

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of)
YOUNG BROTHERS, LIMITED) Docket No. 2008-0266
For Approval of a General Rate Increase)
and Certain Tariff Changes in)
Local Freight Tariff No. 5-A)
_____)

AMENDED PROCEDURAL ORDER

STIPULATION FOR AMENDED PROCEDURAL ORDER

and

CERTIFICATE OF SERVICE

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2009 MAY 19 A 9:24

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

PUBLIC UTILITIES
COMMISSION

2009 MAY 18 P 12:48

FILED

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STIPULATION FOR AMENDED PROCEDURAL ORDER

Applicant Young Brothers, Limited (***Young Brothers***) and the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the ***Consumer Advocate***) (Young Brothers and the Consumer Advocate together referred to as the ***Parties***) respectfully submit to the Honorable Public Utilities Commission of the State of Hawaii (the ***Commission***) this Stipulation for Amended Procedural Order (this ***Stipulation***). This Stipulation is made pursuant to section 6-61-23, Hawaii Administrative Rules (***HAR***), to enlarge the period for the Parties to file a stipulation settling the issues in this proceeding, from May 14, 2009, to May 29, 2009.

Under HAR § 6-61-23(a):

When by [HAR chapter 61] or by notice or by order of the commission, any act is required or allowed to be done at or within a specified time, the commission for good cause shown may at any time, in its discretion[, w]ith or without motion or notice, order the period enlarged, if written request is made before the expiration of the period originally prescribed or as extended by a previous order”

The deadline set by the Commission for the Parties to file their agreement settling all of the issues in this proceeding is May 14, 2009.¹

For good cause set forth below, the Parties stipulate to enlarging the time to file their settlement agreement, from May 14, 2009, to May 29, 2009.

In their Stipulated Motion for Evidentiary Hearing Waiver and Enlargement of Time to File Settlement Agreement, filed on May 7, 2009, the Parties informed the Commission that “[a]fter vigorous negotiation discussions, the Parties have settled, in principle, all of the issues in this rate case, including the specific determination of Young Brothers’ revenue requirement amount and specific rate design issues relating to percentage increases for Young Brothers’ lines of service, and have stipulated to waive the evidentiary hearing scheduled for May 13 and 14, 2009, and all related

¹ See Order Approving Proposed Stipulated Procedural Order, as Modified, filed on March 5, 2009, as amended by Order Approving the Parties’ Request to Amend the Regulatory Schedule, filed on April 27, 2009 (**Procedural Order**). On May 7, 2009, the Parties filed Stipulated Motion for Evidentiary Hearing and Enlargement of Time to File Settlement Agreement, requesting, among other things, an enlargement of time to file their settlement agreement, from May 8, 2009, to May 14, 2009. By letter dated May 11, 2009, the Commission approved the new deadline of May 14, 2009, for the Parties to file their settlement agreement.

prehearing and post-hearing proceedings.” Young Brothers and the Consumer Advocate, however, need more time than allowed under the deadline of May 14, 2009, to flesh out and memorialize details of the Parties’ agreement, prepare work sheets in support of their agreement, and carefully cite to the record in this proceeding.²

The Consumer Advocate also asserts that additional time is necessary to coordinate communications with out-of-state witnesses, to address overlapping procedural schedules for numerous Commission dockets, and to accommodate limited staff resources.

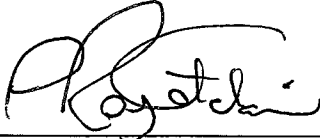
Accordingly, the Parties stipulate to an enlargement of time to file their settlement agreement, from May 14, 2009, to Friday, May 29, 2009.

² See letter from Commission to Parties (May 4, 2009) (setting forth guidelines Parties shall adhere to in their settlement agreement).

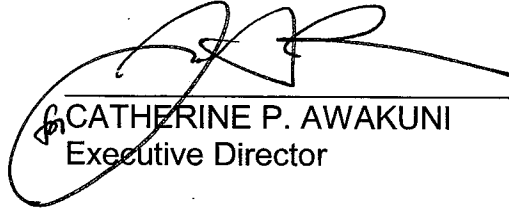
DATED: Honolulu, Hawaii, May 13, 2009.

YOUNG BROTHERS, LIMITED

DIVISION OF CONSUMER ADVOCACY
DEPARTMENT OF COMMERCE AND
CONSUMER AFFAIRS



P. ROY CATALANI
Vice President of Strategic Planning and
Government Affairs




CATHERINE P. AWAKUNI
Executive Director

In re Young Bros., Docket No. 2009-0062, Amended Procedural Order Stipulation For
Amended Procedural Order And Certificate Of Service

APPROVED AND SO ORDERED AT HONOLULU, HAWAII MAY 18 2009


PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chair

By 
John E. Cole, Commissioner

By 
Leslie H. Kondo, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

Docket No. 2008-0266, *In re Young Brothers*, Application for Approval of a General Rate Increase and Certain Tariff Changes, **STIPULATION FOR AMENDED PROCEDURAL ORDER**

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
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Honolulu, Hawaii 96809

P. ROY CATALANI
VICE PRESIDENT OF STRATEGIC PLANNING
AND GOVERNMENT AFFAIRS
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