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Attorneys for PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.

#### BOARD OF LAND AND NATURAL RESOURCES

## FOR THE STATE OF HAWAI'I

IN THE MATTER OF

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 Hawai`i, TMK (3) 4-4-015:009 Case No. BLNR-CC-16-002

PERPETUATING UNIQUE
EDUCATIONAL OPPORTUNITIES,
INC.'S SUBSTANTIVE JOINDER TO
THE UNIVERSITY OF HAWAI'I AT
HILO AND TMT INTERNATIONAL
OBSERVATORY, LLC'S JOINT
[PROPOSED] FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
DECISION AND ORDER;
CERTIFICATE OF SERVICE

PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC.'S SUBSTANTIVE JOINDER TO THE UNIVERSITY OF HAWAI'I AT HILO AND TMT INTERNATIONAL OBSERVATORY, LLC'S JOINT [PROPOSED] FINDINGS OF FACT, CONCLUSIONS OF LAW, AND DECISION AND ORDER

COMES NOW PERPETUATING UNIQUE EDUCATIONAL OPPORTUNITIES, INC. ("PUEO"), by and through its undersigned counsel, and hereby respectfully submits the following as their substantive joinder to THE UNIVERSITY OF HAWALI AT HILO AND TMT INTERNATIONAL OBSERVATORY, LLC'S Joint [Proposed] Findings of Fact, Conclusions of Law, and Decision and Order, filed on May 30, 2017.

PUEO has reviewed the following proposed findings and conclusions submitted by

various parties to this contested case:

Received
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
2017 June 13 3:19 pm

- 1. Temple of Lono proposed decisions and orders including findings of fact and conclusions of law, filed May 23, 2017;
- 2. Temple of Lono Supplement A to Proposed Decisions and Orders Including Findings of Fact and Conclusions of Law, filed May 29, 2017;
- 3. Deborah J. Ward Proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 29, 2017;
- 4. Joseph Kualii Lindsey Camara's Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 5. Harry Fergerstrom's Finding of Fact, Conclusions of Law, Recommendation, filed May 30, 2017;
- 6. Brannon Kamahana Kealoha: Motion pleading for more time to submit FOF; etc., filed May 30, 2017;
- 7. Flores-Case Ohana's proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 8. Kealoha Pisciotta, Mauna Kea Anaina Hou, Paul K. Neves, and Kaliko Kanaele proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 9. Kahea: The Environmental Alliance's proposed Findings of Fact and Conclusions of Law, filed May 30, 2017;
- 10. Clarence Kukauakahi Ching's proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 11. Tiffnie Kakalia proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 12. William Freitas' proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 13. J. Leinaala Sleightholm's proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017;
- 14. The University of Hawaii at Hilo and TMT International Observatory, LLC's joint [proposed] Findings of Fact, Conclusions or Law, and Decision and Order, filed May 30, 2017;
- 15. Cindy Freitas proposed Findings of Fact, Conclusions of Law, Decision and Order, filed May 30, 2017; and

16. Mehana Kihoi's proposed Findings of Fact, Conclusions of Law, and Decision

and Order, filed May 30, 2017.

Based on the foregoing, PUEO finds The University of Hawai'i at Hilo and TMT

International Observatory, LLC's Joint [Proposed] Findings of Fact, Conclusions of Law, and

Decision and Order, filed May 30, 2017, accurately comports with the record and respectfully

substantively joins same.

By this substantive joinder, PUEO respectfully requests that the Honorable Hearing

Officer adopt the aforementioned The University of Hawai'i at Hilo and TMT International

Observatory, LLC's Joint [Proposed] Findings of Fact, Conclusions of Law, and Decision and

Order, filed May 30, 2017.

DATED: Hilo, Hawai'i, June 13, 2017.

NEWTON J. CHU

VAUGHN G. T. COOK

LINCOLN S. T. ASHIDA

Attorneys for

PERPETUATING UNIQUE EDUCATIONAL

**OPPORTUNITIES** 

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## **BOARD OF LAND AND NATURAL RESOURCES**

## FOR THE STATE OF HAWAI'I

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 Hawai`i, TMK (3) 4-4-015:009 CERTIFICATE OF SERVICE

# **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on the following via the manner listed

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Witness for the Hearing

Officer

Moses Kealamakia Jr. <u>mkealama@yahoo.com</u> Witness for the Hearing Officer

DATED: Hilo, Hawai'i, June 13, 2017.

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