

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
PUUWAAWAA WATERWORKS, INC.)
For Review and Approval of Rate)
Increases; Revised Rate Schedules.)

DOCKET NO. 03-0369

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PUBLIC UTILITIES COMMISSION
STATE OF HAWAII

ORDER NO. 20697

Filed Nov. 28, 2003
At 1 o'clock P.M.

for Brooke K. Nagaji
Chief Clerk of the Commission

ATTEST: A True Copy
BROOKE K. NAGAJI
Administrative Director
Public Utilities Commission
State of Hawaii
B. Nagaji

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
 PUUWAAWAA WATERWORKS, INC.) Docket No. 03-0369
))
For Review and Approval of Rate) Order No. 20697
Increases; Revised Rate Schedules.)

)

ORDER

PUUWAAWAA WATERWORKS, INC. ("PWI") filed an application to increase its volumetric rate and change its rate schedule under Hawaii Revised Statutes ("HRS") § 269-16(b) on October 20, 2003 ("Application"). The DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate") filed its statement of position regarding the completeness of PWI's Application on November 10, 2003, pursuant to HRS § 269-16(d). The Consumer Advocate enumerated its objections to the sufficiency of the Application and requested that the commission require PWI to address the deficiencies.

The commission issued a Notice of Hearing by Order No. 20641, filed on November 14, 2003, requiring PWI and the Consumer Advocate (collectively, the "Parties") to appear before the commission at 10:00 a.m., on Monday, December 1, 2003, for a

hearing on the Consumer Advocate's objections to the sufficiency of the Application, pursuant to HRS § 269-16(d) ("Scheduled Hearing").¹

The Parties jointly filed a letter dated and filed on November 26, 2003, to inform the commission that they agree that the concerns with the sufficiency and completeness of PWI's application can be resolved without a hearing, and that they voluntarily waive their right to a hearing on the sufficiency of PWI's application under HRS § 269-16(d) by requesting that the commission waive the hearing ("Parties' Stipulation"). Additionally, the Parties indicate in their agreement that the application completion date shall be determined upon the filing of an Amended Application for Approval of Rate Increase ("Amended Application"), and that the Consumer Advocate does not waive its right to submit objections to the Amended Application, if deemed warranted.

Under Hawaii Administrative Rules § 6-61-35, any procedure in a contested case may be modified or waived by stipulation of the parties, with the approval of the commission.² Upon review, we find good cause to approval the Parties' Stipulation, and also find that the Scheduled Hearing is no longer necessary. Thus, we conclude that the Parties' Stipulation should be approved, and that the Scheduled Hearing should be canceled.


¹HRS § 269-16(d) requires the commission to hear and determine any objections filed with regards to the sufficiency of an application filed under the statute within twenty-one (21) days from the filing of the Consumer Advocate's objections.


²See also, HRS § 91-9(d).

THE COMMISSION ORDERS that the Parties' Stipulation is approved, and that the Scheduled Hearing is canceled.

DONE at Honolulu, Hawaii this 28th day of November, 2003.

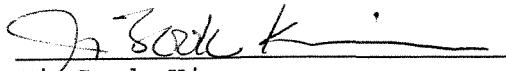
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By (EXCUSED)
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Ji Sook Kim
Commission Counsel

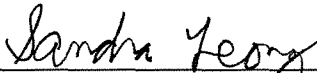
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 20697 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
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for Karen Higashi

DATED: November 28, 2003