

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
)
For Approval of Amendments No. 5)
and No. 6 to the Power Purchase)
Agreement Between Hawaiian Electric)
Company, Inc. and Kalaeloa Partners,)
L.P.)
_____)

DOCKET NO. 04-0320

ORDER NO. 21468

RECEIVED
2004 NOV 22 A 8:19
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

Filed NOV. 17, 2004
At 8 o'clock A .M.

Karen 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)
HAWAIIAN ELECTRIC COMPANY, INC.)
For Approval of Amendments No. 5)
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Agreement Between Hawaiian Electric)
Company, Inc. and Kalaeloa Partners,)
L.P.)
_____)

Docket No. 04-0320
Order No. **21468**

ORDER

HAWAIIAN ELECTRIC COMPANY, INC. ("HECO") purchases capacity and energy supplied by KALAELOA PARTNERS, L.P.'s ("KP") low sulfur residual oil fired combined cycle cogeneration facility located at Kalaeloa, Ewa District, Oahu, pursuant to a Power Purchase Agreement ("PPA"), as amended (the "Amended PPA").¹ HECO seeks the commission's approval of various matters related to Amendments No. 5 and No. 6 (both dated October 12, 2004) of the Amended PPA.²

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

The approval of Amendments No. 5 and No. 6: (1) by KP's lenders is required by January 3, 2005, unless HECO and KP agree

¹The Amended PPA presently consists of the commission-approved initial PPA and four (4) amendments thereto.

²HECO's Application, Verification, Exhibits A, B, and C, and Certificate of Service, filed on November 5, 2004 (collectively, the "Application").

on an extension; and (2) by the commission is required by August 5, 2005, unless HECO and KP agree to a later date.³ In addition, Amendments No. 5 and No. 6 implicate HECO's recent application for a general rate increase, utilizing the 2005 calendar test year (Docket No. 04-0113). Accordingly, the commission will instruct HECO and the Consumer Advocate (collectively, the "Parties") to submit a stipulated procedural schedule for the commission's review and consideration.⁴

THE COMMISSION ORDERS that within sixty (60) 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.


³See HECO's Application, at 44 - 45; Amendment No. 5, Sections 11 and 13; and Amendment No. 6, Sections 13 and 15.


⁴In the event intervenor or participant status is granted to any interested person, said intervenor or participant will be instructed to join in HECO's and the Consumer Advocate's efforts in formulating a stipulated procedural schedule.

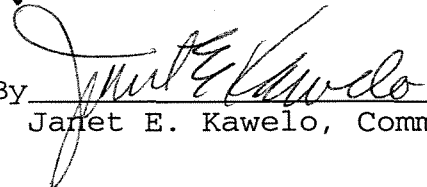
DONE at Honolulu, Hawaii

NOV 17 2004

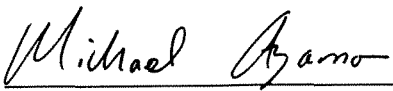
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

04-0320.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21468 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

THOMAS W. WILLIAMS, JR., ESQ.
AUDREY E.J. NG, ESQ.
GOODSILL ANDERSON QUINN & STIFEL
Alii Place, Suite 1800
1099 Alakea Street
Honolulu, HI 96813



Karen Higashi

DATED: NOV 17 2004