

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Transmittal of)
KAUAI ISLAND UTILITY COOPERATIVE)
For Approval of Changes to its)
Tariff Relating to its Proposed)
Residential Surge Protection)
Pilot Program.)
Transmittal No. 06-02.)

DOCKET NO. 2007-0015

ORDER NO. 23206

Filed January 17, 2007
At 11 o'clock A .M.

Karen Higashi
Chief Clerk of the Commission

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DIV. OF CONSUMER ADVOCACY
DEPT. OF COMMERCE AND
CONSUMER AFFAIRS
STATE OF HAWAII

ATTEST: A True Copy

KAREN HIGASHI

for Chief Clerk, Public Utilities
Commission, State of Hawaii.

Brooke K. Kuro

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Residential Surge Protection)
Pilot Program.)
Transmittal No. 06-02.)

Docket No. 2007-0015
Order No. 23206

ORDER

By this Order, the commission suspends Transmittal No. 06-02, filed by KAUAI ISLAND UTILITY COOPERATIVE ("KIUC") on December 20, 2006,¹ to provide further opportunity to review KIUC's transmittal, which proposes to implement a voluntary three-year Residential Surge Protection ("RSP") Pilot Program.

I.

Background

By its transmittal, KIUC seeks to implement Schedule RSP, its proposed, voluntary three-year RSP Pilot Program, limited to one-hundred residential customers for each year of the pilot program who apply for and are selected by KIUC to participate in the pilot program.²

¹KIUC's Transmittal No. 06-02; Verification; Exhibits 1 - 2; and Certificate of Service, filed on December 20, 2006 (collectively, "Transmittal No. 06-02").

²Exhibit 2 of Transmittal No. 06-02 consists of KIUC's proposed Schedule RSP in clean and black-lined versions.

Under the terms of the RSP Pilot Program:

1. KIUC will install a utility-owned meter base surge protector at the service box that "provides service entrance protection to primarily home appliances (e.g., refrigerators and stoves) that are not connected to the outside of the home by a separate non-electric utility wire (e.g., telephone and cable television connections)."³ Participants will be charged: (A) a one-time per meter, non-refundable installation fee of \$40 (excluding taxes) for the utility-owned meter base surge protector; and (B) a fee of \$5 per month, per meter (excluding taxes). No charge will be assessed for removing the meter base surge protector.

2. Participants will also have the option to purchase and own point of use surge protection devices to protect other equipment such as sensitive electronic devices (e.g., televisions and computers) from additional surges that originate from within the home through other sources such as telephone and cable television connections. Specifically, participants will have the option to purchase from KIUC the following surge protection devices: (A) a ten-outlet power strip for \$63 each; (B) a single outlet suppressor for \$14.99 each; and (C) a suppressor with

³KIUC's Transmittal No. 06-02, at 3.

phone jack for \$19.99 each.⁴ All amounts are exclusive of taxes and are non-refundable.

3. Participants: (A) must complete the pilot program's application form and agreement, and be duly selected by KIUC for each year of the three-year program; and (B) will have the option of terminating their participation in the pilot program at any time, without penalty.

KIUC filed its transmittal in accordance with Hawaii Revised Statutes ("HRS") § 269-16 and Hawaii Administrative Rules ("HAR") § 6-61-111, with a proposed effective date of January 19, 2007.⁵ KIUC seeks to implement the RSP Pilot Program from February 1, 2007 to January 31, 2010.

No persons protested KIUC's transmittal under HAR §§ 6-61-58 and 6-61-61, and no preliminary statement of position was submitted by the Consumer Advocate under HAR § 6-61-62.

⁴KIUC notes that, in addition to certain protections specified in the manufacturer's limited warranty applicable to the surge protection devices:

. . . participating customers will also be afforded the same rights as any KIUC customer to file a compensation claim with KIUC for any loss, cost, damage or expense, pursuant to Rule No. 16 of KIUC Tariff No. 1. Specifically, Rule No. 16.E. of KIUC Tariff No. 1 states, in relevant part, that the "Company shall review every claim and compensate the customer for any loss, cost, damage or expense as determined by the Company to be within the Company's control."

KIUC's Transmittal No. 06-02, at 4 n.3.

⁵KIUC served copies of its transmittal upon the Department of Commerce and Consumer Affairs, Division of Consumer Advocacy ("Consumer Advocate"), an ex officio party to this proceeding, pursuant to HRS § 269-51 and HAR § 6-61-62(a).

II.

Discussion

HRS § 269-16(b)(1) provides in relevant part that the commission, upon notice to the public utility, may "[s]uspend the operation of all or any part of the proposed rate, fare, charge, classification, schedule, rule, or practice[.]"

Here, the commission finds it prudent to suspend Transmittal No. 06-01, pursuant to HRS § 269-16(b), to provide further opportunity to review KIUC's proposed Schedule RSP. The commission, by this Order, does not open an investigation at this time under HAR § 6-61-57(3)(B). Instead, the commission will: (1) issue information requests to KIUC; and (2) instruct the Consumer Advocate to file a position statement on KIUC's proposal, with the opportunity for KIUC to file a reply position statement thereafter.

III.

Orders

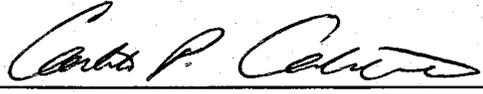
THE COMMISSION ORDERS:

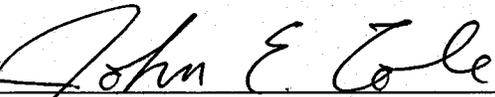
1. KIUC's Transmittal No. 06-02, filed on December 20, 2006, is suspended for further review.

2. Within fifteen days from the date of this Order, KIUC and the Consumer Advocate shall submit a joint filing that identifies their agreed-upon dates for the Consumer Advocate to file its position statement, and for KIUC to file a reply position statement, at KIUC's option.

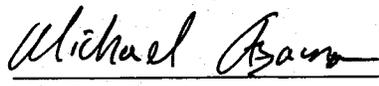
DONE at Honolulu, Hawaii JAN 17 2007.

PUBLIC UTILITIES COMMISSION
OF THE STATE OF HAWAII

By 
Carlito P. Caliboso, Chairman

By 
John E. Cole, Commissioner

APPROVED AS TO FORM:


Michael Azama
Commission Counsel

transmittal.06-02.cp

CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing Order No. 23206 upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

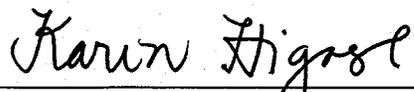
CATHERINE P. AWAKUNI
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Karen Higashi

DATED: JAN 17 2007