

NO. 23431

IN THE SUPREME COURT OF THE STATE OF HAWAII

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In the Matter of

CLYDE MASANORI ARAKAKI and IRIS  
HOKULANI ARAKAKI, Complainants-Appellants

vs.

HAWAIIAN ELECTRIC COMPANY, INC., Respondent-Appellee

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APPEAL FROM THE PUBLIC UTILITIES COMMISSION  
(DOCKET NO. 99-0040)

ORDER DENYING MOTION FOR RECONSIDERATION

(By: Moon, C.J., Levinson,  
Nakayama, Ramil, and Acoba, JJ.)

Upon consideration of the motion for reconsideration of the July 27, 2000 order dismissing appeal, the papers in support and the record, it appears that the motion for reconsideration was filed on August 11, 2000, more than ten days after entry of the July 27, 2000 order, and is untimely. HRAP 40(a). However, even if we were to consider the motion on the merits, we would still conclude that the appeal was untimely because the provision of HRAP 26(a) excluding intervening Saturdays, Sundays and legal holidays in the computation of time does not apply to the 30-day period for filing a notice of appeal; it applies only "when the period of time prescribed or allowed is less than 7 days." Therefore,

IT IS HEREBY ORDERED that the motion for reconsideration is denied as untimely and all other requested relief are also denied.

DATED: Honolulu, Hawai'i, August 21, 2000.

Clyde M. Arakaki  
and Iris H. Arakaki,  
on the motion