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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

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July 12, 2016

Craig H. Yamasaki
Land Administrator
Engineering Department, Land Division
Maui Electric
P.O. Box 398
Kahului, Hawai'i 96733-6898

Dear Mr. Yamasaki:

Subject: Docket No. A94-706 Ka'ono'ulu Ranch

We are in receipt of your email of Monday, April 25, 2016 regarding development of a substation on lands owned by the developers.

As mentioned in our letter to the developers, "the Order Granting Pi'ilani's Motion to Stay Phase II specifically references the construction or development activities of Pi'ilani or Honua'ula, and that the substation has no connection with either Pi'ilani or Honua'ula, MECO's proposed substation is not subject to the aforementioned condition. Accordingly, the Commission does not have any objections or concerns with development of the proposed substation as it relates to the proceedings in the subject docket."

Should you require clarification, please contact Bert Saruwatari, of my staff at 587- 3822.

Sincerely,

Daniel E. Orodener
Executive Officer

Cc: Randall Sakumoto, Petitioner Pi'ilani's Representative
Curtis Tabata, Petitioner Honua'ula's Representative
Office of Planning
County of Maui, Planning Department



FW: Docket A94-706 Ka'ono'ulu Ranch
Yamasaki, Craig

to:
'luc@dbedt.hawaii.gov'
07/08/2016 02:32 PM

Hide Details

From: "Yamasaki, Craig" <craig.yamasaki@mauielectric.com>

To: "'luc@dbedt.hawaii.gov'" <luc@dbedt.hawaii.gov>

History: This message has been forwarded.

1 Attachment



2016.04.18_Letter from the Land Use Commission.pdf

Has anyone had a chance to review this matter? Please advise.

From: Yamasaki, Craig
Sent: Monday, April 25, 2016 9:01 AM
To: 'luc@dbedt.hawaii.gov'
Subject: Docket A94-706 Ka'ono'ulu Ranch

To whom it may concern,

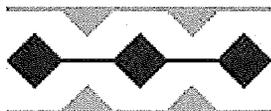
We received the attached letter from the developers of Pi'ilani Promenade South and Pi'ilani Promenade North, approving Maui Electric Company's development of a substation on lands owned by the developers. I just want to clarify that the easement granted to us allows us to build, construct, reconstruct, rebuild, repair, maintain and operate electrical facilities, and not just facilitate preliminary engineering design and grading analysis as noted on the letter. Please advise if this alters your decision in any way.

Thank you,

CRAIG H. YAMASAKI
Land Administrator
Engineering Department, Land Division

Maui Electric
P O Box 398 / Kahului, Maui, HI 96733-6898

O: 808.871.2367
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Electric**

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LAND USE COMMISSION
Department of Business, Economic Development & Tourism
State of Hawai'i

April 18, 2016

Randall F. Sakumoto, Esq.
McCorriston Miller Mukai MacKinnon LLP
P. O. Box 2800
Honolulu, Hawaii 96803-2800

Dear Mr. Sakumoto:

Subject: Docket No. A94-706/Ka'ono'ulu Ranch

We are in receipt of your letter dated April 1, 2016, apprising our office of the plans of Maui Electric Company ("MECO") to construct a substation on the subject property¹ for which it has an easement to facilitate the preliminary engineering design and grading analysis. You represented that because MECO's existing electrical and distribution infrastructure in South Maui is operating at near capacity, MECO desires to complete development of the substation by fall 2017. You further represented that MECO intends to apply for and obtain the necessary permits to commence with the development of the substation, provided that the Land Use Commission ("Commission") has no objections.

As you know, by Order Granting Pi'ilani Promenade South, LLC, and Pi'ilani Promenade North, LLC's, Motion to Stay Phase II of the Order to Show Cause Proceeding ("Order Granting Pi'ilani's Motion to Stay Phase II") filed on July 12, 2013, the Commission ordered "...that the commencement of any construction or development activities by Pi'ilani and/or Honua'ula [Partners, LLC] on their respective parcels prior to the filing of a Motion for Order Amending the D&O by Pi'ilani, or prior to this Commission rendering a decision on such motion, or by Honua'ula at any time subsequent thereto, shall result in the immediate lifting of the stay relative to their parcels and the commencement of Phase II of the Order to Show Cause proceeding."

Given that the Order Granting Pi'ilani's Motion to Stay Phase II specifically references

¹ It is our understanding that the site of the proposed substation is located on Tax Map Key: (2) 3-9-001: 16 owned by Pi'ilani Promenade North, LLC, and Pi'ilani Promenade South, LLC (collectively "Pi'ilani").

Randall F. Sakumoto

April 18, 2016

Page 2

the construction or development activities of Pi'ilani or Honua'ula, and that the substation has no connection with either Pi'ilani or Honua'ula, MECO's proposed substation is not subject to the aforementioned condition. Accordingly, the Commission does not have any objections or concerns with development of the proposed substation as it relates to the proceedings in the subject docket.

Please feel free to contact Bert Saruwatari of my office at 587-3822, should you require clarification or any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Orodenker', with a stylized flourish extending to the right.

Daniel Orodenker

Executive Officer

c: Office of Planning
County of Maui Department of Planning