

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
 KAUAI ISLAND UTILITY COOPERATIVE)
 (FKA, KAUAI ELECTRIC DIVISION OF)
 CITIZENS COMMUNICATIONS COMPANY))
)
 For Approval of an Energy Purchase)
 Agreement with Kauai Winds Inc. and)
 To include in its Energy Rate)
 Adjustment Clause.)
 _____)

DOCKET NO. 01-0005

ORDER NO. 19947

Filed Jan. 6, 2003
At 2:30 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

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

2003 JAN -6 P 3:59

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ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

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Docket No. 01-0005

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ORDER

I.

By an application of KAUAI ISLAND UTILITY COOPERATIVE (FKA, KAUAI ELECTRIC DIVISION OF CITIZENS COMMUNICATIONS COMPANY) (Applicant), filed on January 5, 2001, Applicant seeks approval of, among other things, an energy purchase agreement (EPA), pursuant to Hawaii Revised Statutes § 269-27.2 and Hawaii Administrative Rules § 6-60-6(2). Copies of the aforesaid application were served on the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY.

By a notice of dismissal dated December 4, 2002, the commission informed Applicant of its intent to dismiss the aforesaid application, without prejudice, because such application is defective and incomplete, as no site has been determined. Specifically, Appendix C (relating to facility description), Appendix D (relating to legal site description) and Appendix E (relating to facility location and layout) of the EPA are

incomplete, and Applicant represented in the application that such information will be furnished at a later date. Applicant was further advised in the December 4, 2002 notice of dismissal that any objection to the dismissal of the aforesaid application must be submitted in writing, and received by the commission not later than 10 days from the date of the notice, and that if an objection was not filed, the commission would issue an order dismissing the application.

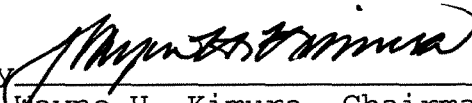
To date, neither an objection to the dismissal nor any of the above-mentioned information, which is necessary for the commission to process the instant application, were filed by Applicant. The commission, thus, finds that there is good cause to dismiss the instant application, and close this docket.


II.

THE COMMISSION ORDERS that the Applicant's application, filed on January 5, 2001, is dismissed, without prejudice, and that this docket is closed.

DONE at Honolulu, Hawaii this 6th day of January, 2003.

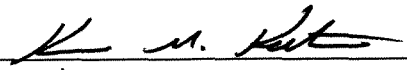
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Wayne H. Kimura, Chairman

By 
Janet E. Kawelo, Commissioner

By _____ (RECUSED)
Gregg J. Kinkley, Commissioner

APPROVED AS TO FORM:


Kevin M. Katsura
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 19947 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

ALTON H. MIYAMOTO
PRESIDENT AND CHIEF EXECUTIVE OFFICER
KAUAI ISLAND UTILITY COOPERATIVE
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Lihue, HI 96766-2032

ALAN M. OSHIMA, ESQ.
OSHIMA, CHUN, FONG & CHUNG
Davies Pacific Center, Suite 400
841 Bishop Street
Honolulu, HI 96813



Karen Higashi

DATED: January 6, 2003