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DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAI'I

IN THE MATTER OF

Contested Case Hearing Re Conservation  
District Use Application (CDUA) HA-3568 for  
the Thirty Meter Telescope at the Mauna Kea  
Science Reserve, Ka'ohē Mauka, Hāmākua,  
Hawai'i, TMK (3) 4-4-015:009

Case No. BLNR-CC-16-002

**THE UNIVERSITY OF HAWAI'I AT  
HILO'S JOINDER TO TMT  
INTERNATIONAL OBSERVATORY,  
LLC'S OPPOSITION TO MEHANA  
KIHOI'S MOTION FOR  
RECONSIDERATION TO DENY THE  
INTERVENTION OF PERPETUATING  
UNIQUE EDUCATIONAL  
OPPORTUNITIES AS A PARTY IN  
THE CONTESTED CASE HEARING  
[DOC-209]; CERTIFICATE OF SERVICE**

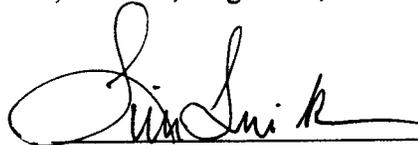
**THE UNIVERSITY OF HAWAI'I AT HILO'S JOINDER TO  
TMT INTERNATIONAL OBSERVATORY, LLC'S OPPOSITION TO  
MEHANA KIHOI'S MOTION FOR RECONSIDERATION TO DENY THE  
INTERVENTION OF PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES  
AS A PARTY IN THE CONTESTED CASE HEARING [DOC-209]**

Applicant UNIVERSITY OF HAWAI'I AT HILO, through its counsel, Carlsmith Ball  
LLP, *joins in TMT International Observatory, LLC's Opposition to Mehana Kihoi's Motion for  
Reconsideration to Deny the Intervention of Perpetuating Unique Educational Opportunities as*

a Party in the Contested Case Hearing [Doc-209], filed on August 22, 2016, for the reasons state therein.

This motion for reconsideration should be decided and denied by the Hearing Officer without hearing or further argument because there is nothing new that is raised in this motion that could not have been presented initially. Absent extraordinary circumstances, motions for consideration are treated as non-hearing motions by our state and federal courts. The Hawai'i Supreme Court previously expressed its concern for the abuse of motions for reconsideration that merely ask to rehear matters of a purely repetitive nature which "necessarily result in delay and wasted effort by court and counsel." *Gossinger v. Ass'n of Apt. Owners of the Regency of Ala Wai*, 73 Haw. 412, 425, 835 P.2d 627, 634 (1992); see also *K.M. Young & Assocs., Inc. v. Cieslik*, 4 Haw.App. 657, 667, 675 P.2d 793, 801 (1983). If the Hearing Officer elects to hold further hearings or arguments on this motion for reconsideration, the University reserves the right to present oral argument at that time.

DATED: Honolulu, Hawai'i, August 22, 2016.



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Case No. BLNR-CC-16-002

CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

The undersigned certifies that the above-referenced document was served upon the following parties by email unless indicated otherwise:

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BLNR Members SUZANNE CASE and  
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DATED: Honolulu, Hawai'i, August 22, 2016.

A handwritten signature in black ink, appearing to read 'Ian Sandison', written over a horizontal line.

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