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. 22459

Filed May 10, 2006
At 11 o'clock A.M.

Chief Clerk of the Commission

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

By this Order, the commission grants the Parties' request, dated May 5, 2006, to modify the Regulatory Schedule, subject to the comments noted in Section II, below. Accordingly, the new deadline dates are as follows: (A) May 22, 2006, Parties' Proposed Competitive Bidding Framework; (B) June 6, 2006, Parties' Opening Briefs; and (C) June 13, 2006, Parties' Reply Briefs. In addition, Oral Argument is re-scheduled to June 19, 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

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Hawaii. )
Docket No. 03-0372 )
Order No. 22459 )

'The Parties are HAWAIIAN ELECTRIC COMPANY, INC., HAWAII ELECTRIC LIGHT COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, KAUAI ISLAND UTILITY COOPERATIVE, HAWAII RENEWABLE ENERGY ALLIANCE, and the Department of Commerce, Division of Consumer Advocacy ("Consumer Advocate").
for oral argument: (1) May 17, 2006, Parties’ Proposed Competitive Bidding Framework; (2) June 2, 2006, Parties’ Opening Briefs; (3) June 9, 2006, Parties’ Reply Briefs; and (4) Oral Argument, June 16, 2006, 9:00 a.m.\(^2\)

The Parties, through the Consumer Advocate, by letter dated May 5, 2006 ("Parties’ Letter"), seek to modify the Regulatory Schedule as follows:

<table>
<thead>
<tr>
<th>Procedural Step</th>
<th>Present Date</th>
<th>Proposed New Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parties’ Proposed Competitive Bidding Framework</td>
<td>May 17, 2006</td>
<td>May 22, 2006</td>
</tr>
<tr>
<td>Opening Briefs</td>
<td>June 2, 2006</td>
<td>June 6, 2006</td>
</tr>
</tbody>
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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:

The Parties respectfully request a modification to the dates established by the Commission in Order No. 22452 because of conflicts with the procedural schedules in other docketed orders.

\(^2\)Order No. 22452, filed on May 3, 2006 (granting in part and denying in part the Parties' previous request to modify the Regulatory Schedule).
matters. For example, the Commission requires the Parties to submit the Proposed Competitive Bidding Framework on May 17, 2006. The Consumer Advocate has Written Direct Testimony due in Docket Nos. 05-0329 and 05-0333 on May 12 and May 16, 2006, respectively. In addition, the Final Position Statements in Docket No. 05-0069 are due on June 1, 2006, one day before the Opening Briefs are due in the instant proceeding. By letter dated December 30, 2005, the Commission required the Parties in the instant proceeding to provide responses to the Post Hearing Questions even if the issues are ultimately settled by the Parties, in their respective Post Hearing Briefs. Since all of the Parties to the instant docket are also Parties in Docket No. 05-0069, there may not be sufficient time to prepare the Final Position Statement and the Opening Briefs under the procedural schedules established by the Commission. Furthermore, some of the Parties have conflicts due to travel plans that were arranged well in advance of the procedural schedule established in Order No. 22452.


The conflicts with the various deadline dates in other dockets (Dockets Nos. 05-0329, 05-0333, and 05-0069) referenced by the Parties in their Letter, in effect, is a result of their inability to abide by the post-hearing dates set by the commission in Order No. 22249, filed on January 27, 2006, as extended by the commission in response to the Parties' requests.4 That said, the commission, under the circumstances and with

reluctance, grants the Parties' request to modify the Regulatory Schedule. No further extensions will be granted in this docket.

III.

Orders

THE COMMISSION ORDERS:

1. The Parties' request, dated May 5, 2006, to modify the Regulatory Schedule is granted.

2. The new deadline dates are as follows: (A) May 22, 2006, Parties' Proposed Competitive Bidding Framework; (B) June 6, 2006, Parties' Opening Briefs; and (C) June 13, 2006, Parties' Reply Briefs. In addition, Oral Argument is re-scheduled to June 19, 2006, 9:00 a.m., at the commission's hearing room (465 S. King Street, Room B-3). No further extensions will be granted in this docket.

The Parties, in effect, seek additional weekend days to: (1) prepare their Proposed Competitive Bidding Framework, Opening and Reply Briefs; and (2) prepare for Oral Argument.
DONE at Honolulu, Hawaii MAY 10 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
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22459 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 10 2006

Karen Higashi