

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Application of )  
 )  
HAWAIIAN ELECTRIC COMPANY, INC. )  
 )  
For Approval to Commit Funds in )  
Excess of \$500,000 for Item Y48500, )  
East Oahu Transmission Project. )  
\_\_\_\_\_ )

DOCKET NO. 03-0417

ORDER NO. 22250

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

2006 JAN 30 A 8:30

RECEIVED

Filed Jan. 27, 2006  
At 11:45 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

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Docket No. 03-0417  
Order No. 22250

ORDER

By this Order, the commission grants the joint request of HAWAIIAN ELECTRIC COMPANY, INC. ("HECO"), the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"), and LIFE OF THE LAND ("LOL") for an extension of time, from January 19, 2006, until February 9, 2006, to file their respective opening briefs and from February 9, 2006, until March 2, 2006, to file their respective reply briefs.

I.

Background

By Order No. 20968, issued on May 10, 2004, the commission established the schedule of proceedings for this docket. Pursuant to the schedule of proceedings, the simultaneous opening briefs to be submitted by HECO, Consumer Advocate, LOL, Carol Fukunaga, Scott Saiki, and Ann Kobayashi (collectively, the "Public Officials") (HECO, the Consumer Advocate, LOL, and the Public Officials are collectively referred to as the "Parties") are due three (3) weeks after the transcripts from the evidentiary

hearing are available. The participants' statements of position, if any, are due on the same date as the Parties' opening briefs.<sup>1</sup> Simultaneous reply briefs are to be submitted by the Parties three (3) weeks after the filing of the opening briefs.

On December 8, 2005, the Commission sent a Notice to Parties of Receipt of Official Transcript. On December 9, 2005, the commission set the following deadlines for the filing of the post-hearing briefs: December 30, 2005, for the filing of simultaneous opening briefs and January 20, 2006, for the filing of simultaneous closing briefs.

On December 15, 2005, the Parties requested an extension of time until January 19, 2006, and February 9, 2006, to file their opening and reply briefs, respectively, which the commission granted.

On January 19, 2006, the Parties requested an additional extension of time, until February 9, 2006, and March 2, 2006, to file their opening and reply briefs, respectively.<sup>2</sup>

## II.

### Discussion

Hawaii Administrative Rules ("HAR") § 6-61-23(a)(1) provides the commission with the discretion, for good cause shown,

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<sup>1</sup>The remaining participants in this proceeding are: Palolo Community Council, Hoolaulima O Palolo, and Malama O Manoa.

<sup>2</sup>See the Consumer Advocate's letter dated and filed on January 19, 2006 ("Consumer Advocate's Letter"). The Consumer Advocate notes that Scott Saiki, on behalf of the Public Officials, does not object to the request for additional time.

to enlarge a period by which a required act must be completed, if a written request is made before the expiration of the period originally prescribed. By letter filed on January 19, 2006, prior to expiration of the extension period, the Consumer Advocate requested an extension on the ground that its attorney, due to health matters, was unable to complete the preparation of the opening brief.<sup>3</sup> Based on the foregoing, the commission finds good cause in this instance to enlarge the deadline by which the Parties and participants must comply with Decision and Order No. 20968, and grants their request for extension of time.<sup>4</sup>

### III.

#### Orders

##### THE COMMISSION ORDERS:

1. The Parties' request for an extension of time by which they must file their respective opening and reply briefs is granted. Unless otherwise ordered, the Parties shall file their opening briefs on February 9, 2006, and their reply briefs on March 2, 2006.

2. The participants shall file their written statements of position, if any, on or before February 9, 2006.

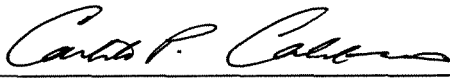
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<sup>3</sup>See Consumer Advocate's Letter at 1.

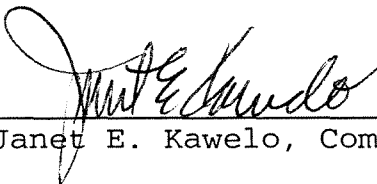
<sup>4</sup>The Parties note in the Consumer Advocate's Letter that they do not oppose a comparable extension of time for the participants to file their written statements of position.

DONE at Honolulu, Hawaii JAN 27 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:

  
Catherine P. Awakuni  
Commission Counsel

03-0417.eh

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22250 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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Certificate of Service

Page 2

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\_\_\_\_\_  
Karen Higashi

DATED: JAN 27 2006