

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

In the Matter of the Application of)

MAUNA LANI STP, INC.)

DOCKET NO. 02-0392

For Review and Approval of Rate)
Increases; Revised Rate Schedules.)

ORDER NO. 20346

Filed July 21, 2003

At 10:00 o'clock A.M.

Karen Higashi

Chief Clerk of the Commission

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 Application of))	
MAUNA LANI STP, INC.)	Docket No. 02-0392
)	
For Review and Approval of Rate)	Order No. 20346
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<hr/>		

ORDER

I.

Applicant MAUNA LANI STP, INC. ("Applicant") and the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate") are the sole parties in this docket (collectively, the "Parties").

By Order No. 20206, filed on May 29, 2003, the commission amended the procedural schedule for this docket ("Amended Procedural Schedule").¹ In accordance with the Amended Procedural Schedule, Applicant's rebuttal testimonies are due on July 18, 2003.

The Parties jointly filed a letter on July 18, 2003, stating that they reached a settlement in this docket. Accordingly, the Parties request an amendment to the Amended Procedural Schedule to allow them time to prepare and submit a settlement agreement to the commission. Specifically, they request

¹The commission approved the original procedural schedule, among other things, by Order No. 20058, filed on March 6, 2003, in this docket.

that the commission allow the Parties to file the stipulated settlement agreement on or before Friday, July 25, 2003. The Parties further propose that they file the settlement agreement in lieu of Applicant's rebuttal testimonies, the Consumer Advocate's rebuttal information requests, and the evidentiary hearing set forth in the Amended Procedural Schedule.

II.

Hawaii Administrative Rules (HAR) § 6-61-35 provides that "[w]ith the approval of the commission, any procedure in a contested case may be modified or waived by stipulation of the parties and informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default." See also, HRS § 91-9.

In light of the representations made by the Parties, we find good cause to approve the stipulation to amend the Amended Procedural Schedule. Accordingly, we conclude that the Amended Procedural Schedule should be amended further to (1) delete "Procedural Steps" numbered 10 through 19 and (2) insert step number 10, which shall read:

10. Friday, July 25, 2003 Settlement Agreement
to the commission.

III.

THE COMMISSION ORDERS:

1. The Parties' stipulation to amend the Amended Procedural Schedule is approved.

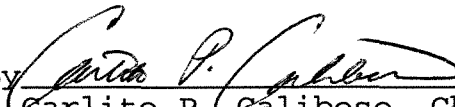
2. Order No. 20206, filed on May 29, 2003, is amended to (1) delete "Procedural Steps" numbered 10 through 19 and (2) insert step number 10, which shall read as follows:

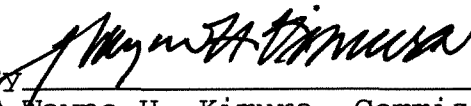
10. Friday, July 25, 2003 Settlement Agreement to the commission.

3. In all other respects, Order No. 20206 remains unchanged.

DONE at Honolulu, Hawaii this 21st day of July, 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:


Catherine P. Awakuni
Commission Counsel

02-0392.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20346 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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DIVISION OF CONSUMER ADVOCACY
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VICE PRESIDENT AND TREASURER
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Kohala Coast, HI 96741-9726



Karen Higashi

DATED: July 21, 2003