

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

HERMINA M. MORITA)

Complainant,)

vs.)

HAWAII SUPERFERRY, INC.)

Respondent.)

DOCKET NO. 2007-0324

ORDER NO. 23806

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

2007 NOV -7 A 8:00

RECEIVED

Filed Nov. 6, 2007
At 10 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

HERMINA M. MORITA)	
)	
Complainant,)	Docket No. 2007-0324
)	
vs.)	Order No. 23806
)	
HAWAII SUPERFERRY, INC.)	
)	
Respondent.)	
_____)	

ORDER

By this Order, the commission instructs HERMINA M. MORITA ("Complainant") and HAWAII SUPERFERRY, INC. ("Respondent"),¹ to submit a stipulated procedural schedule for the commission's review and consideration. Any stipulated procedural schedule shall be submitted within thirty (30) days from the date of this Order. If the parties are unable to agree to a stipulated procedural schedule, each party shall submit a proposed schedule for the commission's consideration by the same date.

¹The Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate") is an ex officio party to any proceeding before the commission, pursuant to Hawaii Revised Statutes ("HRS") § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62(a). The Consumer Advocate, however, did not file a statement of position indicating whether it intends to participate in this proceeding. See Hawaii Administrative Rules § 6-61-62(d).

I.

Background

On September 27, 2007, Complainant filed a formal complaint against Respondent in which Complainant alleges that Respondent failed to comply with Decision and Order No. 21524, filed on December 30, 2004, in Docket No. 04-0180 which conditionally granted Respondent a certificate of public convenience and necessity, pursuant to HRS § 271G-1, et seq.; failed to comply with HRS § 343-1, et seq., and the Harbors Operating Agreement dated September 7, 2005.

By Order No. 23696, filed on October 4, 2007, in this docket, the commission directed Respondent to file an answer to the formal complaint within twenty (20) days after the date of service of the order. On October 26, 2007, Respondent timely filed its Answer to Verified Complaint.

Under the circumstances, the commission finds it appropriate to instruct the parties to submit a stipulated procedural schedule for the commission's review and consideration.

II.

Order

THE COMMISSION ORDERS:

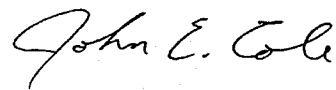
1. Within thirty (30) days from the date of this Order, the parties shall submit to the commission a stipulated procedural schedule, incorporating their agreed-upon issues, procedures, and schedule with respect to this proceeding.

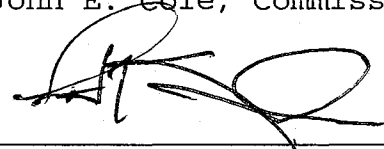
2. If the parties are unable to stipulate to such a schedule, each party shall submit a proposed procedural schedule for the commission's consideration by the same date.

DONE at Honolulu, Hawaii NOV - 6 2007.

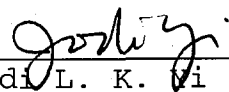
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Jodi L. K. Vi
Commission Counsel

2007-0324.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23806 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

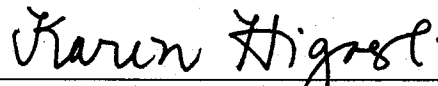
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Lihue, HI 96766

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Attorneys for HAWAII SUPERFERRY, INC.



Karen Higashi

DATED: NOV - 6 2007