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TMT INTERNATIONAL OBSERVATORY, LLC

BOARD OF LAND AND NATURAL RESOURCES

FOR THE STATE OF HAWAII

IN THE MATTER OF

Case No. BLNR-CC-16-002

A Contested Case Hearing Re Conservation
District Use Permit (CDUP) HA-3568 for the
Thirty Meter Telescope at the Mauna Kea
Science Reserve, Kaohe Mauka, Hamakua
District, Island of Hawaii, TMK (3) 4-4-
015:009

**PROPOSED MINUTE ORDER NO. _____
DENYING 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**

**PROPOSED MINUTE ORDER NO. _____ DENYING 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]**

On August 11, 2016 Mehana Kihoi filed a Motion for Reconsideration to Deny
the Intervention of Perpetuating Unique Educational Opportunities ("PUEO") as a Party in the

Contested Case Hearing (Doc 209) (“Motion”). In response to the Motion, the following documents were submitted by various parties:

Doc No.	Title	Date filed w/BLNR	Counsel/Party
226	The University of Hawaii 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)	8/22/16	University of Hawaii-Hilo
228	Kamahana Kealoha-Motion to Join Mehana’s Kihoi’s Motion for Reconsideration of Perpetuating Unique Educational Opportunities as a Party in the Contested Case Hearing	8/22/16	Brannon Kamahana Kealoha
232	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)	8/22/16	TMT International Observatory, LLC
234	Perpetuating Unique Educational Opportunities, Inc.’s Memorandum in Opposition to Mehana Kihoi’s Motion for Reconsideration to Deny PUEO As A Party in the Contested Case Hearing	8/22/16	Perpetuating Unique Educational Opportunities, Inc.
236	J. Leina’ala Sleightholm’s Joinder to Mehana Kihoi’s Motion for Reconsideration to Deny the Intervention of Perpetuating Unique Educational Opportunities As a Party in the Contested Case Hearing Dated 8/12/2016	8/22/16	J. Leina’ala Sleightholm

The Motion was heard before this Hearings Officer on August 29, 2016, at a Fourth Pre-Hearing Conference held in Hilo. The following persons were present:

Julie China, Deputy Attorney General

Richard N. Wurdeman, Attorney for Mauna Kea Anaina Hou, et al.

Timothy Lui-Kwan, John Manaut, and Ian Sandison, Attorneys for the University of Hawaii-Hilo

J. Douglas Ing and Ross Shinyama, Attorneys for TMT International Observatory, LLC (“TIO”)

Lincoln Ashida, Attorney for Perpetuating Unique Educational Opportunities Inc. (“PUEO”)

Harvey Henderson, Deputy Attorney General for Governor Ige, Chair Suzanne Case and Stanley Roehrig

Lanny Sinkin for Temple of Lono

Harry Fergerstrom

Mehana Kihoi

C.M. Kahookahi Kanuha

Joseph Camara

Jennifer Leina`ala Sleightholm

Tiffnie Kakalia

Dwight Vicente

Cindy Freitas

William Freitas

Kalikolehua Kanaele

This Hearings Officer having considered the Motion, all other written and oral submissions of counsel and parties related thereto, the entire record, and for good cause shown,

IT IS HEREBY ORDERED that the Motion is DENIED WITHOUT PREJUDICE because it is premature insofar as it was filed before this Hearings Officer issued a written minute order denying Ms. Kihoi’s initial Motion to Deny the Intervention of Perpetuating Unique Educational Opportunities as a Party to the contested Case Hearing (Doc 98). Ms. Kihoi

may re-file her motion for reconsideration within the applicable deadlines after the filing of the written minute order denying Doc 98.

The deadline for submission of any **motion** to reconsider this minute order shall be submitted no later than **Thursday, October 13, 2016 at 4:30 p.m.** Any **responses to motions to reconsider** shall be submitted no later than **Friday, October 14, 2016 at 4:30 p.m.**

Any motions to reconsider this Minute Order shall be treated as a non-hearing motion unless otherwise ordered by this Hearings Officer.

DATED: Honolulu, Hawaii, _____.

Judge Riki May Amano (Ret.)
Hearings Officer

BOARD OF LAND AND NATURAL RESOURCES

STATE OF HAWAI'I

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,
Hāmakua, Hawai'i, TMK (3) 4-4-015:009

BLNR Contested Case HA-16-02

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the attached document was served upon the following parties by the means indicated:

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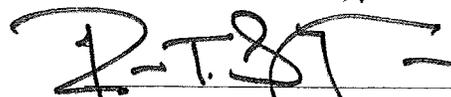
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DATED: Honolulu, Hawaii, OCT 5 2016



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