
A BILL FOR AN ACT

RELATING TO ENERGY.

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

1 SECTION 1. Section 486J-1, Hawaii Revised Statutes, is
2 amended by adding four new definitions to be appropriately
3 inserted and to read as follows:

4 "Bulk sales" means the wholesale sale of gasoline in
5 individual transactions which exceed the size of a truckload.

6 "Crude oil cost" refers generally to the cost of raw
7 material necessary for processing by a refinery into products.

8 "Dealer tank wagon" means the wholesale sale of gasoline
9 priced on a delivered basis to a retail outlet.

10 "Rack sales" means wholesale truckload sales or smaller of
11 gasoline where title transfers at a terminal."

12 SECTION 2. Section 486J-4.5, Hawaii Revised Statutes, is
13 amended to read as follows:

14 **"§486J-4.5 Informational cost reports[-]; publication.**

15 (a) Each refiner, on a semi-annual basis, at reporting dates as
16 the commission may establish, shall file with the commission, on
17 forms prescribed, prepared, and furnished by the commission, a
18 certified statement of operating and overhead costs for the



1 refiner's Hawaii operations that shall include but not be
2 limited to the following:

- 3 (1) Crude oil costs and sources;
- 4 (2) Other feedstock costs and sources;
- 5 (3) Refinery operating expenses;
- 6 (4) Marketing operating expenses by petroleum product;
- 7 (5) Distribution expenses by petroleum product; and
- 8 (6) Corporate overhead expenses.

9 (b) In addition to the reporting required under subsection
10 (a), each distributor shall file with the commission all
11 Securities and Exchange Commission Forms 10-K, 10-Q, annual
12 reports, quarterly reports, and earnings supplements published
13 by the distributor.

14 (c) Each distributor, except a distributor who is so
15 defined solely by criteria in paragraph (4) of that definition
16 in section 486J-1, who sells liquid fuel only at retail and is
17 not a refiner, shall file with the commission, on a semi-annual
18 basis at reporting dates as the commission may establish, on
19 forms prescribed, prepared, and furnished by the commission, a
20 certified statement of operating and overhead costs that shall
21 include the following:

- 22 (1) Gasoline purchases and exchanges and sources;



1 (2) Diesel purchases and exchanges and sources;

2 (3) Marketing expenses; and

3 (4) Distribution expenses.

4 (d) Each distributor shall file with the commission, on a
5 weekly basis at reporting dates as the commission may establish,
6 on forms prescribed, prepared, and furnished by the commission,
7 a certified statement that reports the average crude oil cost
8 and the average wholesale gasoline prices charged by the
9 distributor for each class of trade, including but not limited
10 to, the bulk, rack, and dealer tank wagon transactions.

11 (e) Notwithstanding any provision in this chapter to the
12 contrary, the commission shall publish weekly for each island
13 all of the information provided in the weekly certified
14 statement filed with the commission under subsections (d). The
15 information shall be categorized by:

16 (1) Island of distribution; and

17 (2) Distributor.

18 (f) The commission shall publish weekly the average retail
19 price of gasoline for each island, as available, as reported by
20 the American Automobile Association or other industry source."

21 SECTION 3. If any provision of this Act, or the
22 application thereof to any person or circumstance is held



1 invalid or is suspended by a court of competent jurisdiction,
2 the invalidity or suspension shall not affect other provisions
3 or applications of the Act, which can be given effect without
4 the invalid or suspended provision or application, and to this
5 end the provisions of this Act are severable.

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

8 SECTION 5. This Act shall take effect on July 1, 2008.



Report Title:

Petroleum Industry Reporting

Description:

Clarifies the reporting and publishing requirements of the public utilities commission to more accurately reflect the information reported by oil producers, refiners, marketers, oil transporters, oil storers, and oil retailers. (SD1)

