
A BILL FOR AN ACT

RELATING TO PETROLEUM INDUSTRY REPORTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 486J-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Each week, or other appropriate time period and on
4 reporting dates to be determined by the commission, every
5 distributor and major fuel user shall file with the commission,
6 on forms prescribed, prepared, and furnished by the commission,
7 a certified statement showing on a statewide consolidated basis,
8 and separately for each county and for the islands of Lanai and
9 Molokai within which and whereon fuel is sold or used during the
10 last preceding reporting week, the following:

11 (1) The total number of gallons or units of fuel, by type
12 or grade, refined, manufactured, or compounded by the
13 distributor within the State and, if for ultimate sale
14 or consumption in another county or on another island,
15 the number of gallons or units of fuel, by type or
16 grade, sold, exchanged, or otherwise transferred or
17 used by the distributor in each county or island;



- 1 (2) The total number of gallons or units of fuel, by type
2 or grade, imported or exported by the distributor; the
3 total volumes of fuel, by type or grade, sold,
4 exchanged, or otherwise transferred or used by the
5 distributor; and if for ultimate sale or consumption
6 in another county or on another island, the number of
7 gallons or units of fuel, by type or grade, sold,
8 exchanged, or otherwise transferred or used by the
9 distributor in each county or island;
- 10 (3) The total number of gallons or units of fuel sold as
11 liquid fuel, aviation fuel, diesel fuel, and other
12 types of fuel as required by the commission;
- 13 (4) The total number of gallons or units of fuel, by type
14 or grade, and their respective sales prices for all
15 fuel sold to federal, state, and county agencies,
16 ships stores, or base exchanges, commercial
17 agricultural accounts, commercial nonagricultural
18 accounts, retail dealers, and other customers as
19 required by the commission;
- 20 (5) Weekly weighted average acquisition cost per barrel
21 and volumes of foreign or domestic crude oil or other
22 liquid fuels, finished or unfinished, imported to



- 1 Hawaii, including information identifying the source
2 of the crude oil or other liquid fuels;
- 3 (6) The effective date and time, and the amount of change
4 in cents per gallon, of any increase or decrease in
5 wholesale price occurring during the week and the
6 weekly weighted average wholesale prices and sales
7 volumes of finished unleaded regular and premium motor
8 gasoline, and of each other grade of gasoline sold, by
9 island, to retail outlets, by classes of retail trade,
10 and to wholesale distributors;
- 11 (7) Weekly weighted average retail prices, and sales
12 volumes of finished unleaded regular and premium motor
13 gasoline, and of each other grade of gasoline sold, by
14 island, by retail distributor outlets of all classes
15 of retail trade and by any distributor to other end-
16 users; provided that the commission may purchase
17 retail price data from data service companies that the
18 commission may use to substitute some or all data to
19 meet the reporting requirement for retail price data
20 under this paragraph;
- 21 (8) The effective date and time, and the amount of change
22 in cents per gallon, of any increase or decrease in



1 wholesale price occurring during the week and the
2 weekly weighted average wholesale prices, and sales
3 volumes of No. 2 diesel fuel and No. 2 fuel oil, by
4 island, to retail distributor outlets, by classes of
5 retail trade, and to all other wholesale distributors.
6 Weighted average wholesale prices and sales volumes
7 shall be reported by type of wholesale liquid fuel
8 price;

9 (9) Weekly weighted average retail prices, and sales
10 volumes of No. 2 diesel fuel and No. 2 fuel oil sold,
11 by island, by retail distributor outlets of all
12 classes of retail trade and by any distributor to
13 other end-users. The commission may purchase retail
14 price data from data service companies that the
15 commission may use to substitute some or all data to
16 meet the reporting requirement for retail price data
17 under this paragraph;

18 (10) Weekly weighted average prices, and sales volumes for
19 retail sales and wholesale sales, by island, of No. 1
20 distillate, kerosene, finished aviation gasoline,
21 kerosene-type jet fuel, No. 4 fuel oil, residual fuel
22 oil, and consumer grade propane;



1 (11) For each distributor that is a refiner, the gross
2 margins or spreads between a refiner's average
3 weighted acquisition price for each gallon of crude
4 oil and blendstock refined within the State and the
5 average weighted prices for each gallon or unit of
6 fuel sold, by county or island, to another
7 distributor, a retail dealer, end-user, and consumer;

8 (12) For each distributor that is not a refiner, the gross
9 margins or spreads between the distributor's average
10 weighted price for each gallon or unit of fuel
11 acquired by the distributor and the average weighted
12 prices for each gallon or unit of fuel sold, by county
13 or island, to another distributor, a retail dealer,
14 end-user, or consumer; and

15 (13) Revenues, expenses, profits and losses, and any other
16 financial or operating information as may be required
17 by the commission.

18 The commission shall prescribe applicable standards and
19 practices for reporting to facilitate uniformity, consistency,
20 and comparability of the data to be submitted."

21 SECTION 2. Section 486J-8, Hawaii Revised Statutes, is
22 amended by amending subsection (b) to read as follows:



1 "(b) The commission shall disclose to the public, using
2 the best readily available technology, the information contained
3 in the statements that are filed pursuant to section 486J-3,
4 except to the extent that disclosure is prohibited under section
5 486J-6. The commission shall publicly report this information
6 within [~~fourteen days pursuant to the reporting dates~~] thirty
7 days or as soon as practically and technically feasible after
8 the receipt of this information pursuant to the reporting dates
9 established by the commission under section 486J-3."

10 SECTION 3. Section 486J-11, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§486J-11 Powers of the public utilities commission.** (a)
13 The public utilities commission may take any action or make any
14 determination under this chapter, including but not limited to
15 actions or determinations that affect persons not regulated
16 under chapters 269, 271, and 271G, as the commission deems
17 necessary to carry out its responsibilities or otherwise
18 effectuate chapter 269, 271, or 271G.

19 (b) The public utilities commission may examine or
20 investigate each distributor, the manner in which it is
21 operated, its prices and rates, its operating costs and
22 expenses, the value of its property and assets, the amount and



1 disposition of its income, any of its financial transactions,
2 its business relations with other persons, companies, or
3 corporations, its compliance with all applicable state and
4 federal laws, and all matters of any nature affecting the
5 relations and transactions between the distributor and the
6 public, persons, or businesses.

7 (c) In the performance of its duties under this chapter,
8 the commission shall have the same powers respecting
9 administering oaths, compelling the attendance of witnesses and
10 the production of documents, examining witnesses, and punishing
11 for contempt, as are possessed by the circuit courts. In case
12 of disobedience by any person to any order of or subpoena issued
13 by the commission, or of the refusal of any witness to testify
14 to any matter regarding which the witness may be lawfully
15 questioned, any circuit court, upon application by the
16 commission, shall compel obedience as in case of disobedience of
17 the requirements of a subpoena issued from a circuit court or a
18 refusal to testify therein.

19 (d) Notwithstanding any provision of this chapter to the
20 contrary, to effectively facilitate the efficient reporting and
21 analysis of information collected pursuant to this chapter and
22 to allow flexibility in applicable reporting requirements for



1 requirements for the broad range of persons and businesses
2 affected, the commission, in its discretion, may determine the
3 specific information that must be reported by any person
4 required to submit information under this chapter."

5 SECTION 4. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

7 SECTION 5. This Act shall take effect on July 1, 2050.



S.B. NO. 2630
S.D. 2
H.D. 1

Report Title:

Petroleum Industry Reporting

Description:

Give the PUC more discretionary authority with the reporting requirements for information reported by oil producers, refiners, marketers, oil transporters, oil storers, and oil retailers. (SB2630 HD1)

SB2630 HD1 HMS 2008-3232

