BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
NORTH SHORE WASTEWATER
TREATMENT, L.L.C.
)
)
For a Certificate of Public
Convenience and Necessity to
Provide Sewerage Treatment Service
for the Turtle Bay Resort Service
Territory at Kahuku, Oahu.
)
DOCKET NO. 04-0298

ORDER NO. 21417

Filed Oct. 18, 2004
At 2 o'clock P.M.

Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of

NORTH SHORE WASTEWATER TREATMENT, L.L.C.

For a Certificate of Public Convenience and Necessity to
Provide Sewerage Treatment Service
for the Turtle Bay Resort Service Territory at Kahuku, Oahu.

ORDER

NORTH SHORE WASTEWATER TREATMENT, L.L.C. ("NSWT") seeks the issuance of a certificate of public convenience and necessity to provide wastewater service within its proposed service territory at Kahuku, island of Oahu, including the recently renovated Hotel at Turtle Bay Resort.\(^1\) NSWT also requests the commission's approval of its proposed initial rates, rules, and regulations.\(^2\) NSWT makes its requests pursuant to Hawaii Revised Statutes § 269-7.5 and Hawaii Administrative Rules chapter 6-61.

NSWT served copies of its application upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate").

\(^1\) NSWT's Application for a Certificate of Public Convenience and Necessity, Exhibits "A" through "G", Verification, and Certificate of Service, filed on October 5, 2004 (collectively, the "application").

\(^2\) Id.
NSWT requests the issuance of a CPCN by January 31, 2005, in order to commence its proposed wastewater service. Accordingly, the commission will instruct NSWT and the Consumer Advocate (collectively, the "Parties") to submit a stipulated 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.

\(^3\text{See id. at 8, and NSWT's Exhibit D, at 8.}\)

'\text{The deadline for interested persons to timely move to intervene or participate in this docket is twenty (20) days after the commission publishes a notice of the pending application "in a newspaper of general circulation within the State [of Hawaii] or within the county or counties affected by the application." Hawaii Administrative Rules ("HAR") § 6-61-57(2). See also HAR § 6-61-22. In the event intervenor or participant status is later granted to any interested person, the commission will amend the procedural schedule accordingly, if necessary.}
DONE at Honolulu, Hawaii OCT 18 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:

Michael Azama
Commission Counsel
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21417 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

HY ADELMAN
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Counsel for NORTH SHORE WASTEWATER TREATMENT, L.L.C.

DATED: OCT 18 2004

Karen Higashi