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 )
Agreement with the United States )
Army for the Makua Valley Training )
Center. )

ORDER NO. 21039

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

Karen Higashino
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.

For Approval of a Pole Attachment Agreement with the United States Army for the Makua Valley Training Center.

Docket No. 04-0085

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


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__________________________By__________________________
Carlito P. Caliboso, Chairman Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Michael Azama
Commission Counsel

04-0085 sl
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
Honolulu, HI 96809

WILLIAM A. BONNET
VICE PRESIDENT, GOVERNMENT AND COMMUNITY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

PATSY H. NANBU
DIRECTOR, REGULATORY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P. O. Box 2750
Honolulu, HI 96840-0001

DATED: June 9, 2004

[Signature]