

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
KEALIA WATER COMPANY HOLDINGS LLC )  
 )  
For a Certificate of Public )  
Convenience and Necessity to )  
Provide Water Services on the )  
Island of Kauai, District of )  
Kealia, and for Approval of Rules, )  
Regulations, and Rates. )  
\_\_\_\_\_ )

DOCKET NO. 03-0246

ORDER NO. 21102

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

2004 JUL -6 A 8:16

RECEIVED

Filed July 2, 2004  
At 12:00 o'clock P .M.

Karon 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)	)	
KEALIA WATER COMPANY HOLDINGS LLC )	)	Docket No. 03-0246
For a Certificate of Public Convenience and Necessity to Provide Water Services on the Island of Kauai, District of Kealia, and for Approval of Rules, Regulations, and Rates.	)	Order No. 21102
_____ )	)	

ORDER

The parties to this docket are KEALIA WATER COMPANY HOLDINGS LLC ("Applicant"); the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY; and KEALIA PLANTATION COMPANY, LLC ("KPC")<sup>1</sup> (collectively, the "Parties").

The commission, in Order No. 20970, ordered the Parties to meet informally to formulate the issues, a schedule of proceedings, and all other procedural matters necessary to govern the matters of this docket in a stipulated prehearing order, or if unable to stipulate, separate proposed prehearing orders for our consideration ("Prehearing Order Filing"). The Parties were required to make the filing within thirty (30) days of the date of Order No. 20970, or on or about June 11, 2004.

On June 10, 2004, the Parties filed a stipulation to enlarge time to file their Prehearing Order Filing to June 28,

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<sup>1</sup>KPC's motion to intervene in this docket was granted in Order No. 20970, filed on May 12, 2004 ("Order No. 20970").

2004, for our review and approval ("First Extension Request"). The commission approved the Parties' First Extension Request in Order No. 21082, filed on June 25, 2004. Thus, the revised deadline for the Parties to file their Prehearing Order Filing was June 28, 2004.

On June 25, 2004, the Parties filed a stipulation requesting commission approval to enlarge time to file their Prehearing Order Filing to July 8, 2004. The Parties state that additional time is needed to arrive at an agreement on the terms and conditions of their stipulation since they have experienced difficulties in coordinating their schedules. Soon thereafter, through a phone conversation on June 29, 2004, Applicant, on behalf of the Parties, requests that their June 25, 2004 enlargement of time request to submit their Prehearing Order Filing be extended to July 23, 2004, as opposed to July 8, 2004 ("Second Extension Request").


Hawaii Administrative Rules ("HAR") § 6-61-23(a)(1) allows the commission, at its discretion, to enlarge the period of time for any act that is required to be done on a showing of good cause when a written request for the enlargement of time is filed before the expiration of the originally prescribed period.

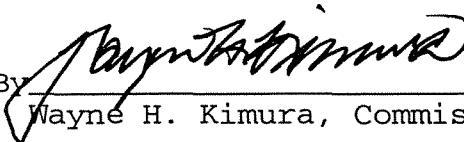
The rationale for the Parties' Second Extension Request appears to be reasonable. Thus, we find good cause to approve the Parties' Second Extension Request under HAR § 6-61-23(a)(1), and conclude that the Second Extension Request should be approved.

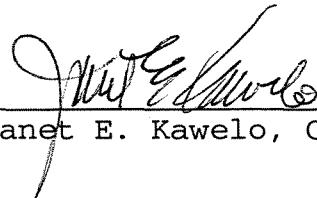
THE COMMISSION ORDERS that the Parties' Second Extension Request is approved.<sup>2</sup>

DONE at Honolulu, Hawaii this 2nd day of July, 2004.

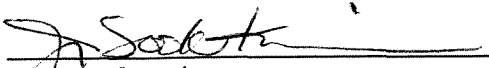
PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By   
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Ji Sook Kim  
Commission Counsel

03-0246.eh

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<sup>2</sup>Accordingly, the new revised deadline for the submission of the Parties' Prehearing Order Filing is July 23, 2004.

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21102 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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\_\_\_\_\_  
Karen Higashi

DATED: July 2, 2004