009 ("Stipulation").<sup>4</sup>

Specifically, the commission approved, based on a 2009 calendar test year ("Test Year"):<sup>5</sup> a \$293,610 increase in WWC's revenues, resulting in a revenue requirement for WWC of \$522,090; an average Test Year rate base amount of \$1,472,297; and a 4.77% rate of return. Also, WWC will not implement an Automatic Power Cost Adjustment Clause in this docket, but may seek to do so in future rate cases. In addition, the Parties shall address the disputed issues regarding Rules XI and XII of WWC's Rules and Regulations via a tariff transmittal subsequent to this final Decision and Order.

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<sup>2</sup>See Application, Exhibits WWC 1 through WWC 12, Exhibit WWC-T-100, Verification, and Certificate of Service, filed on October 14, 2009. Copies of the Application were served on the Consumer Advocate.

<sup>3</sup>The Consumer Advocate is an ex officio party to this proceeding, pursuant to HRS § 269-51 and Hawaii Administrative Rules § 6-61-62(a).

<sup>4</sup>See Stipulation of Settlement Agreement in Lieu of Rebuttal Testimonies, Exhibits WWC-A to WWC-D, and Certificate of Service, filed on March 13, 2009.

<sup>5</sup>The applicable Test Year is calendar year 2009 pursuant to HAR § 6-61-88(1)(B).

B.

The Parties' Acceptance of  
the Proposed Decision and Order

On April 20, 2009, WWC accepted in toto the Proposed Decision and Order.<sup>6</sup> By letter filed on April 23, 2009, the Consumer Advocate, likewise, accepted in toto the Proposed Decision and Order.<sup>7</sup>

C.

Adoption of Proposed Decision and Order

The Parties have accepted the Proposed Decision and Order. Accordingly, the Parties are not entitled to a contested case hearing, and HRS § 269-15.5 does not apply.<sup>8</sup> See HRS § 269-16(f)(3). In light of the foregoing, the commission adopts in toto, the Proposed Decision and Order.

D.

Revised Tariff Sheets and Rate Schedules

The Proposed Decision and Order also instructed WWC to promptly file its revised tariff sheets and rate schedules, which implement the tariff changes and increases in rates and charges authorized by the Proposed Decision and Order for the commission's review and approval.

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<sup>6</sup>See Letter dated and filed on April 20, 2009, from WWC to the commission.

<sup>7</sup>See Letter dated and filed on April 23, 2009, from the Consumer Advocate to the commission.

<sup>8</sup>See Proposed Decision and Order, at 40, paragraph 1.

On April 20, 2009, WWC filed its revised tariff sheets and rate schedules. The commission has reviewed WWC's revised tariff sheets and rate schedules, and finds that they are in compliance with the Proposed Decision and Order. The commission accordingly approves WWC's revised tariff sheets and rate schedules.

## II.

### Orders

#### THE COMMISSION ORDERS:

1. The Proposed Decision and Order, filed on April 14, 2009, in this docket, is adopted as the commission's Decision and Order in this proceeding.

2. WWC may increase its rates to produce a \$293,610 increase in Test Year revenues from present rates and a revenue requirement for WWC of \$522,090; an average rate base amount of \$1,472,297; and a 4.77% rate of return, as shown on Exhibit A, attached to the Proposed Decision and Order.

3. WWC's revised tariff sheets and rate schedules, filed on April 20, 2009, are approved as indicated in the Proposed Decision and Order.

DONE at Honolulu, Hawaii

MAY 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:

  
Jodi L. K. Yi  
Commission Counsel

2008-0261.cp

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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