

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII WATER SERVICE COMPANY, INC.)
For Approval of Rate Increases and)
Revised Rate Schedules, and to)
Enter into Financing Arrangements.)
_____)

DOCKET NO. 03-0275

ORDER NO. 21804

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

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Karen Higashi
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.

K. Higashi

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Docket No. 03-0275
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ORDER

By this Order, the commission allows the revised tariff sheets and newly revised tariff, filed on April 20, 2005 by HAWAII WATER SERVICE COMPANY, INC. ("HWSC" or "HWSCI"), as amended, to take effect from April 22, 2005; provided that, if there are any changes incorporated in HWSCI's newly revised tariff that are not specifically approved by this Order, such changes are null, void, and of no effect.¹

On April 15, 2005, the commission: (1) approved the Parties' primary rate design, as proposed in their Stipulated Rate Design, filed on April 8, 2005; and (2) noted that HWSCI's increase in rates and revised tariff sheets were to take effect from April 22, 2005.² The commission also instructed HWSCI as follows:

¹HWSCI and the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"), are the Parties in this docket.

²Order No. 21751, filed on April 15, 2005.

HWSCI's revised tariff sheets and rate schedules, with the applicable issued and effective dates, shall be filed with the commission and served upon the Consumer Advocate within three (3) business days from the date of this Order. The revised tariff sheets shall incorporate the revisions approved by the commission in Decision and Order No. 21644, Section X, and the rate schedule shall incorporate the rate design approved by this Order.³

On April 20, 2005, HWSCI submitted its revised tariff sheets and new rate schedules (collectively, the "revised tariff sheets").⁴ HWSCI's revised tariff sheets are consistent with Decision and Order No. 21644 and Order No. 21751, and took effect on April 22, 2005, in accordance with Order No. 21751.

HWSCI, on its own accord, also revised and filed an entirely new tariff that incorporates its revised tariff sheets ("newly revised tariff").⁵ HWSCI explains:

. . . Attached hereto is HWSC's revised tariff. In addition to the rate changes and other tariff changes approved by the Commission, HWSC has revised the entire tariff to reflect the change of its name from Kaanapali Water Corporation to Hawaii Water Service Company, Inc.⁶

³Order No. 21751, Ordering Paragraph No. 2. In Section X of Decision and Order No. 21644, filed on February 11, 2005, the commission approved the Parties' stipulated revisions to tariff Rules III(3), VIII(1), and XXIX.

⁴HWSCI's transmittal letter, dated April 20, 2005.

⁵Id. In addition, on April 22, 2005, HWSCI submitted certain corrections to its newly revised tariff, in response to the commission's directive. See commission's letter, dated April 21, 2005; and HWSCI's transmittal letter, dated April 22, 2005.

⁶HWSCI's transmittal letter, dated April 20, 2005. In May 2003, California Water Service Group: (1) closed on its purchase of all the outstanding stock of Kaanapali Water Corporation; and (2) changed the entity's name to HWSCI. See Decision and Order No. 21211, filed on August 5, 2004, at 3 (footnote and citation therein omitted).

On March 4, 2004, HWSCI filed in this docket a complete copy of its existing tariff for informational purposes.⁷

After reviewing HWSCI's newly revised tariff, the commission finds that it incorporates the: (1) commission's approved changes in the revised tariff sheets; (2) change in name from Kaanapali Water Corporation to HWSCI; and (3) numbering changes resulting from HWSCI's newly revised tariff.⁸

HWSCI represents that no other changes are included in its newly revised tariff.⁹ Based solely on HWSCI's representation, the commission will allow the change in name and related numbering changes included in HWSCI's newly revised tariff to take effect on short notice, upon a finding of good cause shown, consistent with Hawaii Revised Statutes § 269-16(b) and Hawaii Administrative Rules § 6-61-112;¹⁰ provided that, if there are any changes incorporated in HWSCI's newly revised tariff that are not specifically approved by this Order, such changes are null, void, and of no effect.

⁷HWSCI's transmittal letter, dated March 4, 2004.

⁸For example, First Revised Sheet 32 is now Second Revised Sheet 32.

⁹Other than the: (1) commission-approved changes reflected in HWSCI's revised tariff sheets; (2) change in name to HWSCI; and (3) by extension, certain numbering changes. See HWSCI's transmittal letters, dated April 20 and 22, 2005.

¹⁰HWSCI proposes an effective date of April 22, 2005 for its newly revised tariff, to correspond with the April 22, 2005 effective date of its commission-approved revised tariff sheets.

THE COMMISSION ORDERS:

1. HWSCI's revised tariff sheets, filed on April 20, 2005: (A) comply with Section X of Decision and Order No. 21644, filed on February 11, 2005, and Order No. 21751, filed on April 15, 2005; and thus (B) took effect from April 22, 2005, pursuant to Order No. 21751.

2. The change in name and related numbering changes included in HWSCI's newly revised tariff, filed on April 20, 2005, are allowed to take effect on short notice, effective from April 22, 2005; provided that, if there are any changes incorporated in HWSCI's newly revised tariff that are not specifically approved by this Order, such changes are null, void, and of no effect.

3. In the event of a conflict between any provision of HWSCI's newly revised tariff and State of Hawaii ("State") law, State law shall prevail.

DONE at Honolulu, Hawaii MAY - 6 2005 .

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By Wayne H. Kimura
Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

 Michael Azama
Michael Azama
Commission Counsel

By Janet E. Kawelo
Janet E. Kawelo, Commissioner

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21804 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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DIVISION OF CONSUMER ADVOCACY
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Karen Higashi

DATED: MAY - 6 2005