

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
HAWAIIAN ELECTRIC COMPANY, INC. )  
HAWAII ELECTRIC LIGHT COMPANY, INC.)  
MAUI ELECTRIC COMPANY, LIMITED )  
For Approval of a Master Agreement )  
for Facility Attachments Between )  
Hawaiian Electric Company, Inc. and )  
Time Warner Telecom of Hawaii, L.P.)

DOCKET NO. 05-0331

ORDER NO. 22230

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

2006 JAN 19 A 8:16

RECEIVED

Filed Jan. 18, 2006  
At 11 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



I.

Background

Applicants request the commission's approval of a Master Agreement for Facility Attachments Between Hawaiian Electric Company, Inc. and Time Warner Telecom of Hawaii, L.P., ("Time Warner") dated December 28, 2005 (the "Master Agreement").<sup>2</sup> Applicants make their request pursuant to Hawaii Revised Statutes § 269-19, Hawaii Administrative Rules § 6-80-78(a), and Section 23(e) of the Master Agreement.

The Master Agreement sets forth the terms and conditions for granting Time Warner, a competitive telecommunications services provider in the State of Hawaii,<sup>3</sup> non-exclusive licenses to attach wireline communications equipment to all real and personal property owned or controlled by Applicants, including without limitation, poles, towers, and other structures for the purpose of providing competitive telecommunications services within the State. Applicants assert that the Master Agreement is consistent with the public interest.

Given Applicants' representations, the commission finds it prudent to require the Parties to file a stipulated procedural schedule, incorporating their agreed-upon schedule with respect

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<sup>2</sup>Application, Exhibit I, and Certificate of Service, filed on December 30, 2005 (collectively, the "Application"). A copy of the Master Agreement is attached as Exhibit I to the Application.

<sup>3</sup>See In re Time Warner Comm. of Hawaii, L.P., dba Oceanic Comm., Docket Nos. 94-0093, 94-0265, and 95-0316. See also In re Time Warner Comm. of Hawaii, L.P., dba Oceanic Comm., Docket No. 95-0329.

to this proceeding, within forty-five (45) days from the date of this Order. Alternatively, in the absence of a formal procedural schedule, the Parties shall, at a minimum, identify their agreed-upon deadlines for the Consumer Advocate and Applicants to file their position and rebuttal statements, respectively, and notify the commission accordingly.

## II.

### Orders

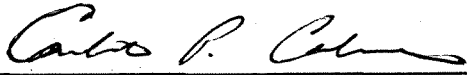
#### THE COMMISSION ORDERS:

1. The Parties shall submit to the commission a stipulated procedural schedule, incorporating their agreed-upon schedule with respect to this proceeding, within forty-five (45) days from the date of this Order. If the Parties are unable to stipulate to a procedural schedule, each Party shall submit a proposed procedural schedule for the commission's consideration by the same date.

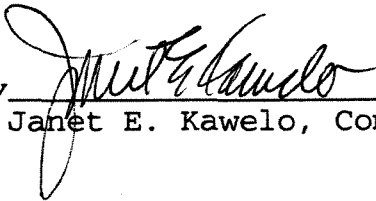
2. Alternatively, in the absence of a formal procedural schedule, the Parties shall, at a minimum, identify their agreed-upon deadlines for the Consumer Advocate and Applicants to file their position and rebuttal statements, respectively, and notify the commission accordingly.

DONE at Honolulu, Hawaii JAN 18 2006


PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

By   
Carlito P. Caliboso, Chairman

By (EXCUSED)  
Wayne H. Kimura, Commissioner

By   
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

  
Michael Azama  
Commission Counsel

05-0331.cs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22230 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

For HECO, HELCO, and MECO

DEAN MATSUURA  
DIRECTOR, REGULATORY AFFAIRS  
HAWAIIAN ELECTRIC COMPANY, INC.  
P. O. Box 2750  
Honolulu, HI 96840-0001

For HECO, HELCO, and MECO

  
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Karen Higashi

DATED: JAN 18 2006