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LAND USE COMMISSION
STATE OF HAWAII

2014 SEP 19 P 2:22

Attorneys for Successor Petitioner (To Parcel 52)
HO'OHANA SOLAR 1, LLC

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of

HALEKUA DEVELOPMENT
CORPORATION, a Hawai'i corporation

To Amend the Agricultural Land Use District
Boundary into the Urban Land Use District for
Approximately 503.886 Acres at Waikele and
Ho'ae'ae, 'Ewa, O'ahu, City and County of
Honolulu, State of Hawai'i, Tax Map Key No.
9-4-02: 1, portion of 52, 70 and 71

DOCKET NO. A92-683

FIRST STIPULATION OF THE PARTIES
SETTING FORTH FILING SCHEDULE;
CERTIFICATE OF SERVICE

**FIRST STIPULATION OF THE PARTIES SETTING FORTH FILING SCHEDULE
FOR MOTION TO AMEND IN DOCKET NO. A92-683**

On August 11, 2014 Successor Petitioner to Parcel 52 HO'OHANA SOLAR 1, LLC (hereinafter "Ho'ohana") filed with the Commission a Motion to Amend the Findings of Fact, Conclusions of Law, and Decision and Order in Docket No. A92-683 and Successor Petitioner's Exhibits 1 - 16 (hereinafter the "Motion to Amend"), requesting the Commission recognize Ho'ohana as the Successor Petitioner to Parcel 52 in this Docket, that the Commission issue an order modifying the Commission's *Findings of Facts, Conclusions of Law, and Decision and Order* dated October 1, 1996, as amended, to expressly authorize the use of portions of the property subject to this Docket for solar farm development for an interim period of time, and that

the Commission delete Condition No. 21, requiring the Commission's prior approval to change the ownership interest in the Petition Area, or in the alternative, to approve the proposed lease of Parcel 52 pursuant to the requirements of Condition No. 21.

The City and County of Honolulu Department of Planning and Permitting ("**DPP**") and the State of Hawaii by its Office of Planning ("**OP**"), as parties to the Motion to Amend, have stipulated and agreed to the following filing schedule. The Commission is anticipated to hold a hearing on this Motion to Amend on November 12-13, 2014.

To facilitate the procedural aspects of the Motion to Amend, pursuant to Hawai'i Administrative Rules ("**HAR**") §§ 15-15-42 and 15-15-70, Successor Petitioner to Parcel 52 Ho'ohana, by its attorney Steven S.C. Lim, DPP, by its attorney Don S. Kitaoka, Esq., and OP, by its attorney Deputy Attorney General Bryan C. Yee, Esq., hereby agree and stipulate as follows:

1. Successor Petitioner, OP and DPP shall file their respective lists of witnesses, who may be called to testify at the hearing on this matter, if any, by October 8, 2014.
2. OP and DPP shall each file a Response to the Motion to Amend, along with any exhibits, by October 8, 2014.
3. Successor Petitioner, OP and DPP shall file any additional legal memoranda, exhibits/rebuttal exhibits, and a list of any rebuttal witnesses, if any, by October 17, 2014.

The parties hereto agree that this Stipulation may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same instrument, binding all of the parties hereto, notwithstanding all of the parties are not signatory to the original of the same counterparts.

For all purposes, including without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded and the remaining pages assembled as one document.

SO STIPULATED:

HO‘OHANA SOLAR 1, LLC, Successor
Petitioner

BY: 
STEVEN S.C. LIM
CARLSMITH BALL LLP

ITS: Attorney
DATED: Honolulu, Hawai‘i September 5,
2014

STATE OF HAWAII OFFICE OF
PLANNING

BY: _____
BRYAN C. YEE

ITS: Deputy Attorney General
DATED: Honolulu, Hawai‘i _____,
2014


DEPARTMENT OF PLANNING AND
PERMITTING, CITY AND COUNTY OF
HONOLULU

BY: _____
DON S. KITAOKA

ITS: Deputy Corporation Counsel
DATED: Honolulu, Hawai‘i _____,
2014

SO STIPULATED:

HO'OHANA SOLAR 1, LLC, Successor
Petitioner

BY: 
STEVEN S.C. LIM
CARLSMITH BALL LLP

ITS: Attorney
DATED: Honolulu, Hawai'i September 5,
2014

STATE OF HAWAII OFFICE OF
PLANNING

BY: _____
BRYAN C. YEE

ITS: Deputy Attorney General
DATED: Honolulu, Hawai'i _____,
2014

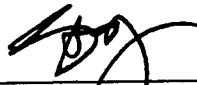
DEPARTMENT OF PLANNING AND
PERMITTING, CITY AND COUNTY OF
HONOLULU

BY: 
DON S. KITAOKA

ITS: Deputy Corporation Counsel
DATED: Honolulu, Hawai'i _____,
2014

SO STIPULATED:


HO'OHANA SOLAR 1, LLC, Successor
Petitioner

BY: 
STEVEN S.C. LIM
CARLSMITH BALL LLP

ITS: Attorney

DATED: Honolulu, Hawai'i September 5,
2014

STATE OF HAWAII OFFICE OF
PLANNING

BY: 
BRYAN C. YEE

ITS: Deputy Attorney General

DATED: Honolulu, Hawai'i September 15,
2014

DEPARTMENT OF PLANNING AND
PERMITTING, CITY AND COUNTY OF
HONOLULU

BY: _____
DON S. KITAOKA

ITS: Deputy Corporation Counsel

DATED: Honolulu, Hawai'i _____,
2014

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DOCKET NO. A92-683

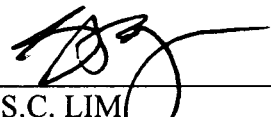
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that due service of a copy of the within document was made by
depositing the same with the U. S. Mail, postage prepaid, or by hand delivery, on
September 5, 2014, addressed to:

HAND DELIVERY	LEO R. ASUNCION, JR., Acting Director Office of Planning State Office Tower, 6th Floor 235 South Beretania Street Honolulu, HI 96813
HAND DELIVERY	DAVID M. LOUIE, Esq. BRYAN YEE, Esq. Deputy Attorney General Commerce and Economic Development Department of the Attorney General 425 Queen Street Honolulu, Hawaii 96813
HAND DELIVERY	GEORGE I. ATTA, Director Department of Planning and Permitting City & County of Honolulu 650 South King Street, 7th Floor Honolulu, HI 96813

HAND DELIVERY	DONNA Y.L. LEONG, Esq. DON S. KITAOKA, Esq. Deputy Corporation Counsel Department of the Corporation Counsel Honolulu Hale 530 South King Street, Room 110 Honolulu, HI 96813
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STEVEN S.C. LIM
JENNIFER A. BENCK
PUANANIONAONA P. THOENE
Attorney for Successor Petitioner
HO'OHANA SOLAR 1, LLC

Dated: Honolulu, Hawai'i, September 5,
2014