

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of)
H. HACKFELD & CO., LTD., dba)
EAST KAUAI WATER COMPANY)
To Voluntarily Surrender its)
Operating Authority.)
_____)

DOCKET NO. 03-0170

ORDER NO. 20229

Filed June 12, 2003
At 1:00 o'clock P.M.
Karen Higashi
Chief Clerk of the Commission

DEPT. OF CONSUMER AFFAIRS
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
2003 JUN 13 P 4:21
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ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
K. Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Request of))	
H. HACKFELD & CO., LTD., dba))	Docket No. 03-0170
EAST KAUAI WATER COMPANY))	
To Voluntarily Surrender its))	Order No. 20229
Operating Authority.))	
_____))	

ORDER

I.

H. HACKFELD & CO., LTD., dba EAST KAUAI WATER COMPANY, is authorized to operate as a public utility of water service on the island of Kauai. East Kauai Water Company is "grandfathered" to operate without a certificate of public convenience and necessity, pursuant to Hawaii Revised Statutes (HRS) § 269-7.5(c).¹

¹HRS § 269-7.5(c) states:

No public utility which holds a franchise or charter enacted or granted by the legislative or executive authority of the State or its predecessor governments, or which has a bona fide operation as a public utility heretofore recognized by the commission, shall be required to obtain a certificate of public convenience and necessity under [section 269-7.5].

See Decision and Order No. 9982, filed on October 20, 1988, in Docket No. 6286, *In re H. Hackfeld & Co., Ltd., dba East Kauai Water Co.*; see also Decision and Order No. 1238, filed on July 24, 1963, in Docket No. 1549, *In re East Kauai Water Co., Ltd.*

LPC Corporation, fka The Lihue Plantation Company, Limited, is the former, sole shareholder of H. Hackfeld & Co., Ltd. LPC Corporation states that East Kauai Water Company ceased doing business and dissolved as of November 19, 2002. Hence, it requests that the commission's "account for [East Kauai Water Company] be closed since the company is no longer doing business."

Thereafter, on June 5, 2003, LPC Corporation, on behalf of East Kauai Water Company, submitted the applicable public utility fees for the years 2002 and 2003, in response to the commission's directive.²

Upon review, the commission will approve LPC Corporation's request to voluntarily surrender East Kauai Water Company's operating authority.

II.

THE COMMISSION ORDERS:

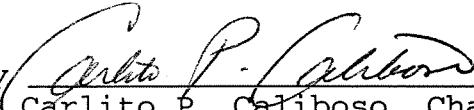
1. The voluntary surrender of East Kauai Water Company's authority to operate as a public utility of water service on the island of Kauai is approved, effective from the date of this order.

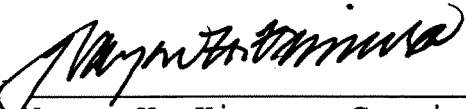
2. This docket is closed.

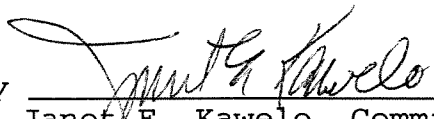
²LPC Corporation also submitted East Kauai Water Company's balance sheet for the period ending October 31, 2002.

DONE at Honolulu, Hawaii this 12th day of June, 2003.


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel
ekauaiwater.ac

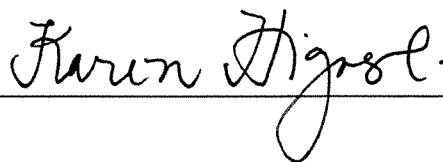
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20229 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

GAILEN J. HULL
SENIOR VICE PRESIDENT
TAMARA G. EDWARDS
VICE PRESIDENT
LPC CORPORATION
700 Bishop Street, Suite 501
Honolulu, HI 96813

For H. HACKFELD & CO., LTD., dba EAST KAUAI WATER COMPANY



DATED: June 12, 2003