BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----In the Matter of----

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding to
Investigate Competitive Bidding
for New Generating Capacity in
Hawaii.

DOCKET NO. 03-0372

ORDER NO. 22452

Filed _______________, 2006
At ___:___ o'clock _____M.

Karen Diggs
Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
By this Order, the commission grants in part and denies in part the Parties' request, dated May 1, 2006, to modify the Regulatory Schedule. Specifically, the commission sets the new deadline dates, as follows: (1) May 17, 2006, Parties' Proposed Competitive Bidding Framework; (2) June 2, 2006, Parties' Opening Briefs; and (3) June 9, 2006, Parties' Reply Briefs. In addition, Oral Argument is re-scheduled to June 16, 2006, 9:00 a.m., at the commission's hearing room (465 S. King Street, Room B-3).

I.

Background

The Regulatory Schedule governing this proceeding currently sets forth the following deadlines and date and time

---In the Matter of----

PUBLIC UTILITIES COMMISSION
Instituting a Proceeding to Investigate Competitive Bidding for New Generating Capacity in Hawaii.

ORDER

The Parties are HAWAIIAN ELECTRIC COMPANY, INC., HAWAII ELECTRIC LIGHT COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, KAUAII ISLAND UTILITY COOPERATIVE, HAWAII RENEWABLE ENERGY ALLIANCE, and the Department of Commerce, Division of Consumer Advocacy.
for oral argument: (1) May 1, 2006, Parties' Proposed Competitive Bidding Framework; (2) May 8, 2006, Parties' Opening Briefs; (3) May 22, 2006, Parties' Reply Briefs; and (4) Oral Argument, May 31, 2006, 9:00 a.m. 2

The Parties, by joint letter dated May 1, 2006 ("Parties' Joint Letter"), the date the previously extended deadline for the framework was due, 3 seek to modify the Regulatory Schedule as follows:

<table>
<thead>
<tr>
<th>Procedural Step</th>
<th>Present Date</th>
<th>Proposed New Date</th>
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</thead>
<tbody>
<tr>
<td>Parties' Proposed Competitive Bidding Framework</td>
<td>May 1, 2006</td>
<td>June 5, 2006</td>
</tr>
<tr>
<td>Opening Briefs</td>
<td>May 8, 2006</td>
<td>June 26, 2006</td>
</tr>
<tr>
<td>Reply Briefs</td>
<td>May 22, 2006</td>
<td>July 17, 2006</td>
</tr>
<tr>
<td>Oral Argument</td>
<td>May 31, 2006</td>
<td>July 31, 2006</td>
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II.

Discussion

Hawaii Administrative Rules ("HAR") § 6-61-23(a)(1) provides the commission with the discretion, for good cause shown, to enlarge the period by which a required act must be completed, if a written request is made before the expiration of the period originally prescribed.

In support of their extension request, the Parties explain:

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2Order No. 22366, filed on March 31, 2006.

3See Order No. 22249, filed on January 27, 2006, and Order No. 22366.
Pursuant to Order No. 22366, filed March 31, 2006, in the subject proceeding, the Parties' proposed competitive bidding framework is due to be filed on May 1, 2006. Significant headway has been made in formulating a competitive bidding framework. The Parties have invested a great number of hours drafting and reviewing provisions for the framework. However, due to a heavy regulatory workload and the need to respond to legislative matters, the parties need additional time to continue work on the framework. The Parties recognize the Commission's desire to render a decision in this proceeding no later than June 30, 2006, as specified in Order No. 22366. However, due to the importance and far reaching impacts of the outcome of this proceeding, it would be beneficial for the Parties to continue to work together to reach agreement and minimize issues to the extent possible and to embody the results of this effort in the framework. As a result, the Parties to the subject proceeding respectfully request additional time to discuss a proposed framework for a competitive bidding process.

Parties' Joint Letter, dated May 1, 2006, at 1 (footnote and text therein retained).

The Parties appear to recognize the commission's intent to issue a written decision in this proceeding no later than June 30, 2006. The commission, by this Order, reiterates its intention to meet this June 30, 2006 date. Accordingly, the commission, under the circumstances, grants in part and denies in part the Parties' request to modify the Regulatory Schedule. Specifically, in order to meet the June 30, 2006 date, the

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For example, Docket No. 05-0315 (HELCO 2006 Test Year Rate Case), 05-0069 (Energy Efficiency proceeding), 05-0145 (HECO CIP Generating Station), 05-0146 (Community Benefits Package), 05-0103 (HAWC 2006 Test Year Rate Case), 05-0239 (WHSC 2006 Test Year Rate Case), 05-0330 (HECO request for financing), 05-0333 (SKWC 2006 Test Year Rate Case), 05-0334 (KRWC 2006 Test Year Rate Case), 05-0288 (WHWC and WHUC consolidated request to revise the CIAC fee), 06-00[90] (WHSC request to revise the CIAC fee).

See Order No. 22366, at 4 n.7.
commission denies the Parties' proposed new dates, and instead, sets new deadline dates, as follows: (1) May 17, 2006, Parties' Proposed Competitive Bidding Framework; (2) June 2, 2006, Parties' Opening Briefs; and (3) June 9, 2006, Parties' Reply Briefs. In addition, Oral Argument is re-scheduled to June 16, 2006, 9:00 a.m., at the commission's hearing room (465 S. King Street, Room B-3). The required-by filings should comply with the requirements specified in Order No. 22249, at pages 4 - 6.

III.

Orders

THE COMMISSION ORDERS that the Parties' request, dated May 1, 2006, to modify the Regulatory Schedule is granted in part and denied in part, consistent with the terms of this Order. Accordingly, the new deadline dates are as follows: (A) May 17, 2006, Parties' Proposed Competitive Bidding Framework; (B) June 2, 2006, Parties' Opening Briefs; and (C) Parties' Reply Briefs, June 9, 2006. In addition, Oral Argument is re-scheduled to June 16, 2006, 9:00 a.m., at the commission's hearing room (465 S. King Street, Room B-3).
DONE at Honolulu, Hawaii ______ MAY - 3 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

03-0372.oh
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22452 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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DATED:  MAY – 3 2006

Karen Higashi