BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

PUBLIC UTILITIES COMMISSION

Instituting a Proceeding Under
Hawaii's Net Energy Metering
Law, Hawaii Revised Statutes
§§ 269-101 – 269-111, to
Investigate Increasing: (1) the
Maximum Capacity of Eligible
Customer-Generators to More
Than Fifty Kilowatts; and
(2) the Total Rated Generating
Capacity Produced by Eligible
Customer-Generators to an
Amount Above 0.5 Percent of
Peak Demand.

ORDER NO. 23553

Filed July 20, 2007
At 9 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.
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of

PUBLIC UTILITIES COMMISSION

Docket No. 2006-0084

Instituting a Proceeding Under
Hawaii’s Net Energy Metering Law, Hawaii Revised Statutes §§ 269-101 - 269-111, to
Investigate Increasing: (1) the Maximum Capacity of Eligible Customer-Generators to More Than Fifty Kilowatts; and (2) the Total Rated Generating Capacity Produced by Eligible Customer-Generators to an Amount Above 0.5 Percent of Peak Demand.

ORDER

By this Order, the commission approves the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY’s (“Consumer Advocate”) request, on behalf of the Parties in this docket,¹ to amend the Revised Stipulated Regulatory Schedule governing this proceeding.

¹The commission named, as original parties to this proceeding, HAWAIIAN ELECTRIC COMPANY, INC., HAWAII ELECTRIC LIGHT COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED, KAUAI ISLAND UTILITY COOPERATIVE, and the Consumer Advocate. See Order No. 22380, filed on April 10, 2006. By Order No. 22535, filed June 15, 2006, the commission granted intervention to HAWAII RENEWABLE ENERGY ALLIANCE (“HREA”) and HAWAII SOLAR ENERGY ASSOCIATION (“HSEA”), and participation without intervention to ZERO EMISSIONS LEASING LLC (“Zero Emissions”). The original parties, as well as HREA and HSEA, are hereinafter referred to as the “Parties,” and Zero Emissions is referred to as the “Participant.”
I.

Request to Amend Revised Stipulated Regulatory Schedule

Pursuant to Order No. 23524, filed on June 29, 2007, the commission approved the following amendments to the Revised Stipulated Regulatory Schedule in this docket: Simultaneous Statements of Position (from June 15, 2007 to July 16, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from June 28, 2007 to July 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from July 25, 2007 to August 27, 2007).

By letter dated and filed on July 11, 2007, the Consumer Advocate, on behalf of the Parties, requested the following additional extensions of the foregoing deadlines: Simultaneous Statements of Position (from July 16, 2007 to September 17, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from July 27, 2007 to September 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from August 27, 2007 to October 22, 2007).

The Consumer Advocate noted that it made its last request based on the "Parties' and Participant's desire to hold a
collective settlement discussion to attempt to reach agreement and resolve all or as many of the issues of the subject proceeding as possible." The Consumer Advocate, however, represented that it "was unaware at the time of the request . . . that due to the Parties' various scheduling conflicts and travel plans, the Parties and Participant would not be able to hold such a settlement discussion until July 16, 2007." Thus, according to the Consumer Advocate, the Parties request an additional two-month extension of the deadlines to allow the Parties and Participant ample time to hold one or more settlement discussions, and to draft a settlement agreement if a settlement is reached.

The commission will treat the Consumer Advocate's July 11, 2007 letter as a motion for an extension of time ("Motion") under Hawaii Administrative Rules ("HAR") §§ 6-61-23 and 6-61-41. HAR § 6-61-23(a)(1) allows the commission to enlarge a period by which a required act must be completed upon a showing of good cause provided that a written request is made before the expiration of the period originally prescribed.

After reviewing the entire record, and based on the representations in the Consumer Advocate's letter, the commission finds the proposed revisions to the Revised Stipulated Regulatory Schedule to be reasonable. Accordingly, the commission grants the Motion and approves a two-month extension of time for the Parties to file their Simultaneous Statements of Position, Simultaneous

---


"Id."
Information Requests to the Parties on their Statements of Position, and Simultaneous Responses to Information Requests. The commission, however, also finds it reasonable to establish a deadline for the Parties to submit a joint settlement letter to the commission, if any, by October 1, 2007.

II.

Orders

THE COMMISSION ORDERS:

1. The Consumer Advocate's Motion, on behalf of the Parties, to amend the Revised Stipulated Regulatory Schedule, is approved.

2. The Parties are granted a two-month extension of time for the following deadlines: Simultaneous Statements of Position (from July 16, 2007 to September 17, 2007); Simultaneous Information Requests to the Parties on their Statements of Position (from July 27, 2007 to September 27, 2007); and Simultaneous Responses to Information Requests filed by the Parties (from August 27, 2007 to October 22, 2007).

3. The Parties' deadline to submit a joint settlement letter to the commission, if any, is October 1, 2007.

4. In all other respects, the Revised Stipulated Regulatory Schedule attached to Order No. 23441, remains unchanged.
DONE at Honolulu, Hawaii JUL 20 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By

Carlito P. Caliboso, Chairman

By

John E. Cole, Commissioner

By

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Kaiulani Kidani Shinsato
Commission Counsel

2006-0084
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23553 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

WILLIAM A. BONNET
VICE PRESIDENT
GOVERNMENT & COMMUNITY AFFAIRS
HAWAIIAN ELECTRIC COMPANY, INC.
P.O. Box 2750
Honolulu, HI 96840-0001

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

WARREN H.W. LEE
PRESIDENT
HAWAII ELECTRIC LIGHT COMPANY, INC.
P.O. Box 1027
Hilo, HI 96721-1027

EDWARD L. REINHARDT
PRESIDENT
MAUI ELECTRIC COMPANY, LIMITED
P.O. Box 398
Kahului, HI 96733-6898
CERTIFICATE OF SERVICE
Page 2

THOMAS W. WILLIAMS, JR., ESQ.
PETER Y. KIKUTA, ESQ.
GOODSILL ANDERSON QUINN & STIFEL LLC
1099 Alakea Street, Suite 1800
Honolulu, HI 96813

Attorneys for HAWAIIAN ELECTRIC COMPANY, INC.,
HAWAII ELECTRIC LIGHT COMPANY, INC.,
and MAUI ELECTRIC COMPANY, LIMITED

RANDALL J. HEE, P.E.
PRESIDENT AND CHIEF EXECUTIVE OFFICER
KAUAI ISLAND UTILITY COOPERATIVE
4463 Pahe’e Street, Suite 1
Lihue, Kauai, HI 96766-2000

TIMOTHY BLUME
MICHAEL YAMANE
KAUAI ISLAND UTILITY COOPERATIVE
4463 Pahe’e Street, Suite 1
Lihue, Kauai, HI 96766-2000

KENT D. MORIHARA, ESQ.
KRIS N. NAKAGAWA, ESQ.
RHONDA L. CHING, ESQ.
MORIHARA LAU & FONG LLP
841 Bishop Street, Suite 400
Honolulu, HI 96813

Attorneys for KAUAI ISLAND UTILITY COOPERATIVE

WARREN S. BOLLMEIER II
PRESIDENT
HAWAII RENEWABLE ENERGY ALLIANCE
46-040 Konane Place #3816
Kaneohe, HI 96744

RICHARD R. REED
PRESIDENT
HAWAII SOLAR ENERGY ASSOCIATION
C/O INTER-ISLAND SOLAR SUPPLY
761 Ahua Street
Honolulu, HI 96819
CERTIFICATE OF SERVICE

ERIK W. KVAM
CHIEF EXECUTIVE OFFICER
ZERO EMISSIONS LEASING LLC
2800 Woodlawn Drive, Suite 131
Honolulu, HI  96822

DATED:  JUL 20 2007

Karen Higashi