

LINDA LINGLE
GOVERNOR



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COMMISSIONER

STATE OF HAWAII
PUBLIC UTILITIES COMMISSION
DEPARTMENT OF BUDGET AND FINANCE

465 S. KING STREET, #103
HONOLULU, HAWAII 96813

December 16, 2004

To Parties and Participants:

Re: Docket No. 03-0372 – In the Matter of Public Utilities Commission Instituting a Proceeding to Investigate Competitive Bidding for New Generating Capacity In Hawaii.

The Commission intends to implement in this docket a hearing format that is substantially similar to the hearing format recently implemented at the hearings held on December 8-10, 2004 in Docket No. 03-0371 relating to Distributed Generation.¹ We recognize that because many of the Parties and Participants in this docket were also Parties and Participants that experienced this hearing format in Docket No. 03-0371, there may be proposals to further amend Prehearing Order No. 20923, filed on April 23, 2004, in this docket, particularly the Stipulated Regulatory Schedule designated as Exhibit A.

Accordingly, the Commission is affording the Parties and Participants in this docket the opportunity to submit proposals, jointly or independently, to amend Prehearing Order No. 20923 for the Commission's review and approval. In light of the written direct testimonies, exhibits, workpapers and preliminary position statement deadline of January 12, 2004 set forth in Prehearing Order No. 20923, any and all proposals must be received by the Commission no later than **January 5, 2004**. If we do not hear from any of the Parties and Participants in this docket by that date, we will assume that the Parties and Participants do not seek to further amend Prehearing Order No. 20923 due to the hearing format announced today.

Should you have any questions, please do not hesitate to contact the undersigned at (808) 586-2019.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin M. Katsura".

for Kevin M. Katsura
Commission Counsel

KN:KK:eh

Enclosure

c: See attached list of Parties and Participants

¹See enclosed Order No. 21489, filed on December 1, 2004, in Docket No. 03-0371.

PARTIES AND PARTICIPANTS

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Parties and Participants
December 16, 2004
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BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

-----In the Matter of-----)
)
PUBLIC UTILITIES COMMISSION)
)
Instituting a Proceeding to)
Investigate Distributed Generation)
in Hawaii.)
_____)

DOCKET NO. 03-0371

ORDER NO. 21489

Filed Dec. 1, 2004
At 1:30 o'clock P.M.

Karen Higash
Chief Clerk of the Commission

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)	Order No. 21489
Investigate Distributed Generation)	
In Hawaii.)	
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PREHEARING CONFERENCE ORDER

I.

Introduction

On November 29, 2004, a prehearing conference was held at the commission, in accordance with Hawaii Administrative Rules (HAR) § 6-61-36. An evidentiary hearing is scheduled for December 8, 9, and 10, 2004. This prehearing conference order is entered pursuant to HAR § 6-61-37.

II.

Hearing Format

The hearing is scheduled for three (3) days, December 8, 9, and 10, 2004. It will be conducted in a panel format, such that the commission will establish panels of witnesses based generally on the questions originally asked by the commission in Prehearing Order No. 20922, filed on April 23, 2004. Each panel will consist of the witnesses assigned by each party or participant to sit on that panel as panel members. A party or participant may have multiple witnesses for each

panel. To initiate each panel, a moderator as designated by the commission, will give a short overview of the panel's topics. Each panel's discussion then will be divided into two (2) parts.

The first part will consist of the commission's questions to the panel members. These questions will have been prepared by the commission staff in advance, and will be asked by the moderator. Follow-up questions may be asked by either the staff or commissioners, if deemed necessary. There will be questions asked of all panel members and questions directed to particular panel members.

In the second part, lawyers or representatives for each party or participant may cross-examine one or more panel members. Thereafter, if there is time remaining, the commission may have more questions, or individual panel members may ask each other questions, subject to the presiding officer's discretion.

On December 10, 2004, the last day of the hearings, when all the panels are complete, each party or participant will have the opportunity to present closing comments of approximately ten (10) minutes each. The commission will hear closing comments, but will not hear opening comments, as opening comments will likely repeat the submissions made by the parties and participants. The person offering the closing comments can be either the lawyer, witness or authorized representative of each party and participant.

Parties and participants may include additional comments in post-hearing written submissions. The deadlines for these post-hearing written submissions are set forth in the

schedule for post-hearing briefs provided in Prehearing Order No. 20922.

III.

Orders

THE COMMISSION ORDERS:

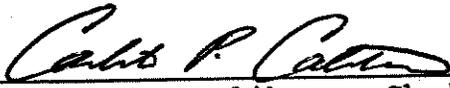
1. The hearing format is modified to a panel format, as described above.
2. Prehearing Order No. 20922, Attachment 1, page 16, Section VIII, is amended by deleting paragraph 2, and as may be required to be consistent with the modified format, as described above.
3. The parties and participants shall notify commission counsel, Kevin M. Katsura, on which witnesses will be assigned for each panel by December 1, 2004.
4. The parties and participants shall meet informally to agree to an order of cross-examination. The parties and participants shall notify commission counsel, Kevin M. Katsura, on the agreed order of cross-examination by December 1, 2004. If the parties and participants are unable to reach an agreement, the commission will determine the order of cross-examination.
5. The commission will distribute to the parties and participants an agenda for the hearings by December 3, 2004, and the parties and participants shall submit any request for changes by December 6, 2004.

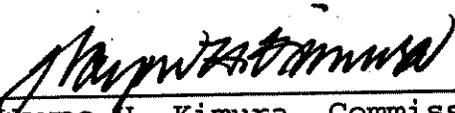
6. The hearings will begin at 8:30 a.m. each day. In all other respects, the Notice of Evidentiary Hearing, issued on September 17, 2004, remains unchanged.

7. This prehearing conference order shall control the subsequent course of the hearings, unless modified by the commission during the hearings to prevent manifest injustice. This prehearing conference order shall supersede Prehearing Order No. 20922 where there is a conflict and shall supplement it in all other respects.

DONE at Honolulu, Hawaii DEC 1 2004.

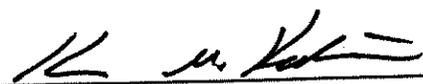
PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
Wayne H. Kimura, Commissioner

By 
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:


Kevin M. Katsura
Commission Counsel
03-0371.ah

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 21489 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

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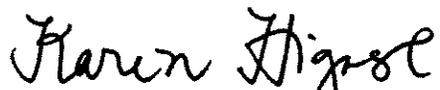
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Certificate of Service
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Karen Higashi

DATED: DEC 1 2004