

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
HAWAII-AMERICAN WATER COMPANY)
For Approval of a Rate Increases)
And Revised Rate Schedules and)
Rules.)
_____)

DOCKET NO. 2007-0180

ORDER GRANTING THE PARTIES' REQUESTS TO AMEND THE
STIPULATED REGULATORY SCHEDULE, FILED SEPTEMBER 19, 2008

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PUBLIC UTILITIES
COMMISSION
DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

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In the Matter of the Application of)
HAWAII-AMERICAN WATER COMPANY)
For Approval of Rate Increases)
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STIPULATED REGULATORY SCHEDULE, FILED SEPTEMBER 19, 2008

By this Order,¹ the commission grants the Parties' letter request filed on September 19, 2008 ("Parties' September 19, 2008 letter") to amend the stipulated regulatory schedule that governs the remainder of this proceeding, as further explained below.

I.

Background

The following dates and procedural steps presently govern the remainder of this proceeding:

¹The Parties in this proceeding are: (1) HAWAII-AMERICAN WATER COMPANY ("HAWC"); (2) the CITY AND COUNTY OF HONOLULU ("City"); and (3) the DIVISION OF CONSUMER ADVOCACY, DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS ("Consumer Advocate"), an ex officio party to this proceeding, pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62(a).

	DATE	PROCEDURAL STEPS
12.	Friday, September 19, 2008	Settlement Letter/Agreement (if any) to Commission and, for any remaining disputed items, HAWC's Rebuttal Testimonies to Direct Testimonies and Exhibits of Consumer Advocate and/or City
13.	Monday, September 22, 2008, 9 a.m.	Prehearing Conference
14.	Monday, September 22, 2008	Statement of Probable Entitlement
15.	Friday, September 26, 2008	Consumer Advocate's Response, if any, to Statement of Probable Entitlement
16.	Week of September 29, 2008	Evidentiary Hearing (if no settlement)
17.	No later than Friday, October 10, 2008	Interim Decision and Order (if no settlement)
18.	3 weeks after transcript completed and filed with the Commission	Simultaneous proposed Findings of Fact/Conclusions of Law from HAWC/Consumer Advocate/City
19.	2 weeks after proposed Findings of Facts/Conclusions of Law	Comments to proposed Findings of Fact/Conclusions of Law from HAWC/Consumer Advocate/City
20.		Decision and Order

See Stipulated Prehearing Order, Exhibit "A" to Order No. 24178, filed on May 6, 2008, as amended by the commission's letter to the Consumer Advocate, dated June 19, 2008 and Order Granting

the Parties' Requests to Amend the Stipulated Regulatory Schedule, filed on September 16, 2008.

By letter dated September 19, 2008, the Parties request the commission's approval to amend Procedural Steps Nos. 12 through 20.

II.

Discussion

HAR § 6-61-23 (a)(1) authorizes the commission, for good cause shown, to order a period of time enlarged, if a written request is made before the expiration of the period originally prescribed or as extended by a previous order.

With respect to this proceeding, the Parties jointly notified the commission that they "have, in principle, resolved all of their differences as set forth in the Direct Testimonies of the Consumer Advocate and the City."² They state:

The Parties are [] mindful that [the docket's] deadlines were imposed to enable the [c]ommission to meet its upcoming statutory deadline under [HRS] § 269-16 to issue interim rate relief by October 10, 2008. After much discussion during the past month, the Parties were able to reach resolution of their differences yesterday. This, however, does not provide sufficient time to work on developing the revenue requirements and rates schedule that result from such resolution. Furthermore, the Parties believe that in lieu of submitting differing statements, it would be a more efficient and cost-effective use of their time and resources to collectively focus their efforts in preparing and submitting to the [c]ommission a joint Stipulated Interim Relief Letter [] for the sole purpose of enabling the [c]ommission to grant interim relief in this proceeding by

²Letter filed September 19, 2008, from the Parties to the commission, at 1.

October 10, 2008. Given the above, the Parties respectfully request that they be allowed to submit a joint Stipulated Interim Relief Letter by Next Friday, September 26, 2008 (which is the same date by which the Consumer Advocate and City were to have responded to HAWC's Statement of Probable Entitlement). This joint Stipulated Interim Relief Letter will include the Parties' stipulated statement of probable entitlement, revenue requirements and rate structure necessary for purposes of granting interim relief in this proceeding.

Parties' September 19, 2008 letter, at 2. For this reason, in the Parties' September 19, 2008 letter, they proposed the following amendments to the remaining procedural schedule:

	DATE	PROCEDURAL STEPS (Current)	PROCEDURAL STEPS (Proposed)
12.	Friday, September 19, 2008	Settlement Letter/Agreement (if any) to Commission and, for any remaining disputed items, HAWC's Rebuttal Testimonies to Direct Testimonies and Exhibits of Consumer Advocate and/or City	Joint Settlement Letter
13.	Monday, September 22, 2008 9 a.m.	Prehearing Conference	Deleted
14.	Monday, September 22, 2008	Statement of Probable Entitlement	Deleted
15.	Friday, September 26, 2008	Consumer Advocate's Response, if any, to Statement of Probable Entitlement	Stipulated Interim Relief Letter, including Statement of Probable Entitlement

	DATE	PROCEDURAL STEPS (Current)	PROCEDURAL STEPS (Proposed)
16.	Week of September 29, 2008	Evidentiary Hearing (if no settlement)	Deleted
17.	No later than Friday, October 10, 2008	Interim Decision and Order (if no settlement)	Interim Decision and Order
18.	3 weeks after transcript completed and filed with the Commission	Simultaneous proposed Findings of Fact/Conclusions of Law from HAWC/Consumer Advocate/City	Deleted
19.	2 weeks after proposed Findings of Facts/Conclusions of Law	Comments to proposed Findings of Fact/Conclusions of Law from HAWC/Consumer Advocate/City	Deleted
20.		Stipulation or Joint Submittal in Support of Final Decision and Order	Pending subsequent motion/request ³
21.		Final Decision and Order	

See Parties' September 19, 2008 letter, at 3-4.

Based on the representations set forth in the Parties' September 19, 2008 letter, the commission finds good cause to grant the Parties' request to amend the procedural steps as described above.

³The Parties plan to meet and/or confer in this docket to determine a date upon which stipulations can be filed with the commission in order for the commission to issue a final decision and order in Docket No. 05-0103 (HAWC's 2005 rate case docket) and subsequently, this docket. See Letter filed on September 19, 2008, from the Parties to the commission, at 2, n.2.

III.

Orders

THE COMMISSION ORDERS:

1. The Parties' September 19, 2008 letter request to amend the schedule of proceedings that governs the remainder of this proceeding, is granted.

2. The Prehearing Conference scheduled for September 22, 2008 and the Evidentiary Hearing scheduled for the week of September 29, 2008, are hereby cancelled.

3. The Stipulated Regulatory Schedule, attached as Exhibit "A" to Order No. 24178, filed on May 6, 2008, as amended by the commission's letter to the Consumer Advocate, dated June 19, 2008 and the Order Granting the Parties' Requests to Amend the Stipulated Regulatory Schedule, filed on September 16, 2008, is therefore amended and shall now reflect the following:

	DATE	PROCEDURAL STEPS
12.	Friday, September 19, 2008	Joint Settlement Letter
13.	Deleted	Deleted
14.	Deleted	Deleted
15.	Friday, September 26, 2008	Stipulated Interim Relief Letter, including Statement of Probable Entitlement
16.	Deleted	Deleted
17.	No later than Friday, October 10, 2008	Interim Decision and Order
18.	Deleted	Deleted

	DATE	PROCEDURAL STEPS
19.	Deleted	Deleted
20.		Pending subsequent motion/request ⁴

DONE at Honolulu, Hawaii SEP 26 2008.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By Carlito P. Caliboso
Carlito P. Caliboso, Chairman

By John E. Cole
John E. Cole, Commissioner

By Leslie H. Kondo
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:

Jodi L. K. Li
Jodi L. K. Li
Commission Counsel

2007-0180.laa

⁴The Parties plan to meet and/or confer in this docket to determine a date upon which stipulations can be filed with the commission in order for the commission to issue a final decision and order in Docket No. 05-0103 (HAWC's 2005 rate case docket) and subsequently, this docket. See Letter filed on September 19, 2008, from the Parties to the commission, at 2, n.2.

CERTIFICATE OF SERVICE

The foregoing order was served on the date of filing by mail, postage prepaid, and properly addressed to the following parties:

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