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 $2,500,000 (excluding )
customer contributions) for the )
Purchase and Installation of Item )
Y-49000, Campbell Industrial Park )
Generating Station and Transmission) )
Additions Project.

DOCKET NO. 05-0145

ORDER NO. 23085

Filed Nov. 28, 2006
At 2 o'clock P. M.

Karen Higash. Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
Chief Clerk, Public Utilities
Commission, State of Hawaii.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAIIAN ELECTRIC COMPANY, INC. )
Docket No. 05-0145 )
For Approval to Commit Funds in )
Excess of $2,500,000 (excluding )
customer contributions) for the )
Purchase and Installation of Item ) Y-49000, Campbell Industrial Park ) Generating Station and Transmission) Additions Project. )

ORDER

By this Order, the commission approves the Joint Motion for Approval of Stipulation, filed on November 22, 2006, by HAWAIIAN ELECTRIC COMPANY, INC. ("HECO"), the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY, and LIFE OF THE LAND ("LOL") (collectively, the "Parties"), which is attached hereto as Exhibit A.

I.

Joint Motion for Approval of Stipulation

On November 22, 2006, the Parties filed their Joint Motion for Approval of Stipulation, which requested that the commission approve their agreement that the following witnesses’ prefiled testimonies and exhibits be entered into the record in this proceeding without the necessity for the witnesses to appear at the hearing for cross-examination: Perry White
The commission finds that the Parties' Stipulation will serve to simplify and expedite the evidentiary hearing of this matter, and accordingly, approves the Parties' Joint Motion for Approval of Stipulation. However, as set forth in Order No. 23045, filed on November 21, 2006, the foregoing witnesses shall still be subject to the call of the commission, and should be made available, at a later date if necessary, for possible examination by the commission.²

II.

Orders

THE COMMISSION ORDERS:

1. The Parties' Joint Motion for Approval of Stipulation, attached as Exhibit A, is approved.

2. The prefiled testimonies and exhibits of HECO RT-10, HECO RT-10A, HECO RT-10B, HECO RT-10C, HECO RT-10D, and LOL T-11 may be entered into the record without the necessity for the witnesses to appear at the hearing for cross-examination, but the foregoing witnesses shall still be subject to the call of the commission, and should be made available, at a later date if necessary, for possible examination by the commission.

¹The Parties agreed that Perry White will still be made available for cross-examination on his T-10 testimony.

²If the commission examines a witness, the Party who sponsored the witness may ask re-direct questions of its witness.
DONE at Honolulu, Hawaii NOV 28 2006

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

By John E. Cole, Commissioner

APPROVED AS TO FORM:

Kaiulani Kidani Shinsato
Commission Counsel

05-0145
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

In the Matter of the Application of

HAWAIIAN ELECTRIC COMPANY, INC.  )  Docket No. 05-0145

for approval to commit funds in excess of $2,500,000 (excluding customer contributions) for the Purchase and Installation of Item Y-49000 Campbell Industrial Park Generating Station and Transmission Additions Project.

JOINT MOTION FOR APPROVAL OF STIPULATION

STIPULATION

AND

CERTIFICATE OF SERVICE

DIVISION OF CONSUMER ADVOCACY
Department of Commerce and Consumer Affairs
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HAWAIIAN ELECTRIC COMPANY, INC.

LIFE OF THE LAND
HENRY Q CURTIS
76 North King Street, Suite 203
Honolulu, Hawaii 96817
Telephone: 533-3454
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
HAWAIIAN ELECTRIC COMPANY, INC. Docket No. 05-0145
for approval to commit funds in excess of
$2,500,000 (excluding customer contributions)
for the Purchase and Installation of Item Y-49000
Campbell Industrial Park Generating Station
and Transmission Additions Project.

JOINT MOTION FOR APPROVAL OF STIPULATION

THE DIVISION OF CONSUMER ADVOCACY OF THE DEPARTMENT
OF COMMERCE AND CONSUMER AFFAIRS; LIFE OF THE LAND; and HAWAIIAN
ELECTRIC COMPANY, INC., respectfully move this Commission to issue an order
approving the attached Stipulation, and respectfully request that the order be issued
prior to the commencement of the evidentiary hearing.

This Motion is made pursuant to §6-61-41 and §6-61-35 of the Rules of
Practice and Procedure before the Public Utilities Commission, and is based on the
reasons and circumstances stated in the Stipulation. No hearing is requested on this
Motion.

JON S. ITOMURA
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DIVISION OF CONSUMER
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DEPARTMENT OF COMMERCE AND
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CRAIG L. NAKANISHI
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HENRY Q CURTIS
Vice President for Consumer Issues
LIFE OF THE LAND
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of
HAWAIIAN ELECTRIC COMPANY, INC.
Docket No. 05-0145

for approval to commit funds in excess of
$2,500,000 (excluding customer contributions)
for the Purchase and Installation of Item Y-49000
Campbell Industrial Park Generating Station
and Transmission Additions Project.

STIPULATION

WHEREAS, Hawaiian Electric Company, Inc. ("HECO" or "Hawaiian Electric"), filed an application on June 17, 2005 for Commission approval to commit funds in excess of $2,500,000, excluding customer contributions, for Item Y-49000, the Campbell Industrial Park Generating Station and Transmission Additions project ("Proposed Project");

WHEREAS, the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs ("Consumer Advocate") is, ex officio, a party to this proceeding pursuant to the Rules of Practice and Procedure before the Public Utilities Commission (the "Commission");

WHEREAS, Life of the Land ("LOL") was made a party to this proceeding and Southern Wine and Spirits of America, Inc. ("SWSA") was granted
participant status to this proceeding pursuant to Order No. 22244, filed January 26, 2006.\(^1\)

WHEREAS, the evidentiary hearing is currently scheduled for December 11 – 15, 2006 and there are numerous witnesses that will need to be scheduled to testify during the evidentiary hearing;

WHEREAS, SWSA presented statements in its written testimony that Hawaiian Electric primarily addressed in the rebuttal testimonies of Perry White (HECO RT-10), William A. Bonnet (HECO RT-10A), Michael A. Kelsh, PH.D. (HECO RT-10B [mainland witness]), Stuart Aaronson, M.D. (HECO RT-10C [mainland witness]), and Philip Hauret (HECO RT-10D);

WHEREAS, SWSA and Hawaiian Electric resolved their differences and SWSA filed a Notice of Withdrawal of Southern Wine & Spirits of America, Inc.'s Participation in Docket No. 05-0145 on November 8, 2006 ("Withdrawal") and which Withdrawal was approved by the Commission on November 17, 2006 in Order No. 23025;

WHEREAS, LOL and the Consumer Advocate agree that the rebuttal testimonies of Perry White (HECO RT-10), William A. Bonnet (HECO RT-10A), Michael A. Kelsh, PH.D. (HECO RT-10B), Stuart Aaronson, M.D. (HECO RT-10C), and Philip Hauret (HECO RT-10D) may be entered into the record without the necessity for the witnesses to appear at the hearing;

WHEREAS, LOL witness Denise E. Antolini, J.D. (LOL T-11) will not be available for cross examination at the time of the hearing and LOL has requested, and

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\(^1\) SWSA participation was limited to the health, environmental, traffic congestion, and noise effects caused by the Proposed Project on SWSA’s products, employees, vendors, customers, and other visitors to SWSA’s warehouse adjacent to the site of the Proposed Project and the value of SWSA’s property next to the site.
Hawaiian Electric and the Consumer Advocate have agreed, that the testimony of
Denise E. Antolini, J.D. (LOL T-11) be entered into the record without the necessity
for this witness to appear at the hearing;

WHEREAS, this Stipulation does not impact the ability to decide the
issues in this Docket as set forth in Stipulated Procedural Order No. 22381, filed
April 12, 2006;

WHEREAS, this Stipulation is for the purpose of simplifying and
expediting this proceeding;

NOW, THEREFORE, it is hereby stipulated and agreed by the
Consumer Advocate, Life of the Land and Hawaiian Electric as follows:

1. The Consumer Advocate and Life of the Land hereby waive their right
to cross-examine Perry White (HECO RT-10), William A. Bonnet (HECO RT-10A),
Michael A. Kelsh, PH.D. (HECO RT-10B), Stuart Aaronson, M.D. (HECO RT-10C),
and Philip Hauret (HECO RT-10D), and agree that these Hawaiian Electric rebuttal
witnesses (HECO RT-10, RT-10A, RT-10B, RT-10C, and RT-10D) prefiled
testimonies and exhibits may be entered into the record without the necessity for
these rebuttal witnesses to appear at the hearing.

2. Hawaiian Electric and the Consumer Advocate hereby waive their right
to cross-examine Denise E. Antolini, J.D. (LOL T-11) and agree that Life of the
Land's witness Denise E. Antolini, J.D. (LOL T-11) prefiled testimony and exhibits
may be entered into the record without the necessity for this witness to appear at the
hearing.

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2 Perry White will be available for cross-examination by the Consumer Advocate and LOL on his T-10
testimony.
3. This Stipulation shall apply solely to this proceeding, and is entered into solely for the purposes of simplifying and expediting this process.

4. The agreements in this Stipulation are subject to Commission approval. If the Commission does not issue an order adopting this Stipulation in its entirety, then the parties may withdraw from this Stipulation.


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DIVISION OF CONSUMER ADVOCACY
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

CRAIG I. NAKANISHI
SHAHI J. BENTO
Attorneys for
HAWAIIAN ELECTRIC COMPANY, INC.

HENRY Q CURTIS
Vice President for Consumer Issues
LIFE OF THE LAND
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing JOINT MOTION FOR APPROVAL OF STIPULATION and STIPULATION, together with this Certificate of Service, by hand delivery and/or mailing a copy by United States mail, postage prepaid, to the following:

Department of Commerce and Consumer Affairs  
Division of Consumer Advocacy  
335 Merchant Street, Room 326  
Honolulu, Hawaii  96813

Henry Q Curtis  
Vice President for Consumer Issues  
Life of the Land  
76 North King Street, Suite 203  
Honolulu, Hawaii  96817


Craig I. Nakanishi  
Attorney for  
Hawaiian Electric Company, Inc.
CERTIFICATE OF SERVICE

I hereby certify that I have on this date served a copy of the foregoing Order No. 23085 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
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DATED: NOV 28 2006  

Karen Higashi