BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

APOLLO ENERGY CORPORATION

DOCKET NO. 00-0135

Pursuant to Section 6-74-15,
Hawaii Administrative Rules.

ORDER NO. 21054

Filed June 14, 2004
At 1 o’clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy

ORDER

I. Agreement as to Procedures

On June 9, 2004, APOLLO ENERGY CORPORATION ("Apollo") and HAWAII ELECTRIC LIGHT COMPANY INC. ("HELCO") (collectively, the "Parties", individually, the "Party"), jointly filed their written Agreement as to Procedures ("Agreement") in response to Order No. 21020, filed on June 2, 2004. By their Agreement, the Parties agree to: (1) waive an evidentiary hearing and oral argument; and instead (2) "file simultaneous briefs on June 25, 2004 addressing the four issues identified in Order No. 21020, in lieu of an evidentiary hearing and oral argument."

In addition, the Parties agree that the following documents, including the attachments and exhibits thereto, shall constitute the evidentiary record:


The commission approves, in toto, the Parties' Agreement. Thus, the Parties' waiver of an evidentiary hearing and oral argument is approved, and the Parties, on June 25, 2004, shall file their respective briefs in lieu of an evidentiary hearing and oral argument. In addition, the documents numbered 1 through 9 (including attachments and exhibits thereto), above, shall constitute the evidentiary record for decision-making by the commission.¹

As a final matter, the commission may issue post-brief information requests, if necessary, to clarify any information set forth in the stipulated evidentiary record or Parties' briefs.

¹The Parties' forthcoming briefs will set forth their respective positions and arguments based on the information and data set forth in the stipulated evidentiary record.
II.

Orders

THE COMMISSION ORDERS that the Parties' Agreement, jointly filed on June 9, 2004, is approved. Accordingly, the Parties' waiver of an evidentiary hearing and oral argument is approved, and the Parties, on June 25, 2004, shall file their respective briefs in lieu of an evidentiary hearing and oral argument. In addition, the documents numbered 1 through 9 (including attachments and exhibits thereto) in Section I, above, shall constitute the evidentiary record.

DONE at Honolulu, Hawaii this 14th day of June, 2004.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By

Carlito P. Caliboso, Chairman

Wayne H. Kimura, Commissioner

Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

Michael Azama
Commission Counsel

00-0135.cs
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21054 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

WARREN H. W. LEE, PRESIDENT
HAWAII ELECTRIC LIGHT COMPANY, INC.
P. O. Box 1027
Hilo, HI 96721-1027

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

THOMAS W. WILLIAMS, JR., ESQ.
PETER Y. KIKUTA, ESQ.
GOODSILL, ANDERSON, QUINN & STIFEL
1800 Alii Place
1099 Alakea Street
Honolulu, HI 96813

SHAH J. BENTO, ESQ.
126 Queen Street
Suite 301
Honolulu, HI 96813

ANTHONY B. PACE
PATRICK J. O’MALLEY
APOLLO ENERGY CORPORATION
551 Pilgrim Drive, Suite D
Foster City, CA 94404

DATED: June 14, 2004