BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

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

PUBLIC UTILITIES COMMISSION ) DOCKET NO. 03-0372

Instituting a Proceeding to )
Investigate Competitive Bidding )
for New Generating Capacity in )
Hawaii. )

ORDER NO. 23865

Filed Dec. 3, 2007
At 1 o'clock P.M.

Chief Clerk of the Commission

ATTEST: A True Copy
KAREN HIGASHI
BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

----- In the Matter of ----- )
) Docket No. 03-0372
PUBLIC UTILITIES COMMISSION )
) Order No. 23865
Instituting a Proceeding to )
) Order No. 20583, filed on October 21, 2003.
Investigate Competitive Bidding )
) for New Generating Capacity in )
Hawaii. )

ORDER

By this Order, the commission closes this docket.¹

I.

Background

This proceeding arises out of the commission's investigation and evaluation of competitive bidding as a mechanism for acquiring or building new generation capacity in the State of Hawaii ("State").²

On June 30, 2006, the commission issued Decision and Order No. 22588, which set forth a proposed Framework for

¹The Parties are HAWAIIAN ELECTRIC COMPANY, INC. ("HECO"), HAWAII ELECTRIC LIGHT COMPANY, INC., MAUI ELECTRIC COMPANY, LIMITED (collectively, the "HECO Companies"), KAUAI ISLAND UTILITY COOPERATIVE ("KIUC"), HAWAII RENEWABLE ENERGY ALLIANCE, and the DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS, DIVISION OF CONSUMER ADVOCACY, an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules § 6-61-62(a).

²Order No. 20583, filed on October 21, 2003.
Competitive Bidding, for the Parties' review and comment. Following the commission's review of the comments submitted by the Parties, the commission, on December 8, 2006, issued Decision and Order No. 23121 in which it adopted a Framework for Competitive Bidding as a mechanism for acquiring or building new energy generation in the State ("CB Framework"). Specifically, the CB Framework outlines a comprehensive mechanism for the electric utilities to acquire a future generation resource or a block of generation resources under the competitive bidding process.

On March 14, 2007, the commission granted KIUC's Motion for Exemption from the CB Framework, pursuant to Part II.A.5 of the CB Framework. For purposes of implementing the CB Framework, the commission: (1) on June 22, 2007, approved the list of qualified candidates for the Independent Observer position submitted by the HECO Companies; (2) on August 28, 2007, approved the Code of Conduct Pertaining to the Implementation of a Competitive Bidding Process for New Power Supplies submitted by the HECO Companies; and (3) on November 5, 2007, approved the proposed tariffs for

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1 Decision and Order No. 22588, filed on June 30, 2006.
2 Decision and Order No. 23121, filed on December 8, 2006, with the Framework for Competitive Bidding, dated December 8, 2006, attached.
3 Order No. 23298, filed on March 14, 2007.
4 Decision and Order No. 23503, filed on June 22, 2007.
5 Decision and Order No. 23614, filed on August 28, 2007.
interconnection and transmission upgrades submitted by the HECO Companies.\(^8\)

II.

Discussion

On October 9, 2007, the commission opened In re Public Util. Comm'n, Docket No. 2007-0331, "to receive filings, review approval requests, and resolve disputes, if necessary, related to HECO's proposal to proceed with a competitive bidding process to acquire approximately 100 [megawatts] of non-firm renewable energy for the Island of Oahu."\(^9\) In Docket No. 2007-0331, the commission indicated its intent to close Docket No. 03-0372, "[o]nce the remaining issue in that docket related to [the] approval of [the HECO Companies'] interconnection and transmission tariffs is resolved[.]"\(^10\)

On November 5, 2007, the commission issued Decision and Order No. 23799, its final, remaining decision to implement the CB Framework and the competitive bidding process in general. The deadline for filing a Motion to Reconsider Decision and Order No. 23799 was November 19, 2007, with no such motions filed. Accordingly, the commission hereby closes Docket No. 03-0372.

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\(^8\)Decision and Order No. 23799, filed on November 5, 2007.

\(^9\)Docket No. 2007-0331, Order No. 23699, Ordering ¶ No. 1, at 18.

II.
Orders

THE COMMISSION ORDERS:

This docket is closed unless ordered otherwise by the commission.

DONE at Honolulu, Hawaii  

DEC - 3 2007

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman

John E. Cole, Commissioner

Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Michael Azama
Commission Counsel

03-0372 cp
CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23865 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: DEC - 3 2007

Karen Higoshi