

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAIIAN ELECTRIC COMPANY, INC.)
For Approval of a Pole Attachment)
Agreement with the United States)
Army for the Makua Valley Training)
Center.)
_____)

DOCKET NO. 04-0085

ORDER NO. 21039

RECEIVED
2004 JUN -9 P 3:48
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed June 9, 2004
At 10:00 o'clock A .M.

Karon Higuel.
Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of))	
HAWAIIAN ELECTRIC COMPANY, INC.)	Docket No. 04-0085
)	
For Approval of a Pole Attachment)	Order No. 21039
Agreement with the United States)	
Army for the Makua Valley Training)	
Center.)	
_____)	

ORDER

This docket arises out HAWAIIAN ELECTRIC COMPANY, INC.'s ("HECO") initial request for expedited interim approval for the United States Army ("Army") to immediately and temporarily attach its fiber optic cable to three (3) HECO-owned poles located at the Army's Makua Valley Training Center for a maximum period of approximately thirty-six (36) months.¹ On May 3, 2004, the commission approved HECO's request on an interim basis, subject to certain conditions, including the requirement that HECO file a formal application for approval on a permanent basis.²

On May 24, 2004, HECO filed its application seeking the commission's approval of a Pole Attachment Agreement with the Army, dated April 29, 2004 (the "Agreement"). The Agreement grants to the Army a non-exclusive license to attach its fiber optic cables to HECO's three (3) poles, from "the date of the

¹HECO's letter, dated April 30, 2004.

²Interim Order No. 20958, filed on May 3, 2004.


issuance of a final non-appealable order" from the commission or a court of competent jurisdiction.

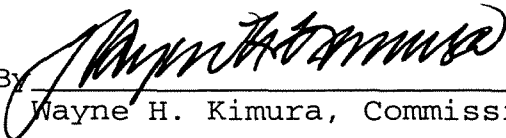
Given that the Army's non-exclusive license does not commence until the commission approves the Agreement, the commission will instruct HECO and the Consumer Advocate (collectively, the "Parties") to submit a procedural schedule for the commission's review and consideration.

THE COMMISSION ORDERS that within thirty (30) days from the date of this order, the Parties shall submit to the commission a stipulated procedural schedule, incorporating their agreed upon schedule with respect to this proceeding. If they are unable to stipulate to such a schedule, each party shall submit a proposed procedural schedule for the commission's consideration by the same date.

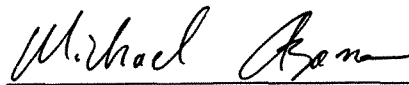
DONE at Honolulu, Hawaii this 9th day of June, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

By 
Janet E. Kawelo, Commissioner

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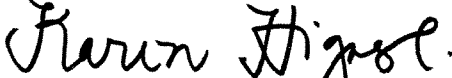
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21039 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
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Karen Higashi

DATED: June 9, 2004