DIVISION OF CONSUMER ADVOCACY Department of Commerce and Consumer Affairs 335 Merchant Street, Room 326 Honolulu, Hawaii 96813 Telephone: (808) 586-2800

BEFORE THE PUBLIC UTILITIES COMMISSION

OF THE STATE OF HAWAII

In the Matter of the Joint Application of)
KAPALUA WATER COMPANY, LTD., KAPALUA WASTE TREATMENT COMPANY, LTD.) DOCKET NO. 2020-0086))
and))
HAWAII WATER SERVICE COMPANY, INC.))
For Approval of the Sale and Transfer of Assets of Kapalua Water Company, Ltd. and Kapalua Waste Treatment Company, Ltd.)))

DIVISION OF CONSUMER ADVOCACY'S RESPONSE TO KAPALUA WATER COMPANY, LTD., KAPALUA WASTE TREATMENT COMPANY, LTD., AND HAWAII WATER SERVICE COMPANY, INC.'S MOTION FOR PROTECTIVE ORDER

Pursuant to Hawaii Administrative Rules ("HAR") § 16-601-41(d), the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs ("Consumer Advocate"), by and through its attorneys, states that it does not oppose the request made by Kapalua Water Company, Ltd., Kapalua Waste Treatment Company, Ltd., and Hawaii Water Service Company, Inc. (collectively, "Applicants") in their Motion For Protective Order filed on June 5, 2020 ("Motion For Protective Order").

The Consumer Advocate's decision to not oppose Applicants' Motion For Protective Order should not be taken or understood as the Consumer Advocate taking a position or making a recommendation on Applicants' compliance, or noncompliance, with the Hawaii Public Utilities Commission's ("Commission's") rulings, decisions, and guidance provided in Order No. 34521 filed on May 2, 2017 in Docket No. 2016-0328

("Order No. 34521").1

In order to be in compliance with Order No. 34521, the Consumer Advocate understands that Applicants will articulate and provide a basis for Applicants' designation of confidential information submitted in this docket.² Furthermore, until such designations are made by Applicants, the Consumer Advocate will reserve the right to comment upon and/or make observations about whether Applicants satisfy the requirements of Order No. 34521 at the appropriate time(s) regarding Applicants' designation of confidential information. Consistent with Hawaii Revised Statutes Chapter 269 and the Rules Of Practice And Procedure Before The Commission,³ the Consumer Advocate expects that the Commission will make an appropriate determination concerning the sufficiency and/or

adequacy of Applicants' designation of confidential information, if so warranted.

DATED: Honolulu, Hawaii, June 15, 2020.

Respectfully submitted,

By /s/ Lane H. Tsuchiyama LANE H. TSUCHIYAMA EDWARD M. KNOX Attorneys

DIVISION OF CONSUMER ADVOCACY

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Docket No. 2016-0328 pertains to Hawaiian Electric Company, Inc.'s application for approval of a general rate increase using a 2017 Test Year.

See generally Order No. 34521, Docket No. 2016-0328, at 10-19 (filed on May 2, 2017) (discussing, generally, the timing and requirements for designating confidential information under a protective order issued by the Commission in a docket).

See HAR Chapter 16-601.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing DIVISION OF CONSUMER

ADVOCACY'S RESPONSE TO KAPALUA WATER COMPANY, LTD., KAPALUA

WASTE TREATMENT COMPANY, LTD., AND HAWAII WATER SERVICE COMPANY,

INC.'S MOTION FOR PROTECTIVE ORDER was duly served upon the following parties

electronically to the e-mail addresses below pursuant to HAR § 16-601-21(d), as modified

by Order No. 37043 Setting Forth Public Utilities Commission Emergency Filing and

Service Procedures Related to COVID-19, filed on March 13, 2020.

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Ltd., and Hawaii Water Service Company, Inc.

DATED: Honolulu, Hawaii, June 15, 2020.

/s/ L. Matsumoto

FILED

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PUBLIC UTILITIES COMMISSION

The foregoing document was electronically filed with the State of Hawaii Public Utilities Commission's Document Management System (DMS).