

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
For Approval of Rate Increases and)
Revised Rate Schedules.)
_____)

DOCKET NO. 2006-0387

ORDER NO. 23496

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

2007 JUN 21 A 10:11

RECEIVED

Filed June 19, 2007
At 8 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.

Karen Higashi

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
For Approval of Rate Increases and)
Revised Rate Schedules.)
_____)

Docket No. 2006-0387

Order No. 23496

ORDER

By this Order, the commission approves with modifications the proposed Stipulated Procedural Order submitted by MAUI ELECTRIC COMPANY, LIMITED ("MECO") and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY ("Consumer Advocate")¹ on May 24, 2007.

I.

Background

On February 23, 2007, MECO filed an Application² requesting approval of rate increases and revised rate schedules and rules. Specifically, MECO requested commission approval of a

¹The Consumer Advocate is an ex officio party to this proceeding pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62. MECO and the Consumer Advocate, the sole parties to this proceeding, are hereafter referred to as the "Parties."

²MECO's Application for Approval of Rate Increases and Revised Rate Schedules and accompanying testimonies, exhibits, and workpapers; Verification, and Certificate of Service, filed on February 23, 2007 (collectively, "Application").

general rate increase under HRS § 269-16 of approximately \$18,977,000, or about 5.3%, over revenues at present rates.³

By Order No. 23370, issued by the commission on April 16, 2007, the commission acknowledged that the filing date of MECO's complete Application is February 23, 2007, and directed the Parties to submit to the commission a proposed stipulated procedural order within thirty days from the date of that order.

Under Order No. 23370, the deadline for the Parties to timely file their proposed Stipulated Procedural Order was May 18, 2007. However, the Parties filed the proposed stipulated document on May 24, 2007; thus, the Parties' proposed Stipulated Procedural Order was not timely. The lateness of the filing is acknowledged by MECO in its letter dated May 22, 2007.⁴

³The requested increase is based on an estimated total revenue requirement of approximately \$376,285,000 for the normalized 2007 calendar test year (based on September 1, 2006 fuel oil prices and an 8.98% rate of return on MECO's average rate base, including a return on common equity of 11.25%). MECO served copies of the Application on the Consumer Advocate and served a copy of the same on the Mayor of the County of Maui, pursuant to HAR § 6-61-91(a) on February 23, 2007. On March 16, 2007, the Consumer Advocate filed its Statement of Position Regarding Completeness of Application informing the commission that it does not object to the completeness of MECO's Application.

⁴By letter dated and filed on May 22, 2007, MECO recognizes that it did not timely file the proposed Stipulated Procedural Order and informed the commission that it anticipates executing the document no later than June 1, 2007.

The Parties have not moved for an enlargement of time claiming excusable neglect under HAR § 6-61-23(a)(2).⁵ Nonetheless, the commission finds that the issuance of a procedural order in this docket will aid in the "just, speedy, and inexpensive determination of [this] proceeding[.]" consistent with HAR § 6-61-1.⁶ Thus, in this instance, the commission will approve the Parties' proposed Stipulated Procedural Order to govern the proceedings in this docket, with the modifications noted in the section below.

⁵HAR § 6-61-23(a)(2) states in pertinent part:

Enlargement. (a) When by this chapter or by notice or by order of the commission, any act is required or allowed to be done at or within a specified time, the commission for good cause shown may at any time, in its discretion:

.

- (2) Upon motion made after the expiration of the specified period, permit the act to be done where the failure to act was the result of excusable neglect[.]

HAR § 6-61-23(a)(2).

⁶The commission noted in Order No. 23370 that HRS § 269-16(d) requires the commission to "make every effort to complete its deliberations and issue its decision as expeditiously as possible and before nine months from the date the public utility filed its completed application[.]" See Order No. 23370 at 3. The requirements of HRS § 269-16(d) were the basis for the commission's directive to the Parties to submit their proposed stipulated order within thirty days of the issuance of Order No. 23370.

II.

Stipulated Procedural Order (as Modified)

A.

Section I - Statement of the Issues

Act 162, 2006 Session Laws of Hawaii ("Act 162")
amended Hawaii Revised Statutes § 269-16 to provide that:

Any automatic fuel rate adjustment clause requested by a public utility in an application filed with the commission shall be designed, as determined in the commission's discretion, to:

- (1) Fairly share the risk of fuel cost changes between the public utility and its customers;
- (2) Provide the public utility with sufficient incentive to reasonably manage or lower its fuel costs and encourage greater use of renewable energy;
- (3) Allow the public utility to mitigate the risk of sudden or frequent fuel cost changes that cannot otherwise reasonably be mitigated through other commercially available means, such as through fuel hedging contracts;
- (4) Preserve, to the extent reasonably possible, the public utility's financial integrity; and
- (5) Minimize, to the extent reasonably possible, the public utility's need to apply for frequent applications for general rate increases to account for the changes to its fuel costs.

The requirements of Act 162 became codified as HRS § 269-16(g). Recently, the commission determined that relevant legislative history of "HRS § 269-16(g) requires the commission to examine the functioning of the utility's fuel adjustment clause by

December 31, 2007, or in the utility's next general rate case, whichever comes first."⁷ Accordingly, the commission finds it appropriate to specifically include in this docket the issue of whether MECO's energy cost adjustment clause ("ECAC") complies with the requirements of HRS § 269-16(g).

Based on the foregoing, the commission amends Section I, Statement of the Issues, of the Parties' proposed Stipulated Procedural Order by inserting Issue No. 3, as follows:⁸

3. Whether MECO's ECAC complies with the requirements of HRS § 269-16(g).

B.

Section II - Schedule of Proceedings

The Parties detailed the schedule for the proceedings of this docket in Section II of their proposed Stipulated Procedural Order. At the outset, the commission notes that, pursuant to HRS § 269-16(d), the nine-month deadline for commission action in this docket is November 23, 2007. However, the Parties' proposed Schedule of Proceedings includes seven deadlines that occur after November 23, 2007, including the proposed dates for the evidentiary hearing. Accordingly, by

⁷See In re Puhi Sewer & Water Co., Inc., Proposed Decision and Order No. 23376, Docket No. 2006-0423, filed on April 20, 2007, at 29 citing House Stand. Comm. Rpt. No. 1677-06, in 2006 House Journal, at 1710; and Conf. Comm. Rpt. No. 45, in 2006 Senate Journal, at 922, and 2006 House Journal, at 1790 (internal quotes and syntax notations deleted). By Decision and Order No. 23412, filed on May 3, 2007, the commission adopted Proposed Decision and Order No. 23376, filed on April 20, 2007, as its Decision and Order in Docket No. 2006-0423.

⁸For all revisions herein, deletions are bracketed and additions are underscored.

submittal of the proposed Stipulated Procedural Order, MECO has effectively waived commission action by November 23, 2007.

In addition, upon review of the Parties' proposed Schedule of Proceedings, the commission finds it appropriate to amend Section II, Schedule of Proceedings, of the proposed Stipulated Procedural Order by: (1) providing for the submission of the Parties' Joint Settlement Letter, if any, by December 3, 2007; (2) revising the date of the Prehearing Conference from December 12, 2007, to December 4, 2007; (3) revising the dates for the Evidentiary Hearing from December 17-19, 2007, to December 11-13, 2007; (4) changing the filing date of the Statement of Probable Entitlement from December 20, 2007, to December 14, 2007; and (5) providing for the filing of the Consumer Advocate's Response, if any, to the Statement of Probable Entitlement, by December 18, 2007. Therefore, Section II, Schedule of Proceedings, of the Parties' proposed Stipulated Procedural Order will be amended to read as follows:

MECO Application, Testimonies, Exhibits, and Workpapers	February 23, 2007
Public Hearings	April 24-26, 2007
Consumer Advocate Information Requests ("IRs") to MECO	April 2, 2007 May 21, 2007 June 22, 2007 July 24, 2007 August 20, 2007 September 10, 2007
MECO Responses to Consumer Advocate IRs	April 23, 2007 June 8, 2007 July 10, 2007 August 8, 2007 August 30, 2007 September 21, 2007

Consumer Advocate Testimonies, Exhibits, and Workpapers	October 3, 2007
MECO IRs to Consumer Advocate	October 5-17, 2007
Consumer Advocate Responses to MECO IRs	October 17-26, 2007
Settlement Proposal Submitted to Consumer Advocate	November 1, 2007
Settlement Discussion Between MECO and Consumer Advocate	November 5-9, 2007
MECO Rebuttal Testimonies, Exhibits, and Workpapers	November 19, 2007
Consumer Advocate Rebuttal IRs ("RIRs") to MECO	November 26-30, 2007
Parties Joint Settlement Letter, if any	December 3, 2007
Prehearing Conference	December 4, 2007
MECO Responses to Consumer Advocate RIRs	December 5-10, 2007
Evidentiary Hearing	December 11-13, 2007
Statement of Probable Entitlement	December 14, 2007
Consumer Advocate Response, if any, to Statement of Probable Entitlement	December 18, 2007
Simultaneous Opening Briefs by Parties	4 weeks after Transcript
Simultaneous Reply Briefs by Parties	3 weeks after Opening Briefs

C.

Section III - Miscellaneous Matters

Subsection E.1; Testimony, Exhibits, Workpapers, Statement of Position, Information Requests, Responses to Information Requests, Briefs; of this section of the Parties' proposed Stipulated Procedural Order is amended to require the submittal of an original and 9 copies as opposed to an original

and 8 copies (i.e., "Original + [8] 9 copies") of all such materials to the commission.

III.

Orders

THE COMMISSION ORDERS:

1. The Parties' proposed Stipulated Procedural Order submitted on May 24, 2007, attached as Exhibit 1 to this Order, is approved as modified herein to govern the proceedings in this docket.

2. Section I, Statement of the Issues, of the Parties' proposed Stipulated Procedural Order is modified by inserting Issue No. 3, to read as follows:

Whether MECO's ECAC complies with the requirements of HRS § 269-16(g).

3. Section II, Schedule of Proceedings, of the Parties' proposed Stipulated Procedural Order is amended to read as follows:

MECO Application, Testimonies, Exhibits, and Workpapers	February 23, 2007
Public Hearings	April 24-26, 2007
Consumer Advocate Information Requests ("IRs") to MECO	April 2, 2007 May 21, 2007 June 22, 2007 July 24, 2007 August 20, 2007 September 10, 2007
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Consumer Advocate Responses to MECO IRs	October 17-26, 2007
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Prehearing Conference	December 4, 2007
MECO Responses to Consumer Advocate RIRs	December 5-10, 2007
Evidentiary Hearing	December 11-13, 2007
Statement of Probable Entitlement	December 14, 2007
Consumer Advocate Response, if any, to Statement of Probable Entitlement	December 18, 2007
Simultaneous Opening Briefs by Parties	4 weeks after Transcript
Simultaneous Reply Briefs by Parties	3 weeks after Opening Briefs

4. Section III.E.1; Testimony, Exhibits, Workpapers, Statement of Position, Information Requests, Responses to Information Requests, Briefs; of the Parties' proposed Stipulated Procedural Order is amended to require the submittal of an Original + 9 copies of all such materials to the commission.

DONE at Honolulu, Hawaii JUN 19 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

APPROVED AS TO FORM:

Ji Sook Kim
Ji Sook Kim
Commission Counsel

2006-0387.eh

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-----In the Matter of the Application of-----)

MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 2006-0387

For Approval of Rate Increases and Revised)
Rate Schedules and Rules)
_____)

STIPULATED PROCEDURAL ORDER NO. _____

Filed _____, 2007

At _____ o'clock _____.M.

Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-----In the Matter of the Application of-----)

MAUI ELECTRIC COMPANY, LIMITED)


Docket No. 2006-0387

For Approval of Rate Increases and Revised)
Rate Schedules and Rules)
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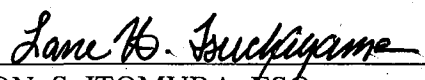
STIPULATED PROCEDURAL ORDER

Applicant Maui Electric Company, Limited ("MECO") and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the "Consumer Advocate") hereby stipulate that the attached Stipulated Procedural Order is mutually acceptable to each respective Party.

DATED: Honolulu, Hawaii, May 24, 2007.



PETER Y. KIKUTA, ESQ.
Attorney for
Maui Electric Company, Limited



JON. S. ITOMURA, ESQ.
LANE H. TSUCHIYAMA, ESQ.
Attorneys for
Division of Consumer Advocacy
Department of Commerce and Consumer Affairs

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-----In the Matter of the Application of-----))	
MAUI ELECTRIC COMPANY, LIMITED)	Docket No. 2006-0387
)	
For Approval of Rate Increases and Revised)	
Rate Schedules and Rules)	
_____)	

STIPULATED PROCEDURAL ORDER

On February 23, 2007, Maui Electric Company, Limited ("MECO") filed an application for approval of a general rate increase and revised rate schedules and rules ("Application"). MECO served copies of the Application on the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate") and the Mayor of the County of Maui.

On April 24, 25 and 26, 2007, the Commission held public hearings at the Mitchell Pauole Center in Kaunakakai, Molokai, the Lihikai School Cafeteria in Kahului, Maui and the Lanai High and Elementary School Cafeteria in Lanai City, Lanai, respectively.

On April 16, 2007, the Commission issued Order No. 23370 which ordered that the filing date of MECO's complete Application is February 23, 2007 and directed MECO and the Consumer Advocate (collectively "Parties") to submit to the Commission a stipulated procedural order within 30 days of the date of the order, and that the stipulated procedural order should include a stipulated regulatory schedule that, to the extent possible, allows the Commission to complete its deliberations and issue a decision in this proceeding by November 23, 2007.

MECO and the Consumer Advocate have reached agreement on the prehearing matters and submitted a Stipulated Procedural Order acceptable to the Parties.

ACCORDINGLY, IT IS ORDERED that the following Statement of Issues, Schedule of Proceedings, and procedures shall be utilized in this docket.

I. STATEMENT OF THE ISSUES

The issues in this case are:

1. Is MECO's proposed rate increase reasonable?
 - a. Are the proposed tariffs, rates, charges and rules just and reasonable?
 - b. Are the revenue forecasts for Test Year 2007 at present rates and proposed rates reasonable?
 - c. Are the projected operating expenses for Test Year 2007 reasonable?
 - d. Is the projected rate base for Test Year 2007 reasonable, and are the properties included in rate base used or useful for public utility purposes?
 - e. Is the requested rate of return fair?
2. What is the amount of the Interim Rate Increase, if any, to which MECO is probably entitled under §269-16(d) of the Hawaii Revised Statutes?

II. SCHEDULE OF PROCEEDINGS

MECO Application, Testimonies, Exhibits and Workpapers	February 23, 2007
Public Hearings	April 24-26, 2007
Consumer Advocate Information Requests ("IRs") to MECO ¹	April 2, 2007 May 21, 2007 June 22 2007 July 24, 2007 August 20, 2007 September 10, 2007

¹ Whenever possible, Parties will provide a copy of documents electronically upon request.

MECO Responses to CA IRs ²	April 23, 2007 June 8, 2007 July 10, 2007 August 8, 2007 August 30, 2007 September 21, 2007
Consumer Advocate Testimonies, Exhibits and Workpapers	October 3, 2007
MECO IRs to Consumer Advocate ²	October 5-17, 2007
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Statement of Probable Entitlement	December 20, 2007
Simultaneous Opening Briefs by Parties	4 weeks after Transcripts
Simultaneous Reply Briefs by Parties	3 weeks after Opening Briefs

III. MISCELLANEOUS MATTERS TO FACILITATE AND EXPEDITE THE ORDERLY CONDUCT OF THESE PROCEEDINGS

A. Requests for Information

A Party to this proceeding may submit information requests to another Party within the time schedule specified in this Stipulated Procedural Order. If a Party is unable to provide the information requested within the prescribed time period, it should so indicate to the inquiring Party as soon as possible. The Parties shall then endeavor to agree upon a later date for

submission of the requested information. If the Parties are unable to agree, the responding Party may seek approval for the late submission from the Commission upon a showing of good cause. It is then within the Commission's discretion to approve or disapprove such late filings and take any additional action that may be appropriate, such as extending the date for the Party to respond.

In lieu of responses to information requests that would require the reproduction of voluminous documents or materials (e.g. documents over 50 pages), the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the Party responding to the information request shall make the diskette or such electronic medium available to the other Parties, and the Commission. Subject to objections that may be raised and to the extent practicable, the electronic files for spreadsheets will contain all cell references and formulae intact, and will not be converted to values prior to submission. A Party shall not be required, in a response to an information request, to provide data that is/are already on file with the Commission or otherwise part of the public record, or that may be stipulated to pursuant to Part D, infra. The responding Party shall, in lieu of production of a document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the requesting Party to locate and copy the document. In addition, a Party shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

For each response to an information request, the responding Party should identify the person who is responsible for preparing the response as well as the witnesses who will be

responsible for sponsoring the response at the evidentiary hearing.

A Party may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a Party claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the Party shall: (1) provide information reasonably sufficient to identify the confidential information withheld from the response, without disclosing privileged or protected information; (2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the Party if the information were disclosed); and (3) state whether the Party is willing to provide the confidential information to some or all representatives of the Party pursuant to a protective order.

A Party seeking production of documents notwithstanding a Party's claim of confidentiality, may file a motion to compel production with the Commission.

The responses of each Party to information requests shall adhere to a uniform system of numbering agreed upon by the Parties. For example, the first information request submitted by the Consumer Advocate in this docket shall be referred to and designated as "CA-IR-1," and a response to this information request shall be referred to and designated as "Response to CA-IR-1."

Each response shall be provided on a separate page and shall recite the entire question asked and set forth the response and/or reference the attached responsive document.

B. Witnesses

Witnesses submitting written testimony and exhibits shall be made available for cross-examination at the evidentiary hearing. Witnesses should file the workpapers used in preparing

the evidence they sponsor at the time they submit their testimony and exhibits (statement of position) and have such workpapers available at the evidentiary hearing. Witnesses will not be permitted to read prefiled written testimony at the evidentiary hearings.

At the evidentiary hearing, each witness may give a brief oral summary of the written testimony and exhibits and shall summarize the issues raised by such testimony or statement of position. Each witness representative shall be subject to cross-examination for both direct and rebuttal testimony and exhibits or statement of position.

The Parties shall cooperate to accommodate the schedules of mainland witnesses and will inform the Commission in advance of any scheduling difficulties with respect to such witnesses. If a Party has an objection to a timely request to schedule a mainland witness in advance of other witnesses, the Party shall make a timely objection to the Commission. The Parties will make their best effort to accommodate the schedules of mainland witnesses by coordinating their appearance at the evidentiary hearing.

C. Form of Prepared Testimony

All prepared testimony, including text and exhibits, shall be prepared in written form on 8-1/2" x 11" paper with line numbers and page numbers, and shall be served on the dates designated in the Schedule of Proceedings.

Each Party shall be permitted to follow its own numbering system for written testimony and exhibits, provided that the numbering system utilized is consistent and is clearly understandable. Each Party shall prepare a list of its exhibits by exhibit numbers and titles.

The Parties shall be permitted to make revisions to exhibits after the designated dates appearing in the Schedule of Proceedings. Revisions shall bear appropriate revision dates. However, revisions or additions that do more than correct typographical errors, update facts, or

give numerical comparisons of the positions taken by the Parties, shall not be submitted except with the approval of the Commission.

Generally, exhibits should include appropriate footnotes, or narratives inserted in the related testimony, setting forth the sources of the information used and explaining the methods employed in making statistical compilations or estimates.

D. Matters of Public Record

To reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and the Parties; and further provided that any Party has the right to explain, qualify or conduct examination with respect to the identified document. The Commission can rule on whether the identified document can be admitted into evidence when a Party proffers such document for admission as evidence in this case.

From time to time, the Parties may enter into stipulations that such documents, or any portion of such documents, may be introduced into evidence in this case.

E. Copies of Testimony, Exhibits and Information Requests

1. Testimony, Exhibits, Workpapers, Statement of Position, Information Requests, Responses to Information Requests, Briefs:

Commission	Original + 8 copies
MECO	3 copies
Consumer Advocate	6 copies

2. All pleadings, briefs and other documents required to be filed with the

Commission shall comply with the formatting requirements prescribed pursuant to Chapter 61,

Subchapter 2, Section 6-61-16 of the Commission's Rules of Practice and Procedure and shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Chapter 61, Subchapter 2, Section 6-61-15 of the Commission's Rules of Practice and Procedure.

3. Copies of all filings, information requests and information request responses should be sent to the Parties by hand delivery or United States mail (first class, postage prepaid). In addition, if available, all Parties shall provide copies of their filings, information requests and information request responses to the other Parties via diskette or e-mail in a standard electronic format that is readily available by the Parties. The Parties agree to use Word 97, Word 2000 or Word 2003 as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in an electronic format, a Party shall not be required to convert such workpapers, documentation, or exhibits into an electronic format. Also, existing documents produced in response to requests need not be converted to Word 97/Word 2000/Word 2003 as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a Party via diskette or e-mail, unless otherwise agreed to by such Party, the same number of copies of such filing, information request or information request response must still be delivered to such Party by hand delivery or United States mail (first class, postage prepaid) as provided in Parts F.1 above.

F. Order of Examination at the Evidentiary Hearing

Pursuant to Chapter 61, Subchapter 3, Section 6-61-31, of the Commission's Rules of Practice and Procedure, MECO's witnesses shall open with its direct case. The Consumer Advocate's direct case shall be presented after MECO's direct case. MECO shall close with its rebuttal case.

Examination of any witness shall be limited to one attorney or representative for a Party. The Parties shall avoid duplicative or repetitious cross-examination. Friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the Party desiring to cross-examine. Recross-examination shall be limited to the extent of material covered in redirect examination unless otherwise permitted by the Commission.

G. Communications

Chapter 61, Subchapter 3, Section 6-61-29 of the Commission's Rules of Practice and Procedure concerning ex parte communications is applicable to any communications between a Party and the Commission. However, the Parties may communicate with Commission counsel on matters of practice and procedure through their own counsel or designated official.

Communications between the Parties should either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing Party. All motions, supporting memoranda, and the like shall also be served on opposing counsel.

H. General

These procedures are consistent with the orderly conduct of this docket. This Stipulated Procedural Order shall control the subsequent course of these proceedings, unless modified by the Parties in writing and approved by the Commission, or upon the Commission's own motion.

This Stipulated Procedural Order may be executed by the Parties in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument. The Parties may execute this Stipulated Procedural Order by facsimile for initial submission to the Commission to be followed by the filing of originals of said facsimile pages.

DONE at Honolulu, Hawaii, this _____ day of _____, 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By _____
Carlito P. Caliboso, Chairman

By _____
John E. Cole, Commissioner

APPROVED AS TO FORM:

By _____
Ji Sook Kim
Commission Counsel

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Stipulated Procedural Order No. _____ 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
335 Merchant Street, Room 326
Honolulu, Hawaii 96813

EDWARD L. REINHARDT
PRESIDENT
MAUI ELECTRIC COMPANY, LIMITED
P.O. Box 398
Kahului, Hawaii 96733-6898

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

PETER Y. KIKUTA
GOODSILL ANDERSON QUINN & STIFEL
1800 Alii Place
1099 Alakea Street
Honolulu, Hawaii 96813

Karen Higashi

DATED: _____

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23496 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
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P.O. Box 541
Honolulu, HI 96809

EDWARD L. REINHARDT
PRESIDENT
MAUI ELECTRIC COMPANY, LIMITED
P.O. Box 398
Kahului, HI 96733-6898

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

PETER Y. KIKUTA, ESQ.
GOODSILL ANDERSON QUINN & STIFEL
1800 Alii Place
1099 Alakea Street
Honolulu, HI 96813

Counsel for MAUI ELECTRIC COMPANY, LIMITED



Karen Higashi

DATED: JUN 19 2007