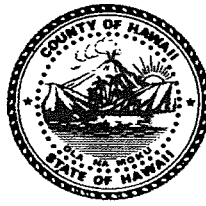


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

May 31, 2013

Thomas L. H. Yeh
Law Offices of Yeh & Moore
85 W. Lanikaula Street
Hilo, HI 96720

SUBJECT: Geothermal Resource Permit (GRP2)
Puna Geothermal Venture (PGV)
Ordinance No. 12-151 (Bill 292)

Dear Mr. Yeh:

Receipt of your letter dated December 28, 2012 concerning the above is acknowledged. You have asked us to review your request for interpretation as to the effect which Ordinance No. 12-151 has on GRP2, issued to PGV on February 6, 2001.

I have reviewed the subject ordinance and the terms of GRP2, as well as the record relating to the intent of the Council when it adopted Bill 292 and opinions on the matter from the Corporation Counsel. Based upon this review, it is determined that Ordinance No.12-151 does not prohibit or prevent PGV from conducting geothermal resource exploration drilling or geothermal production drilling operations between the hours of 7:00 p.m. and 7:00 a.m. within a mile of the nearest residence, so long as such activities are conducted pursuant to the terms and conditions of GRP2.

Please let me know if you have further questions regarding the above. Thank you for your patience in this matter.

Sincerely,

BJ LEITHEAD TODD
Planning Director

JUN - 4 2013