BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of HAWAIIAN ELECTRIC COMPANY, INC. For Approval and/or Modification of Demand-Side and Load Management Programs and Recovery of Program Costs and DSM Utility Incentives.	)	DOCKET NO. 05-0069

ORDER NO. 22251

Filed Jan. 31, 2006

At 10:40 o'clock A.M.

Karen Higashi

Chief Clerk of the Commission

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of HAWAIIAN ELECTRIC COMPANY, INC. For Approval and/or Modification of Demand-Side and Load Management Programs and Recovery of Program Costs and DSM Utility Incentives.	)	Docket No. 05-0069 Order No. 22251

ORDER

By this Order, the commission approves the proposed prehearing order filed by HAWAIIAN ELECTRIC COMPANY, INC. ("HECO") on October 7, 2005.

I.

Introduction

By Order No. 21698, filed on March 16, 2005, in Docket Nos. 04-0113 and 05-0069, the commission: (1) separated HECO's requests for approval and/or modification of demand-side and load management programs and recovery of program costs and demand-side management ("DSM") utility incentives (collectively referred to as the "Proposed DSM Programs") from Docket No. 04-0113 (the "Rate Case Docket"), and opened the instant docket (the "Energy Efficiency Docket") in which to consider these matters; and (2) determined the parties and participants for the Rate Case Docket and the newly formed

Energy Efficiency Docket to address and examine the Proposed DSM Programs.[1]

Order 21698 also required the Parties and Participants to meet informally to determine the issues, procedures, and schedule with respect to this docket, to be set forth in a stipulated prehearing order. If the Parties and Participants were unable to agree to such a stipulated prehearing order, each Party or Participant was directed to submit its own proposed hearing order for the commission's consideration.

On October 7, 2005, HECO, HELCO, MECO, and KIUC filed a proposed prehearing order ("HECO's Proposed Order"). That same day, the remaining Parties and Participants (including KIUC) submitted a proposed prehearing order ("Other Parties' Proposed

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[1]By Order No. 21698, the commission granted the respective motions to intervene of Life of the Land ("LoL") and the Rocky Mountain Institute ("RMI") and the motion to participate of County of Maui ("CoM") in this proceeding.

Pursuant to Hawaii Revised Statutes § 269-51 and Hawaii Administrative Rules ("HAR") § 6-61-62, the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate") is an ex officio party to this proceeding.

By Order No. 21749, filed on April 14, 2005, the commission granted the respective motions to intervene of the Department of the Navy, on behalf of the Department of Defense ("DoD"), Hawaii Solar Energy Association ("HSEA"), and Hawaii Renewable Energy Alliance ("HREA").

By Order No. 21861, filed on June 7, 2005, the commission sua sponte named Hawaii Electric Light Company, Inc. ("HELCO"), Maui Electric Company, Ltd. ("MECO"), Kauai Island Utility Cooperative ("KIUC"), and The Gas Company ("TGC") as parties to the docket, limiting their participation to the issues dealing with statewide energy policies.

The commission sua sponte named the County of Kauai ("CoK") a participant in this proceeding, by Order No. 22029, filed on September 14, 2005, limiting its participation to issues related to statewide energy policies.

HECO, the Consumer Advocate, LoL, RMI, DoD, HSEA, HREA, HELCO, MECO, KIUC, and TGC are collectively referred to as the "Parties." CoM and CoK are referred to as the "Participants."

Order") containing procedures and a schedule of proceedings identical to HECO's Proposed Order. As the letters transmitting HECO's Proposed Order and the Other Parties' Proposed Order noted, the difference in the two proposals focus on whether the Residential Customer Energy Awareness ("RCEA") program, a conservation informational advertising program, should be considered in this proceeding.

II.

Discussion

HECO contends that since Order No. 21698 included a specific reference to the RCEA program in the issue listing for this proceeding,[2] that the issues adopted by the Parties and Participants for this docket should similarly include consideration of the RCEA program. In addition, HECO points to the following verbiage included in Decision and Order No. 21756, issued on April 20, 2005, in Docket No. 03-0142 as inviting consideration of the RCEA program in this docket: "[a]n educational program, such as the RCEA Pilot Program may be better suited as one component of a portfolio of DSM measures, which may be considered in other proceedings before the commission, if HECO so chooses." Decision and Order No. 21756 at 10-11.

The Consumer Advocate argues in the letter transmitting the Other Parties' Proposed Order that the RCEA program should

[2]Issue number 2 established in Order No. 21698 questions "[w]hether the seven DSM programs, the RCEA program and/or other energy efficiency programs will achieve the established energy efficiency goals and whether the programs will be implemented in a cost-effective manner." Order No. 21698 at 12.

not be considered in this proceeding because the commission, in Decision and Order No. 21756, denied without prejudice HECO's request to implement the RCEA pilot program. It further contends that since HECO attempted to include an informational advertising program in its rate case, Docket No. 04-0113, that it should not be allowed a third opportunity for consideration of such a program.

While the commission understands the Consumer Advocate's expressed and the remaining parties' implied impatience with HECO's repeated offers to have an informational advertising program considered, the commission nonetheless believes that such a program should be reviewed as a complement to other DSM programs.[3] Upon review of both proposals, the commission finds the procedure, schedule of proceedings, and HECO's list of issues for this proceeding to be reasonable. Accordingly, the commission concludes that HECO's Proposed Order should be approved.[4]

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[3]The commission's inclusion of the RCEA program in this proceeding should not be interpreted by the Parties or Participants to mean that such a program should be developed and utilized by the utilities, but that such a program should be reviewed in this instance.

[4]As noted in Order No. 21698, the commission is working with the United States Environmental Protection Agency ("EPA") and its consultants on this docket. The commission may seek to amend the procedural schedule if necessary to accommodate the EPA's and its consultants' schedule.

III.

Order

THE COMMISSION ORDERS that HECO's Proposed Order, filed on October 7, 2005 and attached to this Order as Exhibit A, is approved.

DONE at Honolulu, Hawaii JAN 3 1 2006.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By _____
Carlito P. Caliboso, Chairman

By _____(EXCUSED)_____
Wayne H. Kimura, Commissioner

By _____
Janet E. Kawelo, Commissioner

APPROVED AS TO FORM:

_____
Catherine P. Awakuni
Commission Counsel

05-0069.EH

Attachment I

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of	)	
	)	
HAWAIIAN ELECTRIC COMPANY, INC.	)	Docket No. 05-0069
	)	
For Approval and/or Modification of	)	
Demand-Side and Load Management	)	
Programs and Recovery of Program	)	
Costs and DSM Utility Incentives	)	
	)	
	)	
	)	

STIPULATED PREHEARING ORDER NO. _____

Filed _____, 2005

At _____ o'clock _____.M.

_____

Chief Clerk of the Commission

EXHIBIT A

Attachment I

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of	)	
	)	
HAWAIIAN ELECTRIC COMPANY, INC.	)	Docket No. 05-0069
	)	
For Approval and/or Modification of Demand-Side and Load Management Programs and Recovery of Program Costs and DSM Utility Incentives.	)	

STIPULATED PREHEARING ORDER

Hawaiian Electric Company, Inc. ("HECO"), Hawaii Electric Light Company, Inc. ("HELCO"), Maui Electric Company, Limited ("MECO"), the Division of Consumer Advocacy of the Department of Commerce and Consumer Affairs (the "Consumer Advocate"), Kauai Island Utility Cooperative ("KIUC"), the Department of the Navy, on behalf of the Department of Defense ("DOD"), Rocky Mountain Institute ("RMI"), Hawaii Solar Energy Association ("HSEA"), Hawaii Renewable Energy Alliance ("HREA"), Life of the Land ("LOL"), The Gas Company, LLC ("TGC"), the County of Kauai ("COK") and the County of Maui ("COM") hereby stipulate that the attached Stipulated Prehearing Order is mutually acceptable to each respective party/participant.

DATED: Honolulu, Hawaii, October 7, 2005.

WILLIAM A. BONNET
Vice President
Hawaiian Electric Company, Inc.
Hawaii Electric Light Company, Inc.
Maui Electric Company, Limited

JOHN E. COLE
Executive Director
Division of Consumer Advocacy
Department of Commerce and Consumer Affairs

KENT D. MORIHARA
Attorney for
Kauai Island Utility Cooperative

RANDALL Y. K. YOUNG
Attorney for
Department of Defense

E. KYLE DATTA
Managing Director
Rocky Mountain Institute

RICHARD R. REED
President
Hawaii Solar Energy Association

WARREN S. BOLLMEIER II
President
Hawaii Renewable Energy Alliance

HENRY Q CURTIS
Vice President
Life of the Land

GEORGE T. AOKI
Attorney for
The Gas Company, LLC

BRIAN T. MOTO
Attorney for
County of Maui

LANI D. H. NAKAZAWA
Attorney for
County of Kauai

DATED: Honolulu, Hawaii, _____.

WILLIAM A. BONNET
Vice President
Hawaiian Electric Company, Inc.
Hawaii Electric Light Company, Inc.
Maui Electric Company, Limited

JOHN E. COLE
Executive Director
Division of Consumer Advocacy
Department of Commerce and Consumer Affairs

KENT D. MORIHARA
Attorney for
Kauai Island Utility Cooperative

RANDALL Y. K. YOUNG
Attorney for
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E. KYLE DATTA
Managing Director
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RICHARD R. REED
President
Hawaii Solar Energy Association

WARREN S. BOLLMEIER II
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Hawaii Renewable Energy Alliance

HENRY Q CURTIS
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GEORGE T. AOKI
Attorney for
The Gas Company, LLC

BRIAN T. MOTO
Attorney for
County of Maui

LANI D. H. NAKAZAWA
Attorney for
County of Kauai

Attachment I

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Application of	)	
	)	
HAWAIIAN ELECTRIC COMPANY, INC.	)	Docket No. 05-0069
	)	
For Approval and/or Modification of Demand-Side and Load Management Programs and Recovery of Program Costs and DSM Utility Incentives.	)	

STIPULATED PREHEARING ORDER

By Order No. 21698, filed March 16, 2005, the Commission opened the subject Energy Efficiency Docket, separating Hawaiian Electric Company, Inc.'s ("HECO") requests for approval and/or modification of it energy efficiency and load management demand-side management ("DSM") programs and recovery of such program costs and DSM utility incentives from HECO's 2005 test year rate case, Docket No. 04-0113. Order No. 21698 also granted, among other things, the Motions to Intervene for the Department of the Navy, on behalf of the Department of Defense ("DOD"), Rocky Mountain Institute ("RMI"), and Life of the Land ("LOL") in the Energy Efficiency Docket, and also granted the County of Maui's ("COM") Motion to Participate.

By Order No. 21749, filed April 14, 2005, the Commission granted the Motions to Intervene for the Hawaii Solar Energy Association ("HSEA") and Hawaii Renewable

Energy Alliance ("HREA") in the Energy Efficiency Docket.

By Order No. 21861, filed June 7, 2005, the Commission made Hawaii Electric Light Company, Inc. ("HELCO"), Maui Electric Company, Limited ("MECO"), Kauai Island Utility Cooperative ("KIUC") and The Gas Company, LLC ("TGC") parties to the Energy Efficiency Docket, but limited their participation solely to the issues dealing with statewide energy policies.

By Order No. 21957, filed August 3, 2005, the Commission dismissed as untimely the Motion to Participate or Intervene for the County of Kauai ("COK"), and the Motion to Intervene for Honolulu Seawater Air Conditioning, LLC. in the Energy Efficiency Docket. On September 14, 2005, the Commission issued Order No. 22029 which denied COK's motion for reconsideration of Order No. 21957 but made COK a participant in this proceeding, provided that its participation is limited to issues of statewide energy policies, and does not broaden the issues or delay the proceeding.

The parties/participants have reached agreement on procedural matters and submit this Stipulated Prehearing Order to the Commission, which is acceptable to the parties/participants.

ACCORDINGLY, IT IS ORDERED that the following Statement of Issues, Schedule of Proceedings and procedures shall be utilized in this docket.

I.

In its Application, filed November 12, 2004 in Docket No. 04-0113 (the "Rate Case Docket"), HECO requested the approvals necessary (1) to implement seven new

energy efficiency demand-side management ("DSM") programs; (2) to recover the program costs for the seven energy efficiency DSM programs, a Residential Customer Energy Awareness Pilot ("RCEA") Program[1], and two load management DSM programs through base rates; (3) to implement and recover the costs of a proposed DSM utility incentive (given discontinuance of the current lost margin recovery and shareholder incentive mechanisms pursuant to the prior DSM stipulations) through base rates; and (4) to reconcile DSM customer incentives and the DSM utility incentive through a proposed DSM Reconciliation Clause.

The new energy efficiency DSM programs that HECO proposed in the Rate Case Docket included: (1) Commercial and Industrial Energy Efficiency ("CIEE") Program; (2) Commercial and Industrial New Construction ("CINC") Program; (3) Commercial and Industrial Customized Rebate ("CICR") Program; (4) Residential Efficient Water Heating ("REWH") Program; (5) Residential New Construction ("RNC") Program; (6) Residential Low Income ("RLI") Program; and (7) Energy$Solutions for the Home ("ESH") Program.

HECO also proposed to modify the cost recovery mechanism for its two approved load management DSM programs including (1) the Residential Direct Load Control

[1] At the time HECO filed its application in the Rate Case Docket, as well as the time the Commission filed Order No. 21698 opening the instant docket, a decision and order had not been filed in the RCEA Program proceeding, Docket No. 03-0142. Subsequently, on April 20, 2005, the Commission filed Decision and Order No. 21756 ("D&O 21756") denying HECO's request to implement the RCEA Program, without prejudice. D&O 21756 stated that "...An educational program, such as the RCEA Pilot Program may be better suited as one component of a portfolio of DSM measures, which may be considered in other proceedings before the commission, if HECO so chooses" (at 10).

("RDLC") Program approved in Docket No. 03-0166 and (2) the Commercial and Industrial Direct Load Control ("CIDLC") Program approved in Docket No. 03-0415 (so that program costs would be recovered entirely through base rates).

By Order No. 21698 ("Order No. 21698"), filed on March 16, 2005, in Docket Nos. 04-0113 and 05-0069, the Commission: (1) separated HECO's requests for approval and/or modification of demand-side and load management programs and recovery of program costs and DSM utility incentives (collectively referred to as the "Proposed DSM Programs") from the Rate Case Docket, and opened the instant docket (the "Energy Efficiency Docket") in which to consider these matters, among other things, and (2) determined the parties and participants for the Rate Case Docket and the newly formed Energy Efficiency Docket to address and examine the Proposed DSM Programs.

The issues in this docket are comprised of two categories, namely 1) issues dealing with statewide energy policy, and 2) issues dealing with HECO's Proposed DSM Programs.

Statewide Energy Policy Issues:

(1) Whether energy efficiency goals should be established and if so, what the goals should be for the State;

(2) What market structure(s) is the most appropriate for providing these or other DSM programs (e.g., utility-only, utility in competition with non-utility providers, non-utility providers);[2]

[2] Life of the Land believes that the sentence should say " What market entities and/or market structures are the most appropriate ..."

(3) For utility-incurred costs, what cost recovery mechanism(s) is appropriate (e.g., base rates, fuel clause, IRP Clause);

(4) For utility-incurred costs, what types of costs are appropriate for recovery;

(5) Whether DSM incentive mechanisms are appropriate to encourage the implementation of DSM programs, and, if so, what is the appropriate mechanism(s) for such DSM incentives;

HECO's Proposed DSM Programs Issues:

(6) Whether the seven (7) Proposed DSM Programs (i.e., the CIEE, CINC, CICR, REWH, RNC, RLI, and ESH programs), the RCEA program, and/or other energy efficiency programs will achieve the established energy efficiency goals and whether the programs will be implemented in a cost-effective manner;[3]

(7) If utility-incurred costs for the programs in issue 6 are to be included in base rates, what cost level is appropriate, and what the transition mechanism for cost recovery will be until the respective utility's next general rate case;

(8) Whether HECO's proposed DSM utility incentive is reasonable, and should be approved, approved with modifications, or rejected;

(9) Which of the Proposed DSM Programs, the RCEA Program, and/or other energy efficiency programs should be approved, approved with modifications, or rejected.

SCHEDULE OF PROCEEDINGS

HECO Informal Submission of Interim DSM Proposals to Parties/Participants[4]	October 11, 2005

[3] See footnote 1. HECO has pursued cost recovery for its enhanced energy conservation and efficiency informational advertising efforts in Docket No. 04-0113. The Commission's decision on this matter may influence whether and to what extent HECO pursues approval and cost recovery of an RCEA program or any other energy conservation and efficiency informational advertising program in this proceeding.

[4] HECO will informally provide to the parties/participants its Interim DSM Proposals by October 11, 2005. The parties/participants may provide to HECO by November 18, 2005 informal comments on its Interim DSM Proposals. HECO's Interim DSM Proposals will be its proposed DSM initiatives pending the resolution of the Energy Efficiency Docket, such as modifications to its existing energy efficiency programs (e.g., changes in customer incentive levels and program budgets, modifications to customer

Technical Consultant Meeting[5]	November 2, 2005
Parties/Participants' Informal Comments on HECO's Interim DSM Proposals	November 18, 2005
HECO's Interim DSM Proposals filed with the Commission for interim approval	December 5, 2005
Parties/Participants' Responses to HECO's Interim DSM Proposals filed with the Commission	January 10, 2006
HECO's Reply to the Parties/Participants' Responses on HECO's Interim DSM Proposals filed with the Commission	January 31, 2006
Commission decision on HECO's Interim DSM Proposals	To be determined by the Commission
Parties/Participants Informally Exchange Preliminary Statements of Position[6]	February 15, 2006
Settlement Discussions Meeting[7]	Week of March 27, 2006

payback period) and/or new DSM programs (e.g., CFLs for the residential sector). For the Interim DSM Proposals, HECO will request Commission approval for their implementation on an interim basis until a final decision and order is rendered by the Commission in the subject proceeding. The Interim DSM Proposals are being proposed at this time to help HECO address its reserve capacity margins shortfall situation.

[5] The intent of the Technical Consultant Meeting is to informally discuss issues such as statewide energy policy, HECO's Interim DSM Proposals, DSM program design and incentive mechanisms, and recent developments in DSM program regulation and implementation.

[6] By February 15, 2006, the parties/participants will provide informally to the other parties their respective preliminary statement of position ("SOP"). From February 16, 2006 through March 31, 2006, the parties/participants plan to engage in informal discussions in which information can be exchanged informally between the parties/participants so that their preliminary positions on the issues can be understood. During this timeframe the parties/participants will also attempt to reach agreement/partial agreement on the issues for Commission review and approval.

[7] The parties/participants will informally meet to discuss the statewide energy policy issues and the issues related to HECO's Proposed DSM Programs to attempt to reach agreement/partial agreement on the issues for Commission review and approval, which would limit the issues needed to be addressed in the parties/participants' Final SOP. The date for the meeting will be determined by the parties/participants.

Simultaneous Final SOP[8] by the parties/participants filed with the Commission	April 13, 2006
Information Requests on Final SOPs filed with the Commission	May 5, 2006
Responses to Information Requests on Final SOPs filed with the Commission	May 26, 2006
Prehearing Conference	June 20, 2006
Panel Hearings	Week of June 26, 2006
Simultaneous Post-Hearing Opening Briefs filed with the Commission	4 weeks after transcripts
Simultaneous Post-Hearing Reply Briefs filed with the Commission	3 weeks after Opening Briefs

II.

MISCELLANEOUS MATTERS TO FACILITATE AND EXPEDITE THE ORDERLY CONDUCT OF THESE PROCEEDINGS

A. Requests for Information

A party/participant to this proceeding may submit information requests to another party/participant within the time schedule specified in this Stipulated Prehearing Order. To the extent practical, the parties/participants will cooperate by resolving questions regarding information requests and responses informally to attempt to work out problems

[8] The SOP is designated "Final" because the preliminary SOP is being provided informally to the parties/participants and is not being filed with the Commission.

with respect to understanding the scope or meaning of information requests, or with respect to the availability of information. If a party/participant is unable to provide the information requested within the prescribed time period, it should so indicate to the inquiring party/participant as soon as possible. The parties/participants shall then endeavor to agree upon a later date for submission of the requested information. If the parties/participants are unable to agree, the responding party/participant may seek approval for the late submission from the Commission upon a showing of good cause. It is then within the Commission's discretion to approve or disapprove such late filings and take any additional action that may be appropriate, such as extending the date for the inquiring party/participant to act.

In lieu of responses to information requests that would require the reproduction of voluminous documents or materials, the documents or materials may be made available for reasonable inspection and copying at a mutually agreeable designated location and time. In the event such information is available on computer diskette or other readily usable electronic medium, the party/participant responding to the information request may make the diskette or such electronic medium available to the other party/participant and the Commission. Subject to objections that may be raised and to the extent practicable, the electronic files for spreadsheets will contain all formulae intact, and will not be entirely converted to values prior to submission.

A party/participant shall not be required, in a response to an information request, to provide data that are already on file with the Commission or otherwise part of the

public record, or that may be stipulated to pursuant to Part B, infra. The responding party/participant shall, in lieu of production of a document in the public record, include in its response to the information request an identification of the document with reasonable specificity sufficient to enable the requesting party/participant to locate and copy the document. In addition, a party/participant shall not be required, in a response to an information request, to make computations, compute ratios, reclassify, trend, calculate, or otherwise rework data contained in its files or records.

A party/participant may object to responding to an information request that it deems to be irrelevant, immaterial, unduly burdensome, onerous or repetitious, or where the response contains information claimed to be privileged or subject to protection (confidential information). If a party/participant claims that information requested is confidential, and withholds production of all or a portion of such confidential information, the party/participant shall: (1) provide information reasonably sufficient to identify the confidential information withheld from the response, without disclosing privileged or protected information; (2) state the basis for withholding the confidential information (including, but not limited to, the specific privilege applicable or protection claimed for the confidential information and the specific harm that would befall the party/participant if the information were disclosed); and (3) state whether the party/participant is willing to provide the confidential information pursuant to a protective order governing this docket.

A party/participant seeking production of documents notwithstanding a party/participant's claim of confidentiality, may file a motion to compel production with the Commission.

The responses of each party/participant to information requests shall adhere to a uniform system of numbering agreed upon by the parties/participants. For example, the first information request submitted by the Consumer Advocate in this docket shall be referred to and designated as "CA-SOP-IR-1", and a response to this information request shall be referred to and designated as "Response to CA-SOP-IR-1".

Each response shall be provided on a separate page and shall recite the entire question asked and set forth the response and/or reference to the attached responsive document, indicating the name of the respondent for each response.

The parties/participants anticipate that it will be necessary to refer to certain information obtained through the informal IR process in their Final SOPs and/or their Responses to HECO's Interim Proposals. Therefore, the parties/participants agree that the informal IR responses upon which any party/participant has relied in its Response to HECO's Interim Proposals or Final SOP will be documented and filed with the Commission (either as an attachment to such Response or Final SOP, or in a separate filing), and the parties/participants will cooperate in designating and documenting the informal IR responses to be filed with the Commission, and in filing the designated responses on a timely basis with the Commission. These informal IR responses filed with the Commission shall be deemed to be part of the record in this docket.

B. Matters of Public Record

In order to provide a means to reduce unnecessary reproduction of documents and to facilitate these proceedings, identified matters of public record, such as reports that a party/participant has filed with the Commission, published decisions of this or other Commissions, published scientific or economic statistical data, material and textbooks, technical or industry journals relating to electric utility matters, and specified parts of the record in previous Commission dockets shall be admissible in this proceeding without the necessity of reproducing each document; provided that the document to be admitted is clearly identified by reference to the place of publication, file or docket number, and the identified document is available for inspection by the Commission and the parties/participants; and further provided that any party/participant has the right to explain, qualify or conduct examination with respect to the identified document. The Commission can rule on whether the identified document can be admitted into evidence when a party/participant proffers such document for admission as evidence in this case.

From time to time, the parties/participants may enter into stipulations that such documents, or any portion of such documents, may be introduced into evidence in this case.

C. Copies of Filings and Information Requests.

1. Filings:

Commission	Original + 8 copies	
Consumer Advocate	3 copies	
Other parties/participants		2 copies

2. Information Requests and Responses:

Commission	Original + 8 copies
Consumer Advocate	3 copies
Other parties/participants	2 copies

3. All pleadings, and other documents required to be filed with the Commission shall be filed at the office of the Commission in Honolulu within the time limit prescribed pursuant to Chapter 61, subchapter 2, section 6-61-15 of the Commission's Rules of Practice and Procedure.

4. Copies of all filings, information requests and information request responses should be sent to the other parties/participants by hand delivery, mail or via facsimile. In addition, if available, all parties/participants shall provide copies of their filings, information requests and information request responses to the other parties via diskette or e-mail in a standard electronic format that is readily available by the parties/participants. The parties/participants agree to use Word 97, Word 2000, or Word 2003 as the standard programming format for filings in this case. However, if workpapers, documentation, or exhibits attached to any filing are not readily available in an electronic format, a party/participant shall not be required to convert such workpapers, documentation, or exhibits into an electronic format. Also, existing documents produced in response to requests need not be converted to Word 97/Word 2000/Word 2003 as long as the applicable format is identified. In the event a copy of a filing, information request or information request response is delivered to a party/participant via diskette or e-mail, unless otherwise agreed to by such party/participant, the same number of copies of such

filing, information request or information request response must still be delivered to such party/participant by hand delivery or via facsimile as provided in Parts C.1 and C.2 above.

D. Panel Hearing

This Stipulated Prehearing Order contemplates that this proceeding will implement a hearing format that is substantially similar to the hearing format implemented at the hearings held on December 8-10, 2004 in Docket No. 03-0371 relating to Distributed Generation. (The specifics of the panel hearing format were discussed in Order No. 21489 issued December 1, 2004 in Docket No. 03-0371.) The parties/participants request that the Commission issue an order prior to the Prehearing Conference with respect to its proposed format for the panel hearing. This order may address aspects of the panel hearing such as the issues to be addressed by the parties/participants, witnesses for each party/participant, counsel for each party/participant, cross examination procedures, and the role of the panel hearing moderator, if applicable. The matters addressed in the Commission's order may be discussed at the Prehearing Conference.

E. Communications

Chapter 61, subchapter 3, section 6-61-29 of the Commission's Rules of Practice and Procedure concerning ex parte communications is applicable to any communications between a party/participant and the Commission. However, the parties/participants may communicate with Commission counsel on matters of practice and procedure through their own counsel or designated official.

Communications between the parties/participants should either be through counsel or through designated representatives. All pleadings, papers, and other documents filed in this proceeding shall be served on the opposing party/participant. All motions, supporting memoranda, and the like shall also be served on opposing counsel.

F. General

These procedures are consistent with the orderly conduct of this docket.

Pursuant to Chapter 61, subchapter 3, section 6-61-37 of the Commission's Rules of Practice and Procedure, this Stipulated Prehearing Order shall control the subsequent courses of the proceedings, unless modified at or prior to the hearings to prevent manifest injustice.

This Stipulated Prehearing Order may be executed by the parties/participants in counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same instrument. The parties/participants may execute this Stipulated Prehearing Order by facsimile for initial submission to the Commission to be followed by the filing of originals of said facsimile pages.

DONE at Honolulu, Hawaii, this ____ day of _____, 2005.

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:

_____
Catherine P. Awakuni
Commission Counsel

Attachment I

CERTIFICATE OF SERVICE

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

DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
335 Merchant Street, Room 326
Honolulu, Hawaii 96813

WILLIAM A. BONNET
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HAWAII ELECTRIC LIGHT COMPANY, INC.
MAUI ELECTRIC COMPANY, LIMITED
P. O. Box 2750
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DEAN K. MATSUURA
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HAWAIIAN ELECTRIC COMPANY, INC.
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Attorneys for HECO, HELCO, MECO

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 22251 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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