

RECEIVED

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

2009 FEB 11 A 9:20

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

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 94-0316

For Approval of Recovery of 1995)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 95-0362

For Approval of Recovery of 1996)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 96-0431

For Approval of Recovery of 1997)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 97-0358

For Approval of Recovery of 1998)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 98-0339

For Approval of Recovery of 1999)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 99-0338

For Approval of Recovery of 2000)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 00-0360

For Approval of Recovery of 2001)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

DOCKET NO. 01-0409

For Approval of Recovery of 2002)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)
)

DOCKET NO. 02-0359

For Approval of Recovery of 2003)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)
)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)
)

DOCKET NO. 03-0276

For Approval of Recovery of 2004)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)
)

In the Matter of the Application of)
)
HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)
)

DOCKET NO. 04-0295

For Approval of Recovery of 2005)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)
)

In the Matter of the Application of)
)
MAUI ELECTRIC COMPANY, LIMITED)
)

DOCKET NO. 05-0273

For Approval of Recovery of 2006)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)
)

In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
For Approval of Recovery of 2007)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

DOCKET NO. 2006-0393

(CONSOLIDATED)

ORDER CONSOLIDATING DOCKETS AND GRANTING EXTENSION REQUESTS

FILED
2009 FEB 10 A 8:05
PUBLIC UTILITIES
COMMISSION

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 94-0316

For Approval of Recovery of 1995)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 95-0362

For Approval of Recovery of 1996)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 96-0431

For Approval of Recovery of 1997)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 97-0358

For Approval of Recovery of 1998)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 98-0339

For Approval of Recovery of 1999)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 99-0338

For Approval of Recovery of 2000)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
HAWAII ELECTRIC LIGHT COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 00-0360

For Approval of Recovery of 2001)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 01-0409

For Approval of Recovery of 2002)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 02-0359

For Approval of Recovery of 2003)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 03-0276

For Approval of Recovery of 2004)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

HAWAIIAN ELECTRIC COMPANY, INC.)
MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 04-0295

For Approval of Recovery of 2005)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)

MAUI ELECTRIC COMPANY, LIMITED)

Docket No. 05-0273

For Approval of Recovery of 2006)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)

In the Matter of the Application of)
MAUI ELECTRIC COMPANY, LIMITED)
For Approval of Recovery of 2007)
IRP Planning Costs Through Each)
Company's IRP Cost Recovery)
Provision)
_____)

Docket No. 2006-0393

(Consolidated)

ORDER CONSOLIDATING DOCKETS AND GRANTING EXTENSION REQUESTS

By this Order, the commission, sua sponte, consolidates Docket Nos. 94-0316, 95-0362, 96-0431, 97-0358, 98-0339, 99-0338, 00-0360, 01-0409, 02-0359, 03-0276, 04-0295, 05-0273 and 2006-0393, which relate to recovery of integrated resource plan ("IRP") planning costs for 1995 - 2007. The commission also approves HAWAIIAN ELECTRIC COMPANY, INC. ("HECO"), HAWAII ELECTRIC LIGHT COMPANY, INC. ("HELCO"), and MAUI ELECTRIC COMPANY, LIMITED's ("MECO") requests for extension of time to file a refund plan for the consolidated dockets.

I.

Consolidation

HAR § 6-61-39 provides that the commission, upon its own initiative, may consolidate two or more proceedings that involve related questions of fact or law if it finds that consolidation will be conducive to the proper dispatch of its business and to the ends of justice and will not unduly delay the proceedings.

Upon review of the record, the commission finds that Docket Nos. 94-0316, 95-0362, 96-0431, 97-0358, 98-0339, 99-0338,

00-0360, 01-0409, 02-0359, 03-0276, 04-0295, 05-0273 and 2006-0393 involve related questions of fact and law; and that the consolidation of these proceedings will be conducive to the proper dispatch of the commission's business and the ends of justice, and will not unduly delay these proceedings. Accordingly, the commission consolidates Docket Nos. 94-0316, 95-0362, 96-0431, 97-0358, 98-0339, 99-0338, 00-0360, 01-0409, 02-0359, 03-0276, 04-0295, 05-0273 and 2006-0393.

II.

Extension Requests

By Decision and Order, filed on October 9, 2008, in Docket Nos. 94-0316, et al. (Consolidated), the commission directed the HECO Companies to file a refund plan for the commission's review and approval within sixty days of the date of the Decision and Order.

By letter dated and filed on December 8, 2008, in Docket Nos. 94-0316, et al. (Consolidated), the HECO Companies requested an extension of time until January 7, 2009, to file their refund plan. According to the HECO Companies, an extension will allow them additional time to continue discussions with the Consumer Advocate to attempt to reach a settlement agreement on 2000-2007 IRP planning costs, "such that the refund plan submitted for Commission review and approval would be for the period covering 1995-2007."

By letters dated and filed on January 7, 2009, in Docket Nos. 94-0316, et al. (Consolidated) and in Docket

No. 2006-0393, the HECO Companies request an extension of time from January 7, 2009 to February 13, 2009, to file a refund plan. According to the HECO Companies, they have utilized criteria in the commission's prior decisions to formulate proposed disallowances for 2000-2007 IRP planning costs, but had not yet provided the information to the Consumer Advocate:

The HECO Companies will be providing the Consumer Advocate with supporting work papers for these proposed disallowances within the next few days. Due to the amount of regulatory work activity in recent months, the Companies were not able to provide this information to the Consumer Advocate at an earlier time and apologize to the Commission and the Consumer Advocate for the delay.

The HECO Companies would like to target February 13, 2009 as the filing date of the settlement agreement for the 2000-2007 IRP Planning Costs. This filing will also present the total 1995-2007 IRP Planning Costs disallowances, and the calculation of interest. Following the Commission's issuance of a decision on the 2000-2007 IRP Planning Costs disallowances, in the following month the HECO Companies will file tariff adjustments to the IRP Cost Recovery Provision to refund to its customers over a one-month period the 1995-2007 disallowed IRP Planning Costs.¹

The commission will treat the HECO Companies' letter requests as motions for extension of time 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.

¹Letter dated and filed on January 7, 2009, from the HECO Companies to the Commission, at 2.

After reviewing the entire record, the commission grants the HECO Companies' extension requests. The commission, however, will sua sponte impose certain additional requirements. The HECO Companies shall file with the commission their proposed disallowances for 2002-2007 IRP planning costs with supporting workpapers no later than February 13, 2009. The Consumer Advocate shall file its position statement on the HECO Companies' proposed disallowances and supporting workpapers no later than March 13, 2009. Any settlement on the 2002-2007 IRP planning costs shall be filed no later than March 13, 2009. The refund plan for 1995-2007 IRP planning costs is due no later than March 27, 2009.

III.

Orders

THE COMMISSION ORDERS:

1. Docket Nos. 94-0316, 95-0362, 96-0431, 97-0358, 98-0339, 99-0338, 00-0360, 01-0409, 02-0359, 03-0276, 04-0295, 05-0273 and 2006-0393, are consolidated.

2. The extension requests filed on January 7, 2009, in Docket Nos. 94-0316, et al. (Consolidated) and in Docket No. 2006-0393, are granted.

3. The HECO Companies shall file with the commission their proposed disallowances for 2002-2007 IRP planning costs with supporting workpapers no later than February 13, 2009. The Consumer Advocate shall file its position statement on the HECO Companies' proposed disallowances and supporting workpapers no

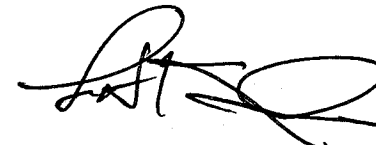
later than March 13, 2009. Any settlement on the 2002-2007 IRP planning costs shall be filed no later than March 13, 2009. The refund plan for 1995-2007 IRP planning costs is due no later than March 27, 2009.

DONE at Honolulu, Hawaii FEB 10 2009.

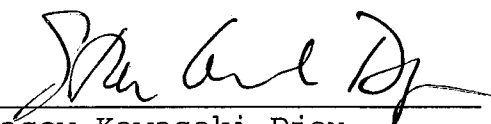
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By: 
Carlito P. Caliboso, Chairman

By: 
John E. Cole, Commissioner

By: 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Stacey Kawasaki Djou
Commission Counsel

94-0316, et al. (Consolidated).cp

CERTIFICATE OF SERVICE

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

CATHERINE P. AWAKUNI
EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

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

JAY IGNACIO, PRESIDENT
HAWAII ELECTRIC LIGHT COMPANY, INC.
1200 Kilauea Avenue
Hilo, HI 96720-4295

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

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

Attorney for Applicants