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June 15, 2004

2004 JUN 16 A 10:25  
PUBLIC UTILITIES  
COMMISSION  
FILED

Public Utilities Commission  
State of Hawaii  
465 South King St., Rm. 103  
Honolulu, HI 96813

ATTENTION: Chief Clerk of the Commission

Re: In the matter of PUBLIC UTILITIES COMMISSION Instituting  
a Proceeding to Investigate Distributed Generation In  
Hawaii; Docket No. 03-0371

Dear Chief Clerk of the Commission:

Enclosed for filing is the following:

1. COUNTY OF MAUI'S RESPONSES TO INFORMATION REQUESTS FROM HECO/HELCO/MECO, THE GAS COMPANY, LIFE OF THE LAND, THE HAWAII RENEWABLE ENERGY ALLIANCE, AND THE CONSUMER ADVOCATE; CERTIFICATE OF SERVICE (Original + 10)

Please return the two (2) additional file-marked copies to this office. A self-addressed, stamped, envelope is enclosed for your convenience.

If you have any questions, please do not hesitate to contact me.

Sincerely,

*Kay A. Ogasawara (secretary)*  
CINDY Y. YOUNG  
Deputy Corporation Counsel

CYY:ko  
Enclosures

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of )  
 )  
PUBLIC UTILITIES COMMISSION )  
 ) DOCKET NO. 03-0371  
Instituting a Proceeding to )  
Investigate Distributed )  
Generation in Hawaii. )  
\_\_\_\_\_ )

**COUNTY OF MAUI'S RESPONSES TO INFORMATION REQUESTS FROM  
HECO/HELCO/MECO, THE GAS COMPANY, LIFE OF THE LAND, THE HAWAII  
RENEWABLE ENERGY ALLIANCE, AND THE CONSUMER ADVOCATE**

**CERTIFICATE OF SERVICE**

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COMMISSION

DEPARTMENT OF THE CORPORATION COUNSEL 205

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COUNTY OF MAUI

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BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

In the Matter of )  
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DOCKET NO. 03-0371

**COUNTY OF MAUI'S RESPONSES TO INFORMATION REQUESTS FROM  
HECO/HELCO/MECO, THE GAS COMPANY, LIFE OF THE LAND, THE HAWAII  
RENEWABLE ENERGY ALLIANCE, AND THE CONSUMER ADVOCATE**

RESPONSES TO HECO/HELCO/MECO

**HECO/Maui-IR-1** Ref: Maui Preliminary Statement of Position, pg. 4  
In order to facilitate the implementation of DG, isn't it  
appropriate for the regulated electric utility to be an active  
participant in the DG market? If the answer is no, please explain  
why not.

RESPONSE: It is not appropriate for the regulated electric utility  
to be an active participant in the DG market because:

1. Regulated monopolies, such as HECO/HELCO/MECO, should not  
compete in markets that are not natural monopolies and the DG  
market is clearly not a natural monopoly.
2. The County of Maui ("COM") believes that Hawaii is best served  
by a fully competitive DG marketplace and that HECO/HELCO/MECO  
have dominant market shares in their respective service areas  
that will be difficult to overcome if they are allowed to  
compete.

3. HECO/HELCO/MECO would have an unfair competitive advantage over its competition because it has access to ratepayer funded resources (i.e., staff, customer information, and studies), whereas its competitors do not have the same access to ratepayer funded resources.
4. HECO/HELCO/MECO could stifle competition by unfairly manipulating the interconnection process, by establishing unreasonable standby and other fees, and by blacklisting competitors from utility projects.

**HECO/Maui-IR-2** Ref: Maui Preliminary Statement of Position, pg. 4  
If DG and CHP systems are beneficial in helping to meet the State's energy goals (e.g., increased energy efficiency and a reduction in the use of fossil fuels), then why would it not be reasonable for a regulated electric utility to be an active owner/operator in the DG/CHP market?

RESPONSE: It is not reasonable for a regulated electric utility to be an active owner in the DG/CHP market for the reasons listed above. Similarly, even though solar water heating systems and other DSM measures are beneficial in helping to meet the State and the COM's energy goals, the COM would not support HECO/HELCO/MECO from competing in the solar water heating and other DSM/consumer energy technology markets because of the utilities' dominant market power, access to ratepayer resources, and potential to stifle competition by unfairly manipulating the DSM incentive process and by blacklisting its competitors.

**HECO/Maui-IR-3** Ref: Maui Preliminary SOP, pages 1-2

Does Maui believe that the Commission has the appropriate authority to oversee the regulated electric utilities' involvement in DG/CHP projects? If the answer is no, please explain why not.

RESPONSE: The COM feels that it would be appropriate for the Commission to oversee the regulated electric utilities' involvement in facilitating the DG market, just as the Commission oversees the involvement of the regulated electric utilities' facilitation of the solar water heating market.

**HECO/Maui-IR-4** Ref: Maui Preliminary SOP, pages 1-2

**a.** Does Maui acknowledge that to date there has been only a limited number of DG/CHP projects implemented in the State of Hawaii?

RESPONSE: There has been a limited number of DG/CHP projects in Hawaii because of several reasons, including the fact that Hawaii's DG/CHP market is a nascent market, because HECO/HELCO/MECO initially discouraged consumers from adopting CHP, and because there are consumer concerns about standby charges and delays with interconnection agreements.

**b.** Does Maui acknowledge that the involvement of the regulated electric utility in the DG/CHP market should result in a larger potential market for DG/CHP installations?

RESPONSE: The COM acknowledges that a larger potential market for DG/CHP will result only if the regulated electric utilities facilitate the CHP market as they do for other consumer energy technologies, such as solar water heating, and only if the

regulated electric utilities are not allowed to compete.

**HECO/Maui-IR-5** Ref: Maui Preliminary SOP, page 1

Does Maui acknowledge that until the installation of DG/CHP systems increase and there is an adequate track record of these systems' performance, that it would be premature at this time to assert that DG/CHP can delay and/or replace T&D facilities?

RESPONSE: No, it is not premature to assert that DG can delay and/or replace T&D facilities. This assertion is acknowledged nationwide, perhaps worldwide, and MECO's dispersed generation assessment (prepared as an Action Plan Item from IRP-1) proves this to be the case. The COM encourages HECO/HELCO/MECO to release its dispersed generation studies and all other related DG studies, pursuant to the information requests to HECO/HELCO/MECO from Life of the Land (LOL-SOP-IR-59 and 82).

**HECO/Maui-IR-6** Ref: Maui Preliminary SOP, pages 1-2

Does Maui believe that it is prudent for the regulated electric utility to adopt a portfolio type approach to meeting the electric needs of its customers with a combination of DG/CHP resources, central station generation, renewables, demand-side management programs and conservation initiatives?

RESPONSE: Yes, and customer-owned DG systems should be included as DSM programs, as the COM has advocated to MECO since the inception of the IRP process in 1992.

**HECO/Maui-IR-7** Ref: Maui Preliminary SOP, page 3

What are Maui's specific recommended changes that should be made to electric rates and hookup charges to promote fair competition between electric utility service and DG services?

RESPONSE: The COM has hired Mr. Jim Lazar as an expert witness in this proceeding to develop recommendations for us relating to changes to the electric rates and hookup fees. If the COM approves of Mr. Lazar's recommendations, we will include his recommendations in the COM's direct testimonies. At this time, the COM has not received any recommendations from Mr. Lazar.

**HECO/Maui-IR-8** Ref: Maui Preliminary SOP, page 5

Why is the County's fiduciary responsibility different than other residential and commercial customers that seek to obtain the provision of reliable electric service at the lowest reasonable cost?

RESPONSE: The COM's fiduciary responsibility is different than residential and commercial customers in that the COM has a fiduciary responsibility to the public, whereas private customers are not statutorily required to serve the public interests.

**HECO/Maui-IR-9** Ref: Maui Preliminary SOP, page 1

Please explain in greater detail the positive impacts that DG/CHP will have on power quality and reliability.

RESPONSE: The referenced statement indicated that CHP systems "can be expected to...improve those consumers' system reliability and emergency energy capability." It is expected that onsite CHP systems and the power grid would backup each other, thereby

improving the consumers' power reliability. Additionally, onsite CHP systems would complement consumers' existing standby generators and improve consumers' emergency energy capacity and reliability.

**HECO/Maui-IR-10** Ref: Maui Preliminary SOP, page 4

What is the expected cost to install synchronizing interconnection equipment, telemetry, and computer monitoring and control equipment for a typical backup generator?

RESPONSE: Based upon phone conversations in 1998 with a company that supplies such equipment, Encorp, Inc., it would cost approximately \$200/kW, depending upon the amount and the sizes of the units being connected to the grid.

**HECO/Maui-IR-11** Ref: Maui Preliminary SOP, page 4

What permitting steps are required to allow the use of emergency backup generators in a "virtual" power plant?

RESPONSE: The main permitting step would be with the Department of Health relating to air permits.

**HECO/Maui-IR-12** Ref: Maui Preliminary SOP, page 4

a. What is the specific gaseous fuel proposed for replacing diesel? How does the price and availability compare?

RESPONSE: The COM is not proposing a specific type of gaseous fuel for replacing diesel fuel. The referenced statement was based upon a preliminary discussions with the State Department of Health in or about 1998. The Department of Health indicated that the use of clean fuels such as gaseous fuels, biodiesel, and other biofuels, could provide more operational flexibility, within the air permit for the standby generators of a "virtual" power plant, than would

be allowed if diesel fuel is used. No further information was offered by the Department of Health and they indicated that they would work with the COM to establish the operating parameters of a "virtual" power plant, on a case by case basis.

**b.** What are the technical problems associated with fuel switching (i.e., what modifications would be required to the backup generators)?

RESPONSE: The COM is not aware of any insurmountable technical problems associated with fuel switching. If biodiesel fuel were used instead of diesel fuel, little or no modification would be required, depending upon the age of the standby generators.

**HECO/Maui-IR-13** Ref: Maui Preliminary SOP, page 4

How do you propose that consumer generators could generate revenue?

RESPONSE: The COM has hired Mr. Jim Lazar as an expert witness in this proceeding to develop recommendations for us relating to this matter. If the COM approves of Mr. Lazar's recommendations, we will include his recommendations in the COM's direct testimonies. At this time, the COM has not received any recommendations from Mr. Lazar.

**HECO/Maui-IR-14** Ref: Maui Preliminary SOP, page 5

Who would make the determination when to allow or disallow county wheeling?

RESPONSE: The Public Utilities Commission.

**HECO/Maui-IR-15** Ref: Maui Preliminary SOP, page 4

a. What type of fuel does the County's backup generators currently use?

RESPONSE: The COM uses both biodiesel and diesel fuels.

b. If gaseous fuels, biodiesel, or other biofuels are not used by the County's backup generators, why would MECO be required to switch to those fuels?

RESPONSE: For clarification, the referenced statement used the word "could" and not "would". Secondly, it is the owners of the standby generators, not MECO, who "could" be required to switch to cleaner fuels to possibly enhance their operational flexibility. See, response IR-12a above.

**HECO/Maui-IR-16** Ref: Maui Preliminary SOP, page 4

Under what conditions, such as but not limited to the length of time per occurrence or number of occurrences per year, are the County or larger commercial backup generators allowed to run under?

RESPONSE: It is the COM's understanding from the Department of Health that the conditions under which a standby generator could operate in a "virtual" power plant scenario would need to be negotiated with the Department of Health on a case by case basis. No further information was offered by the Department of Health.

**HECO/Maui-IR-17** Ref: Maui Preliminary SOP, page 4

Can a backup generator be used to provide power to support MECO's grid if it is not owned by the utility?

RESPONSE: Yes. The COM currently provides power indirectly to MECO during periods of generation shortfalls by running our standby

generators and disconnecting from the grid, thereby freeing up generation capacity for MECO to give to other customers. In a "virtual" power plant scenario, the only significant differences would be that MECO would seamlessly dispatch our standby generators for us and the COM facility would remain interconnected with the grid. The net effect, however, would be the same.

**HECO/Maui-IR-18** Ref: Maui Preliminary SOP, page 4

- a. What is the means of communication for the Virtual Power Plant ("VPP") concept?
- b. In the event communication is severed, how will the various customer generators be engaged?
- c. Please provide a capacity value estimate of the VPP concept?
- d. How is the capacity value estimate derived?
- e. How do you account for the unavailability of the generators?

RESPONSE: The COM is proposing the concept of a "virtual" power plant at this time and a specific project with detailed information would be worked out cooperatively with MECO should this concept be endorsed by MECO and/or the Commission. Accordingly, the COM currently does not have the answers to the above questions.

**HECO/Maui-IR-19** Ref: Maui Preliminary SOP, page 3

Please provide the results of the County's research on rate designs and cost allocation mechanisms. If not currently available, please provide preliminary findings and a timeline for producing the final results of the research.

RESPONSE: The COM has hired Mr. Jim Lazar as an expert witness in

this proceeding to develop recommendations for us relating to changes to the electric rates and hookup fees. If the COM approves of Mr. Lazar's recommendations, we will include his recommendations in the COM's direct testimonies. This is our time frame. At this time, the COM has not received any recommendations from Mr. Lazar.

RESPONSES TO THE GAS COMPANY

**TGC/COM-SOP-IR-1**      Ref: CoM Preliminary Statement of Position  
Please explain if County of Maui intends its statements to apply to all forms and types of distributed generation installations, including those facilities that are not designed or used to deliver power to the electric utility grid, or if it believes that its position will differentiate between the forms and types of distributed generation.

RESPONSE: The COM intends to address all forms and types of distributed generation and we will differentiate between the various forms and types, where appropriate.

**TGC/COM-SOP-IR-2**      Ref: CoM Preliminary Statement of Position,  
Section 4 Developing a "Virtual" Utility Backup Power Plant

**a.**      Who does County of Maui believe should own these facilities?

RESPONSE: The COM believes that consumers should own their onsite standby generators and that the electric utility could own the balance-of-plant of the "virtual" power plant, vis-a-vis the interconnection equipment, telemetry, and computer monitoring and control equipment. However, the COM's position relating to the ownership of the balance-of-plant could evolve in this proceeding if the COM determines that non-utility companies are available and capable of providing such services.

**b.**      Does County of Maui believe that maintenance, operation and/or fueling of these facilities should be open to competition? Please explain.

RESPONSE: Yes, with the electric utility coordinating these functions if the owner of the standby generation prefers not to be responsible for the maintenance and fueling functions. Regarding the operation of the "virtual" power plant, the COM feel that the electric utility should be responsible for the dispatching function.

c. Please explain if County of Maui believes that these facilities would become regulated facilities, subject to Commission oversight.

RESPONSE: The standby generators would be privately owned and would not be regulated facilities, but the balance-of-plant facilities could be if they are owned by the electric utility.

**TGC/COM-SOP-IR-3** Ref: CoM Preliminary Statement of Position, p.4 "...fuel switching from diesel to gaseous fuels, biodiesel, or other biofuels could be required."

a. Please explain what is meant by "fuel switching."

RESPONSE: Fuel switching refers to the use of a different type of fuel to power an existing standby generator.

b. Please explain by what authority fuel switching could be required and what entity would be mandating the switching.

RESPONSE: The authority would be with the State Department of Health. The referenced statement was based upon a preliminary discussions with the State Department of Health in or about 1998. The Department of Health indicated that the use of clean fuels, such as gaseous fuels, biodiesel, and other biofuels, could provide more operational flexibility within the air permit for the standby

RESPONSE: Yes, with the electric utility coordinating these functions if the owner of the standby generation prefer not to be responsible for the maintenance and fueling functions. Regarding the operation of the "virtual" power plant, the COM feel that the electric utility should be responsible for the dispatching function.

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generators of a "virtual" power plant than if diesel fuel were used. No further information was offered by the Department of Health and they indicated that they would work with the COM to establish the operating parameters of a "virtual" power plant, on a case by case basis.

c. Please explain if County of Maui believes that the owner of the facility should be free to choose fuel type, provided all permitting and operating requirements are met.

RESPONSE: Yes.

**TGC/COM-SOP-IR-4** Ref: CoM Preliminary Statement of Position, p.5 "...eliminate negative impacts to the electric utility."

a. Please explain if County of Maui is aware of the potential cost impacts of forms of DG on gas utility customers and the gas utility.

RESPONSE: Inasmuch as the COM believes that DG facilities should not be owned by regulated electric utilities, the COM feels that there will be no cost impacts to the gas utility and its customers.

b. Please explain how County of Maui believes that the shifting of load between the gas utility and electric utility through distributed generation should be addressed.

RESPONSE: The COM believes that load shifting between the gas utility and the electric utility should be addressed by disallowing the electric utility from competing in the DG market. Only an unregulated affiliate of the electric utility should be allowed to compete in the DG market.

c. Please explain if the County of Maui believes that negative impacts to other utilities and utility customers also merit consideration.

RESPONSE: Yes.

RESPONSES TO LIFE OF THE LAND

**LOL-SOP-IR-48**

(a) How much money is exported from the Maui County each year to buy fossil fuels for electric power production?

(b) Utilizing economic multiplier analysis (direct and indirect monetary flows), what would the economic impact be of keeping that money within Maui County, by purchasing local renewable energy?

RESPONSE: The COM does not have information relating to the above questions.

**LOL-SOP-IR-49**

Maui has raised the issue of a Virtual Power Plant in several different venues. The term Virtual Power Plant has been used in several related ways to offset new centralized generation through a network of distributed generation as well as to decrease energy use through energy efficiency. In light of these various definitions of VPP (some of which are summarized below), is Maui glued to the Encorp approach?

RESPONSE: No, the COM used the Encorp approach only as an example.

**LOL-SOP-IR-50**

Does Maui County support wheeling?

RESPONSE: Yes, the COM is supporting wheeling for County government agencies.

RESPONSES TO HAWAII RENEWABLE ENERGY ALLIANCE

**HREA-COM-IR-1**

On page 3 (Section 3) of the COM's SOP, the COM discusses DG Due Diligence Reviews. Is the COM suggesting that these reviews be conducted as part of the utility's IRP? If not, why not?

RESPONSE: Yes, if transmission and distribution systems are addressed in the IRP process, which would be an ideal situation. Otherwise, the DG due diligence reviews should be conducted outside of the IRP process in the electric utilities' transmission and distribution planning processes.

**HREA-COM-IR-2**

As a follow-up to HREA-COM-IR-1, would the COM support the utility specification in IRP of areas and amounts of DG that would provide positive impacts to the utility system, e.g., to reduce line losses, off-set new T&D upgrades and defer generation?

RESPONSE: Yes.

**HREA-COM-IR-3**

As a follow-up to HREA-COM-IR-2 and to the COM's discussion of the utility's role as a market facilitator on page 4, would the COM support implementation of DG, including CHP, via a competitive bidding process with potential DG customers and ONLY non-utility energy service providers? Specifically, only an unregulated utility entity would be allowed to compete with other non-utility entities. If not, why not?

RESPONSE: Yes.

RESPONSES TO THE CONSUMER ADVOCATE

**CA-SOP-IR-85** Ref: County Preliminary SOP, page 1, issue 1, paragraph 1, lines 5 through 8

The County indicates that "the expected growth of the DG CHP market sector can significantly defer near term electric utility load growth in power generation and transmission/distribution capacity."

**a.** Please discuss the County's understanding of the expected growth of DG CHP. Please provide any studies or analyses that support the County's statement.

RESPONSE: The referenced statement was based upon the professional experiences of the COM Energy Coordinator, which includes over fifteen years of work studying Hawaii's energy markets as the COM Energy Coordinator. A report which supports the referenced statement is MECO's "Integrated Resource Plan 2000-2020; 2004 Evaluation Report," dated April 30, 2004. In section 3.2 of said report, MECO estimates that the CHP market on Maui is about 30 megawatts. Inasmuch as the Consumer Advocate received said report as a member of MECO's IRP Advisory Group, we are not including that report in this response.

**b.** To the extent not discussed in response to part a. above, please elaborate on how much power generation and transmission/distribution capacity might actually be deferred by DG CHP. Please provide any studies or analyses that support the County's statement.

RESPONSE: See part a. above. Also, we note that MECO's estimate of the DG CHP market is limited, but it does indicate the general magnitude of the DG CHP market for large commercial energy consumers.

**CA-SOP-IR-86** Ref: County Preliminary SOP, page 1, issue 1, paragraph 2, lines 1 through 3

**a.** Please explain the significance of the "next five years" and please identify the specific years that are being referred to.

RESPONSE: In this context, the "next five years" means near term.

**b.** Please elaborate on how a virtual backup power plant will be operated. To the extent that different scenarios may be applicable (e.g., different ownership, connection to utility's SCADA system, etc.) , please discuss each one.

RESPONSE: The COM is only proposing a concept for a "virtual" power plant in this proceeding and we will elaborate on the concept in our direct testimony. A detailed program would be developed in concert with MECO if MECO and/or the Commission find that this concept has merit.

**c.** Please provide the names of the energy consumers and provide pertinent data related to their respective backup power plants including generating types and capacities that would comprise this virtual backup system.

RESPONSE: See response to item b. above.

**CA-SOP-IR-87** Ref: County Preliminary SOP, page 4, issue 4, paragraph 1, lines 15 through 17.

If available, please provide additional information and statistics about this technology that has been implemented on Maui beyond the commercial information made available on Encorp's website.

RESPONSE: As noted in our response to LOL-SOP-IR-49 above, the COM used the Encorp approach only as an example. Additional information about the concept of a "virtual" power plant can be found in the citations listed by Life of the Land in their information request LOL-SOP-IR-49.

**CA-SOP-IR-88** Ref: County Preliminary SOP, pages 5 - 6, issue 5. The County asserts that county-specific wheeling tariffs are justified.

**a.** Please provide a sample wheeling tariff that would accomplish what the County proposes.

RESPONSE: A conceptual tariff will be prepared and included in our direct testimonies.

**b.** If not evident in the proposed tariff language, please discuss what differentiates the ability to control benefits for a county-specific tariff and a wheeling tariff for any customer able and willing to implement a DG unit.

RESPONSE: The COM is not proposing a wheeling tariff for non-county government customers, therefore, there is no differentiation to discuss.

DATED: Wailuku, Maui, Hawaii, JUN 15 2004.

BRIAN T. MOTO  
Corporation Counsel  
Attorney for Intervenor  
COUNTY OF MAUI

By Cindy Y. Young  
CINDY Y. YOUNG  
Deputy Corporation Counsel



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DATED: Wailuku, Maui, Hawaii, JUN 15 2004.

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Corporation Counsel  
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COUNTY OF MAUI

By Cindy Y. Young  
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Deputy Corporation Counsel