

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 HAWAIIAN ELECTRIC COMPANY, INC.)
)
 For Approval of an Amendment to the)
 Dispatchable Standby Generation)
 Agreement with the State of Hawaii)
 Department of Transportation, and)
 Approval of Increased Dispatchable)
 Incentive Payments.)
 _____)

DOCKET NO. 2009-0317

ORDER INSTRUCTING THE PARTIES
TO SUBMIT A STIPULATED PROCEDURAL ORDER

FILED

2009 NOV 13 P 12:26

PUBLIC UTILITIES
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Docket No. 2009-0317

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TO SUBMIT A STIPULATED PROCEDURAL ORDER

By this Order, the commission instructs HAWAIIAN ELECTRIC COMPANY, INC. ("HECO") and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate"), to submit a stipulated procedural order for the commission's review and consideration by December 1, 2009.¹

I.

Background

By its application filed on November 5, 2009, HECO requests the commission's approval of Amendment No. 1 to the Dispatchable Standby Generation Agreement between HECO and the State of Hawaii, Department of Transportation, Airports Division

¹At this time, the Parties are HECO and the 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). The deadline for any interested person to timely move to intervene or participate in this proceeding is November 25, 2009, pursuant to HAR § 6-61-57(3)(A).

("DOT Airports"), dated September 29, 2009 ("Amendment No. 1"), and of other related matters. While Paragraph No. 5 of Amendment No. 1 provides that the contracting parties may terminate the amended agreement if HECO does not receive the commission's written approval of the electric utility's application by January 29, 2010, HECO, in its application, requests the commission's approval by March 2, 2010, consistent with the DOT Airports' request for commission action by this date and the revised projected construction start-up date of April 2010. Given HECO's request for commission action by March 2, 2010, the commission finds it appropriate to instruct the Parties to submit a stipulated procedural order for the commission's review and consideration by December 1, 2009.

II.

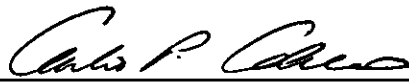
Order

THE COMMISSION ORDERS:

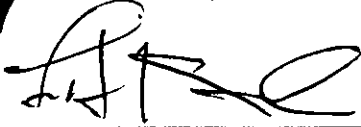
The Parties shall submit a stipulated procedural order, incorporating their-agreed upon schedule and procedures with respect to this proceeding, for the commission's review and consideration by December 1, 2009. If the Parties are unable to agree on a stipulated procedural order, each of the parties shall submit its own proposed procedural order by the same date.

DONE at Honolulu, Hawaii NOV 13 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

2009-0317.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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