

COMMISSION ON WATER RESOURCE MANAGEMENT

STATE OF HAWAII

In the Matter of the Contested Case Hearing) Case No.. CCH-MO-97-01
on the Water Use Permit Application)
Originally Filed by Kukui (Molokai), Inc.,) MINUTE ORDER REGARDING THE
Now Refiled as a New Ground Water Use by) POTENTIAL DISMISSAL OF THE
Molokai Public Utilities, LLC) CONTESTED CASE; CERTIFICATE OF
SERVICE
)
)
)
_____)

**MINUTE ORDER REGARDING THE
POTENTIAL DISMISSAL OF THE CONTESTED CASE**

At the briefing of the Commission on Water Resource Management (Commission) held on February 16, 2016 regarding the historical and procedural background of this contested case, testimony was presented in support of and against the dismissal of this contested case matter.

The Commission would like to provide the parties an opportunity to present formal argument in favor of and against the dismissal of this contested case. The parties may file briefs regarding whether this contested case should be dismissed or continued by the Commission pursuant to the remand and order for further proceedings consistent with the Supreme Court's opinions in *In re Wai'ola O Moloka'i*, 103 Hawai'i 401, 83 P.3d 664 (2004) and *In re Contested Case Hearing on Water Use Permit Application Filed by Kukui (Molokai), Inc.*, 116 Hawai'i 481, 174 P.3d 320 (2007). The parties should also discuss what issues should be part of this contested case if the contested case is continued.

Oral argument before the Commission will be held on Molokai on April 19, 2016. The following deadlines shall apply:


Initial briefs: Close of business on **March 24, 2016**

Responsive briefs: Close of business on **April 7, 2016**

Oral argument: **April 19, 2016, 1:00 p.m.**, Lanikeha Community Center, 2200 Farrington Highway, Ho'olehua, Molokai

Briefs may be filed electronically by emailing to kathy.s.yoda@hawaii.gov, with seven (7) paper copies to be delivered to the Commission offices within three (3) business days to 1151 Punchbowl Street, Room 227, Honolulu, Hawaii 96813.

SO ORDERED this 7th day of March, 2016.



SUZANNE D. CASE
Presiding Officer

COMMISSION ON WATER RESOURCE MANAGEMENT

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Now Refiled as a New Ground Water Use by)
Molokai Public Utilities, LLC)
_____)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this date a true and accurate copy of the foregoing document was duly served upon the following parties by U.S. First-class mail:

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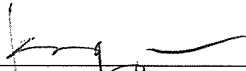
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DATED: Honolulu, Hawaii, March 7, 2016.



KATHY YODA
Commission on Water Resource Management