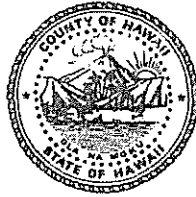


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • FAX (808) 961-8742

December 5, 2006

Hawaii Electric Light Company  
Attention: Mr. Art Russell  
54 Halekauila Street  
Hilo, HI 96721-1027

Dear Mr. Russell:

Special Permit Application (SPP 06-000040)  
Applicant: Hawaii Electric Light Company  
Request: To Allow the Installation of an 85' Communication Pole and  
Antenna on the Existing 2.7-Acre Power Plant Site Within the  
State Land Use Agricultural District  
Tax Map Key: 2-6-9:25

This is to acknowledge receipt of the above-captioned Special Permit Application on  
November 28, 2006. Enclosed is a receipt for the filing fee.

Please be informed, that in accordance with the Planning Commission's Rule 4. Contested Case  
Procedure, within ten (10) days after filing an application with the Planning Commission, you are  
required to serve notice of your application on surrounding property owners and lessees of record  
within 500 feet of the perimeter boundary of the building site, as required in the Hawaii County  
Zoning Code, Section 25-2-4.

In addition, upon notice by our department that the hearing date has been set, you are again  
required to notify all owners and lessees of record within 500 feet of the perimeter boundary of  
the building site. This second notice shall be served within ten (10) days after receiving notice  
from the director of the date of the scheduled hearing but not less than ten (10) days prior to the  
date of the scheduled hearing.

Both notices shall include the following information:

1. Name of the applicant;
2. Precise location of the property involved, including tax map key identification,  
location map and/or site plan;

December 5, 2006

3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the director or the commission;
5. Inform the landowner or lessee that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request on the form, "Petition for Standing in Contested Case Hearing." This form shall be included in both notices to the landowners and lessees. The request shall be filed with the Planning Commission at 101 Pauahi Street, Suite 3, Hilo, Hawaii 96720; and accompanied by a filing fee of \$100 payable to the Director of Finance. The required information shall be submitted no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application;
6. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing or by oral testimony at the Planning Commission public hearing to be scheduled;
7. Date, time and place that the public hearing will be held to consider the application (include in second notice); and
8. Contact name and phone number should there be any questions.

Please inform the owner that the application is available at the Planning Department for public review.

Prior to the date of the hearing, the applicant is required to file with the Commission certified mail receipts, affidavits, declarations or other similar proof of mailing of both notices.

Please also be advised that in accordance with Chapter 25 (Zoning Code), Article 2, Division 1, Section 25-2-12, Hawaii County Code 1983 (2005 Edition) and/or Planning Commission Rules of Practice and Procedure, within ten (10) days of being notified of the acceptance of an application, the applicant shall post a sign on the subject property notifying the public of the following:

1. The nature of the application;
2. The proposed use of the property;
3. The size of the property;
4. The tax map key(s) of the property;
5. That the public may contact the Planning Department for additional information; and
6. The address and telephone number of the Planning Department.

Mr. Art Russell/HELCO

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December 5, 2006

The sign shall be not less than nine square feet and not more than twelve square feet in area, with letters not less than one inch high. No pictures, drawings, or promotional materials shall be permitted on the sign.

The sign shall be posted at or near the property boundary adjacent to a public road bordering the property and shall be readable from said public road. If more than one public road borders the property, the applicant shall post the sign to be visible from the more heavily traveled public road.

The sign shall, in all other respects, be in compliance with Chapter 3 (Signs), Hawaii County Code 1983 (2005 edition).

The applicant shall file an affidavit with the Planning Department not more than five (5) days after posting the sign stating that a sign has been posted, and that the applicant will not remove the sign until the application has been granted, denied, or withdrawn. A photograph of the sign in place shall accompany the affidavit.

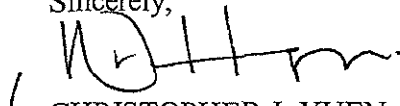
The sign shall remain posted until the application has been granted, denied, or withdrawn. The applicant shall remove the sign promptly after such action.

According to Planning Commission Rule 6 (Special Permits), the Commission shall conduct a public hearing on the request within a period of 90 days from the date of receipt of a properly filed application. The Commission shall act upon the application within thirty days after the close of the hearing or within a longer period as may be agreed upon by the applicant.

We will notify you as to the date of the hearing as soon as it has been determined.

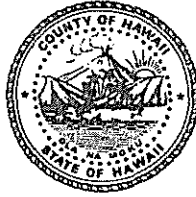
Should you have any questions regarding the above, please do not hesitate to contact Norman Hayashi of this department at 961-8288, ext. 205.

Sincerely,

  
CHRISTOPHER J. YUEN  
Planning Director

Lhelco01syw  
Enclosure

Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
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December 22, 2006

Mr. Art Russell  
Hawaii Electric Light Company  
54 Hale Kawila Street  
Hilo, HI 96721-1027

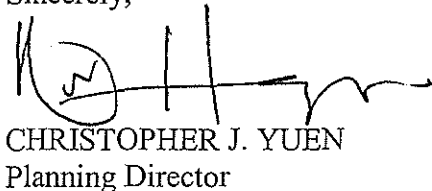
Dear Mr. Russell:

Special Permit Application No. 06-000040  
TMK: 2-6-7:25

This is to inform you that a determination was made that the telecommunication tower and antenna is accessory to an existing non-conforming (grandfathered) use within the State Land Use Agricultural District. Therefore, please be informed that a Special Permit is not required for the tower. Your application is, therefore, withdrawn and your \$100.00 filing fee will be returned under separate cover.

Should you have any questions, please contact Norman Hayashi at 961-8288 x205.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

cc: Marty Shimizu, Account Clerk

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06-023365

DEC 26 2006