

JAN 18 2008

A BILL FOR AN ACT

RELATING TO PUBLIC UTILITIES.

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

1 SECTION 1. In December of 2007, the State of Hawaii was
2 struck by a storm that included torrential rains and high winds.
3 Resulting storm damage on the leeward coast of Oahu was
4 substantial with numerous utility poles being felled and
5 damaged. In one case, a utility pole snapped and landed on a
6 house. High winds toppled a total of approximately nineteen
7 poles in Nanakuli and approximately eighteen additional poles
8 were felled or damaged in Maili. For at least three days
9 following the initial storm, pockets of residents in Maili and
10 Nanakuli continued to be without electric utility service.

11 As a result of the downed utility poles businesses and
12 schools were closed due to a lack of electric utility service.
13 Nearly one hundred public schools throughout the State were shut
14 down, including nine schools located in leeward Oahu.

15 In addition, Farrington highway, the primary transportation
16 route through the Maili to Nanakuli corridor in leeward Oahu was
17 adversely impacted by the damaged utility poles with repairs



1 taking several days to complete. This occurrence mirrors a
2 March 2006 storm that downed more than a dozen utility poles in
3 the same general area.

4 The purpose of this Act is to require the public utilities
5 commission to develop and implement a plan for the
6 undergrounding of all overhead utility lines in areas prone to
7 severe weather and having a history of felled utility poles.
8 The plan shall initially be developed for counties having a
9 population of more than five hundred thousand residents and a
10 pilot program to implement the plan shall begin with the
11 Nanakuli to Makaha corridor on the island of Oahu.

12 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§269- Conversion plan for the undergrounding of
16 overhead utility lines in certain severe weather affected areas.

17 (a) The commission shall develop a plan for the systematic
18 conversion of overhead utility lines to underground lines. The
19 conversion plan shall identify and focus on areas within each
20 county that are prone to severe weather conditions that have
21 resulted in the disruption of normal motor vehicle traffic flow



1 and loss of utility service due to a history of felled or
2 damaged utility poles.

3 (b) The commission may require an affected utility or
4 utilities to pay for the entire cost or share in the cost of
5 undergrounding utility lines.

6 (c) The commission shall adopt rules in accordance with
7 chapter 91 for the development and implementation of the
8 conversion plan."

9 SECTION 3. The public utilities commission shall establish
10 a pilot project in a county with a population greater than five
11 hundred thousand residents. The pilot conversion project shall
12 be in accordance with section 2 of this Act and shall include a
13 conversion plan that is completed by December 31, 2008, with the
14 commencement of actual undergrounding of utility lines beginning
15 not later than January 2, 2009. The pilot conversion project
16 shall focus on the utility lines within the Nanakuli to Makaha
17 corridor of the island of Oahu.

18 SECTION 4. The public utilities commission shall assess
19 and collect an amount equal to one-half of the total cost of the
20 pilot conversion project from utilities affected by the pilot
21 conversion project. The proportionate amount assessed against



1 each such utility shall be determined by the public utilities
2 commission.

3 SECTION 5. There is appropriated out of the state highway
4 fund the sum of \$ or so much thereof as may be
5 necessary for fiscal year 2008-2009 for the purpose of
6 developing and implementing a comprehensive plan and pilot
7 program for the undergrounding of all overhead utility lines;
8 provided the sum appropriated and expended shall not exceed
9 one-half of the total cost of the pilot conversion project
10 established in section 3 of this Act.

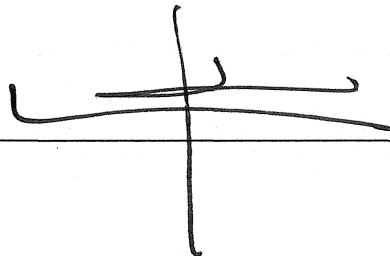
11 The sum appropriated shall be expended by the department of
12 transportation for the purposes of this Act.

13 SECTION 6. New statutory material is underscored.

14 SECTION 7. This Act shall take effect upon its approval;
15 provided that section 5 shall take effect on July 1, 2008.

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INTRODUCED BY:



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Report Title:

Undergrounding Utility Lines; Pilot Program; Funding

Description:

Requires the public utilities commission to develop and implement a plan for the undergrounding of all overhead utility lines in all counties with over 500,000 residents, beginning with a pilot program for the Nanakuli to Makaha corridor. Funds pilot conversion plan by apportioning costs equally between affected utilities and the state highway fund.

