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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;) **WILLIAM FREITAS RESPONSE,**
Use Application (CDUA) HA-3568 For the) **TO TIO'S OPPOSITION TO**
Thirty Meter Telescope at the Mauna Kea) **RECONSIDERATION TO MINUTE**
Science Reserve, Ka'ohe Mauka, Hamakua,) **ORDER'S NO. 43, DOC. 604, AND**
Hawaii'i TMK(3)4-4-015:009) **MINUTE ORDER NO. 44 DOC. 614,**
) **TIO OPPOSITION AND UHH**
) **JOINDER TO TIO. DOC. 607 AND**
) **NO. 44 DOC. 616**
)
) **CERTIFICATE OF SERVICE**

**WILLIAM FREITAS RESPONSE, TO TIO'S OPPOSITION TO
RECONSIDERATION TO MINUTE ORDER NO. 43 DOC. 604, MINUTE
ORDER NO. 44 DOC. 614. TIO OPPOSITION AND UHH JOINDER TO TIO.
DOC 607 AND NO. 44 DOC. 616**

I William Freitas Pro-se, under continued threat, duress, and coercion to be heard in this Quasi-Judicial procedural contested case hearing, "Respond" to TMT International Observatory LLC/Pro-Counsel Re/ Ross T. Shinyama, and UHH Joinder to opposition to Reconsideration to Minute Order No. 43, and 44.

Issue of Minute Order No. 43 Doc. No. 552

Doc. No. 568 Filed April 26, 2017 William Freitas Motion to Reconsideration of Minute Order No. 43 Doc. No. 552 was filed timely, for good reasons to refer Hearings Officer's Attention to procedural scheduling, set forth by Hearings Officer, for a fair and "Impartial ruling" in Regards to the filing of Doc. No 568 by William Freitas Pro-se.

Received
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
2017 May 10 3:39 pm

Doc. No. 604 Filed May 03, 2017 TMT International LLC/ Pro-Council Co/Ross Shinyama, Motion Opposition to Reconsideration to, Doc. 568 William Freitas Pro-se Motion to Reconsideration, and Articulates thru a pieces of "Transcripts" dated in Oct 31, 2016, Nov 16, 2016, of "Exhibit 1" of TIO LLC Pro-council re/Mr. Shinyama's Declaration of Hearings Officer's explanation of how the Process from Evidentray Hearings to Testimonies by witnesses, examples of how "Parties" can familiarize themselves with the process of FOF and COL for D&O, but leaving no affirmative decision of what may happen "Way Down The Line" stated by hearings officer in "Exhibit 2". Then on page 11 of Doc. 604 of "Exhibit 3", TIO LLC's Pro-council re/Mr.Shinyama site's Dec. 13, 2016 Tr., of Hearings Officer's statement in line 17 and 18, as to having transcript available or not. "NOTE" Mr. Shinyama is missing the page number of this ranscript page. This leaves a Question of being transparent and honest about his intension of declaration, leading the Hearings Officer to "deny" William Freitas Pro-seMotion to reconsideration of minute order no. 43. therewith humbly asking for "90" dayExtension of time for good reason and in accordance to HRS 92-F. TIO LLC's Pro-council Re/Mr. Shinyama's "Exhibit 4, 5, Hearing Officer gives "Parties" heads up For the "Trigger" that will set deadlines for FOF and COL D&O, but did not affirm that The proceedings will in "Fact" proceed that way. Then hearings officer hears schedule Matters and addresses them. "Exhibit 6" Dated Jan. 5, 2017, of TIO LLC's Pro-council Re/Mr. Shinyama Show's continued reminders of FOF and COL examples to start on which was up loaded In Oct. of 2016 to all parties, in all Exhibits filed to prove that the we as Parties to this contested case hearing as pro-se, could or should rely on un-affirmed procedure by Hearings Officer. Therefore the Hearings Office should "Grant" Motion to

Reconsideration of Minute Order No.43 and 44, and Allow an extension of “90” day for FOF and COL D&O for good reasons, Therewith the “Exhibits” T’s that have been Denied in concideration of UHH and TIO LLC, be Allowed into Evidence.

**Response; To TMT International LLC/ Pro-Council Re/ Ross Shinyama’s
Characterization of the Issue to Minute Order No. 43 Doc. No. 552**

1. TIO LLC/ Pro-Council Re/ Ross Shinyama, characterization of reasons for “90 day” extension “William Freitas Pro-se” Motion to Reconsideration, has been misinterpreted or maybe misunderstood to hearings officer explanation On Oct, and Nov of 2016 to be an affirmative procedure that will happen in the future, but did not.
2. Request of an extension of “90” days for FOF and COL proposal “Base on”.
 - A. The “Fact” is true, a “Scheduled Minute Order by Hearings Officer To be filed on March 23, 2017. [Transcript records this statement Of Hearings Officer on March 02, 2017], That did not happen.
 - B. The “Fact” is true, a Scheduled Minute Order Stated by Hearings Officer Was not filed on March 23, 2017, to inform Parties of “Exhibits entered Into evidence” leaving William Freitas Pro-se and other parties Clueless As to Exhibits being entered, opposed to by UHH and TIO LLC.
 - C. The “Fact” is true, more than 80 Exhibits had been Opposed by TIO and UHH Filed in Doc. No. 511 by TIO, and Filed in Doc. No. 514., that Were responded to timely by William Freitas Pro-se and other Parties.
 - D. The “Fact” is true, on March 02, 2017 Hearings Officer set date for all Parties for Submissions of Exhibits including supplemental Exhibits on March 09, 2017, William Freitas Pro-se submitted Exhibits and Supplemental Exhibits timely Doc.
 - E. The “Fact” is true, on March 02, 2017 Hearings Officer set date for any Any responses, oppositions, joinder ect. To be filed no later than March 16, 2017 no later that 4:00 pm., but leaves no “Time” to object to opposititons.
 - F. The “Fact” is true, March 02, 2017 Hearings Officer did not set a deadline For RESPONSES, for 20 or so, “Pro-se Parties with Exhibits of 100’s”

That have been opposed by TIO LLC. and UHH counsel.

- G. The "Fact" is true, 41 days later Hearings Officer Files Minute Order No. 43, that "Triggers" schedule for proposal deadline for FOF and COL, Then doesn't address any of filings by all parties.
- H. The "Fact" is true, During the 41 days TIO LLC filed an, opposition to Exhibits to be entered in to evidence entered in to evidence on March 16, 2017 at 1: 50 pm. Matter to address is "Time" to respond, and ruling by Hearings Officer.
- I. The "Fact" is true, March 16, 2017 at 4:00 pm is the deadline for any responses, oppositions, joinders ect., for William Freitas Pro-se, along with 19 or so Pro-se parties, "Only 3: 59 minutes" to respond to TIO LLC's opposition to exhibits filed for submission to 76 or so Exhibits. This "Time" of 3hrs and 59 minute's is "unreasonable".
- J. The "Fact" is true, For the "Record" Hearings Officer has over looked the Time allowed for any Responses to any Oppositions by inspection of time Period that TIO LLC's oppositions to exhibits for submission at 1:50 pm To 4:00 pm March 16, 2017. un-achievable and un-realistic.
- K. The "Fact" is true, Hearings Officer did not address this matter by MINUTE ORDER, nor file a minute order to allow time for Pro-se Parties including William Freitas to Objected to exhibits opposed by TIO LLC, and UHH's joinder filed. Dose not meet Goals to HRS 92-F.
- L. The "Fact" is true, UHH is the applicant in this proceedings, not TIO LLC that has Opposed, William Freitas Pro-se Motion to Reconsideration The applicant UHH has Joined a none-applicant to oppose MR minute Order 43 and 44 by William Freitas Pro-se. Transcripts submitted is the Repetitive and irrelevant to a affirmative procedure by hearings officer.
- M. The "Fact" is true, The burden of proof, lies with the "applicant" UHH, Joinder Doc. 607 filed 3:44 pm on May 3, 2017 to TIO LLC's, Doc. 604 Opposition to William Freitas's Motion to Reconsideration, States nothing But totally relies upon TIO to set the opposition. Note, a None-applicant "Guiding" a "applicant" to assert "Exhibits" that have been denied by HO.
- N. The "Fact" is true, Doc. 616 filed @3:53 pm by UHH "applicant" Joinder To TIO LLC's Opposition to William Freitas Pro-se Motion to Reconsider Minute order no. 44, States nothing, but relies upon TIO LLC a none-applicant to set opposition, with transcripts that doesn't refer to any affirmative dates to a procedure by hearings officer for direct instructions to "Timely" procedure Way down the line....until March 02, 2017 as HO, on record gives Partie Again a none-affirmative instruction

CONCLUSION TO RESPONSE

I accordance to 92-F2 HRS I William Freitas Pro-se, Reserve the right to be given
The full purpose of construction to rules in a democracy, the people are vested with
The ultimate decision making power. Government agencies exist to aid the people
formation and conduct of public policy. Opening up the government process to public
scrutiny and participation is the only viable and reasonable method of protecting
public's interest. Therefore the legislature declares, that it is the policy of the state
that the formation of conduct of public policy----the discussions, deliberations,
decisions, and actions of government agencies----shall be conducted openly as
possible.

The policy of conducting government business as openly as possible must be
Tampered by recognition of the rights of the people to privacy, as embodied in
Section 6 and section 7 of article 1 of the constitution of the State of Hawaii.

This chapter will be applied and construed to promote its underlying purposes
And policies, which are to:

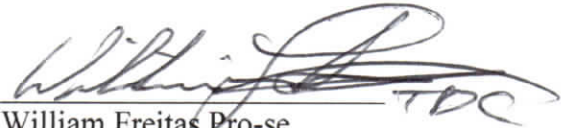
- (1) Promote public interest in disclosure.
- (2) Provide for accurate, relevant, timely and complete government record;
- (3) Enhance governmental accountability through general policy of access to
Government records;
- (4) Make government accountable to individuals in the collection, use, and
Dissemination, of information relating to them; and
- (5) Balance the individual privacy interest and public access interest, allowing

Unless it would constitute clearly unwarranted invasion of personal
Privacy [L 1988, c 262, pt of 1]

Section 92-F2, HRS

I William Freitas Pro-se, under threat, duress, and coercion, humbly ask this Hearings
Officer to "Grant" Motion to reconsideration filed by William Freitas Doc. 568 in
Consideration of rules sited, and reasons stated in this response for a full relevant,
Accurate, and "Timely" government record. Mahalo!

Dated: October 10, 2019


William Freitas Pro-se TDC

BOARD OF LAND AND NATURAL RESOURCES
STATE OF HAWAII

Contested Case Hearing Re Conservation
District use Application (CDUA) HA-3568
For the Thirty Meter Telescope of the Mauna
Kea Science Reserve, Ka'ohe Mauka,
Hamakua, Hawaii, TMK (3) 4-4-015.009

BLNR Contested
Case HA-16-02
Document Title

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above reference document was served upon the
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