

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Application of) PUC Docket 03-0417
HAWAIIAN ELECTRIC)
for approval to commit funds in)
excess of \$500,000 for Item Y48500,)
East Oahu Transmission Project.)

LIFE OF THE LAND'S

REPLY BRIEF

&

CERTIFICATE OF SERVICE

HENRY Q CURTIS
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PUBLIC UTILITIES
COMMISSION

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FILED

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Aloha Commissioners,

Stone & Webster (1984) published its report on HECO's 1983 island-wide outage. Stone & Webster recommendations included live line maintenance.

The Public Utilities Commission ("Commission") opened docket 6281 to investigate the island-wide blackout of 1988 and expanded it to include the island-wide outage of 1991.

Power Technology Inc ("PTI") was hired to investigate the 1991 outage. PTI released its report in 1993. PTI asserted that HECO's failure to adopt live line maintenance was "a direct contributing factor in the April 1991 blackout." PTI provided an extensive appendix on live line maintenance, an appendix that is overlooked by HECO.

"HECO challenged PTI's findings and recommendations on several issues associated with the April 9, 1991 outage investigation." (Stewart. HECO T-5, page 30, lines 3-5).

The commission supported the PTI recommendations: "THE COMMISSION ORDERS: 1. PTI's report on the investigation of the 1991 Oahu Island-Wide Outage, including its findings, conclusions, and recommendations, is accepted and approved." (PUC D&O 17099. July 30, 1999. Docket 6281)

"HECO reports that PTI's last priority recommendation, regarding live-line work, is 60 per cent completed as of January 21, 1999. Three additional field personnel have been added to the live-line section. (PUC D&O 17099. July 30, 1999)

"HECO should increase the number of authorized lineman personnel in the live-line section from 15 to 20, and initiate training to bring the live-line section to full strength as soon as possible." (PUC D&O 17099. July 30, 1999)

"HECO has made little demonstrable progress in implementing live-line maintenance procedures and now appears poised to abandon the concept altogether." (McConnell Report, Findings of Fact, Conclusions of Law, Decision and Order (2001). Fact 278. Source: Ex. M-44 (PUC D&O No. 17099), p. 9)

"Q. Does HECO currently perform work on energized 138 kV lines? No."
(Stewart HECO T-5, page 25, lines 1-2)

In Docket 03-0417 (EOTP), neither HECO nor HECO's witnesses mentioned either docket 6281 nor commission ruling 17099. HECO's hired gun has no experience in live line work, and merely reported what other team members asserted. The team did not mention 6281 or 17099.

It should take more than silence to overturn a commission decision. The commission's active ruling asserts that live line maintenance can and should be employed. But for HECO, live line maintenance runs counter to the need for this line.

The focus in this docket should be on strengthening the local distributed power base. Currently East Oahu has sufficient back-up generation to handle 20% of the peak load, and all but 2-3 MW of critical load. Those facilities needing greater reliability should install such systems.

The consumer advocate may do a lot of things, but is required to do a few. The few includes only one specific reference: renewable energy. "The director of commerce and consumer affairs **SHALL** be the consumer advocate in hearings before the public utilities commission. The consumer advocate **SHALL** represent, protect, and advance the interests of all consumers, including small businesses, of utility services." (HRS §269-51 **Consumer advocate**) "The consumer advocate **SHALL** consider the long-term benefits of renewable resources in the consumer advocate's role as consumer advocate." (HRS §269-54(c) **General powers; duties**)

The consumer advocate looked only at transmission and subtransmission alternatives, because that is all HECO looked at. But HECO is responsible for maximizing shareholder return, while the consumer advocate is charged with representing the consumer. Since the consumer advocate abdicated on its responsibilities, and their consultant only reviewed HECO documents, their filings should be given minimal weight.

Certificate of Service

I hereby certify that I have this date served a copy of the foregoing Information Requests by Life of the Land, Docket Number 03-417, upon the following parties. The original and 8 copies to the PUC. Two copies to the Consumer Advocate. Three copies to HECO. In addition, electronic copies have been sent to all parties.

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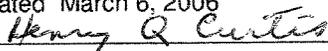
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Dated March 6, 2006



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